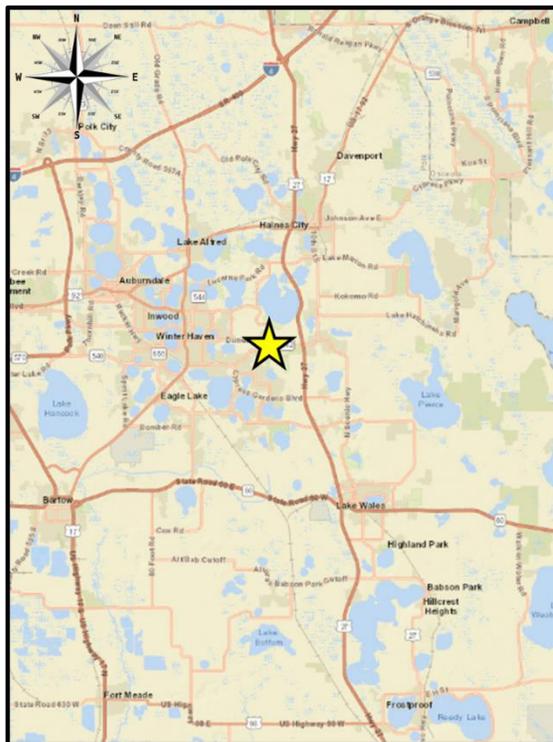


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

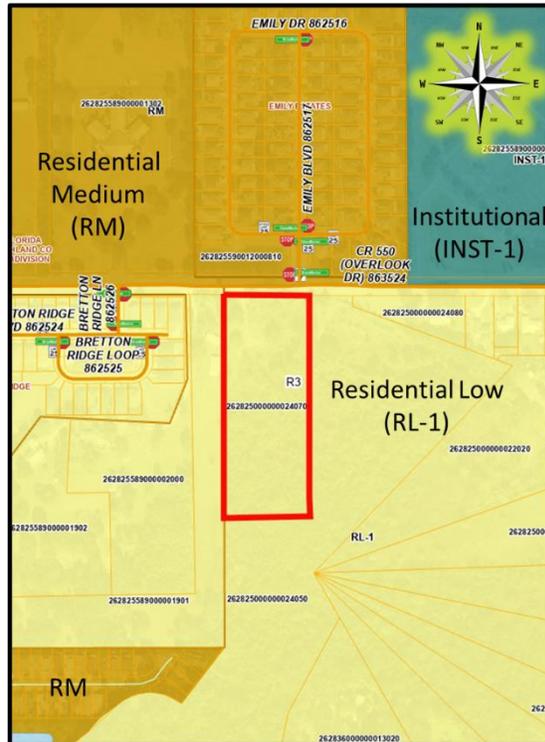
DRC Date:	December 19, 2024	Level of Review:	4
PC Date:	March 5, 2025	Type:	Comprehensive Plan Amendment
BoCC Date:	April 1, 2025	Case Numbers:	LDCPAS-2024-34
Applicant:	Nicki Rowan, Wood & Associates Engineering, LLC	Case Name:	Orchid Springs CPA
		Case Planner:	J.P. Sims, Planner II

Request:	A Future Land Use designation change from Residential Low (RL-1) to Residential Medium (RM).
Location:	The subject property is located south of County Road 550, east of Carl Floyd Road, west of Lake Daisy Road, and north of Cypress Gardens Road, east of the Winter Haven city limits, in Sections 25, Township 28, and Range 26.
Property Owner:	Orchid Springs Development Company
Parcel Size/number:	2.55 +/- acres of a larger 5.84 +/- acre parcel (262825-000000-024070)
Development Area:	Urban Growth Area (UGA)
Nearest Municipality:	City of Winter Haven
DRC Recommendation:	Approval
Planning Commission Vote:	Approval (6-0)
Public Comment:	None
Florida Commerce*	N/A

Location Map



Current Future Land Use Map



Summary

The applicant, Nicki Rowan of Wood & Associates Engineering, LLC, is requesting a Small-Scale Comprehensive Plan Amendment on behalf of the property owners, Orchid Springs Development Company, to change the Future Land Use Designations from Residential Low (RL-1) to residential Medium (RM) on 2.55 +/- acres of uplands on a total 5.84-acre parcel of property in the Urban Growth Area (UGA). Site is located south of County Road 550, west of Lake Daisy Road, east of Carl Floyd Road, and north of Cypress Gardens Road, east of Winter Haven city limits, in Sections 25, Township 28, and Range 26.

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 County Road 550 which is an Urban Collector. It has Residential Medium (RM) to the north, and Residential Low (RL) to the south, east and west with a few religious institutions nearby. The adjoining parcel to the west is 6.69 +/- acre parcel developed with a residential home. The property to the east is a 41 acre parcel owned by the Green Horizon Land Trust.

Infrastructure Summary

The subject site has access to water and wastewater from Winter Haven Utilities per applicant's Impact Assessment Statement. There is sufficient road capacity on all surrounding road networks. Mass transit is available nearby, but there is not a stop directly adjacent to the site. Public safety response times are normal for this part of the County, but school capacity will be an issue at the high school. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is the Lake Florence Park 1.7 miles southwest of the site and the nearest regional Park is the East Central Park 4 miles to the east of the subject site. There are wet soils on the subject as well as sandy soils. There are wetlands and there is Flood Zone AE on the southern half of the parcel. The wet soils on site will not be an issue as the area that is being used will be entirely on the upland sandy soils.

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 the Future Land Use designation change from Residential Low (RL-1) to Residential Medium (RM) on 2.55 acres of a larger 5.84 acre parcel, which represents the uplands portion of the parcel.
-

Compatibility

- The existing uses surrounding the site are:
 - North – RM; Emily Estates, a single-family residential neighborhood.
 - West – RL-1; 6.69-acre parcel; Bretton Ridge, a single-family residential neighborhood.
 - East – RL-1; vacant property owned by the Green Horizon Land Trust since 2011.
 - South – RL-1; undeveloped; single-family residential.
- The general area surrounding the subject site includes mostly single family detached residential, with a couple of churches nearby.
- The subject site is undeveloped.
- There is a flag-shaped 6.69 +/- acre parcel adjacent to the subject site developed with a single family residence and accessory structure.

Infrastructure

- The zoned schools for the site are Elbert Elementary, Denison Middle, and Winter Haven High School.
- Polk County Fire Rescue Station 18 will be the response unit for fire and EMS for this site. It is located at 2101 Register Road SE in Winter Haven, with an approximate travel distance of 2.2 miles.
- The subject site is within the Sheriff Department's Central District. The Central District Office is located at 3635 Ave G NW in Winter Haven.
- The subject site is within the Winter Haven Utility Service Area for potable water and wastewater as stated by applicant in Impact Assessment Statement. The proposed RM has the potential to require more water and generate more wastewater with than the current land use..
- County Road 550 (Overlook Drive) has sidewalks across the street from the subject site along the north.

- The closest mass transit route is Route 27X, the Dundee/Eagle Ridge route with the closest stop being the Dundee Police Station stop which is 3.5 miles from the subject site. This line runs west to east along Dundee Road.
- The nearest neighborhood park is the Lake Florence Park 1.7 miles southwest of the site and the nearest regional Park is the East Central Park 4 miles to the east of the subject site.

Environmental

- There is a low elevation of 122 on the south side of the parcel, 129 feet at the west side, 128 on the east side. The highest point is 130 on the northwest corner of the parcel.
- There are predominantly wetlands on the southern half of the site. There is AE flood zone on the overall parcel, but not on the portion of the site where development will occur.
- The soil type for the parcel include Pomona Fine Sand, Sparr Sand, Tavares fine sand, Immokalee sand, and Kaliga muck.
- 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 wells on the subject site and it is not located in a wellfield.
- The site is not within an Airport Impact District.
- The parcel to the east of the subject site is owned by Green Horizon Land Trust, which is a conservation easement, and has been owned by them since 2011.

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 LDCPAS 2024-34**.

Planning Commission Recommendation: On April 1st, 2025, in an advertised public hearing, the Planning Commission voted 6:0 to **recommend APPROVAL of LDCPAS-2024-34**.

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 RM; Christ Community Church of Winter Haven	North RM; Emily Estates	Northeast INST-1; St. Matthew Catholic Church
West RL-1; single-family residential	Subject Site RL-1; undeveloped	East RL-1; vacant land, Green Horizon Land Trust conservation easement
Southwest RL-1; single-family residential	South RL-1; vacant land, Green Horizon Land Trust conservation easement	Southeast RL-1; vacant land, Green Horizon Land Trust conservation easement

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 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. Religious institutions run along County Road 550 as well. The majority of the surrounding uses are single family residential.

The subdivision to the west of the subject site is Bretton Ridge, which is an RL-1 land use, but the 17-acre development has 75 lots, which comes out to about 4.4 dwelling units per acre. The subdivision to the north of the subject site is Emily Estate. This development is about 23-acres in size and has 81 units, which comes out to 3.5 dwelling units per acre.

B. Infrastructure

The subject site will be serviced by Winter Haven's Utility Service Area for potable water and wastewater. Applicant stated in Impact Assessment Statement that Winter Haven Utilities confirmed that this site will be able to connect both water and wastewater. The site is adjacent to County Road 550 (Overlook Drive), an Urban Collector, while also having close access to State Road 542, a Minor Arterial. There is available transportation capacity on both roads. Public safety response times are normal for this part of the County. While there is capacity within the schools, this site is not expected to generate students. 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 does currently show as overcapacity.

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.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2022-2023 School Year	Average driving distance from subject site
Elbert Elementary School	3 students	95%	3.3 miles
Denison Middle School	1 student	63%	4.3 miles
Winter Haven High School	1 student	107%	4.7 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*
Sheriff	Central District Command Unit (3635 Ave G NW, Winter Haven)	8 +/- miles Priority 1 – 11:30 Priority 2 – 23:20
Fire/ EMS	Station #18 (2101 Register Rd SE, Winter Haven)	2.2 +/- miles

Source: Polk County Sheriff's Office & Polk County Fire Rescue. Response times for November 2023.

Water and Wastewater

A. Estimated Demand

The subject site is within the Winter Haven Utility Service Area for potable water and wastewater as confirmed by City of Winter Haven Utilities. 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-1	Maximum Permitted in Proposed RM
2.55 +/- acres	2.55 +/- acres X 1 du/ac = 2 du	2.55 +/- acres X 10 du/ac = 25 du
Potable Water Consumption	2 du X 360 GPD = 720 GPD	25 du X 198 GPD = 4,950 GPD
Wastewater Generation	2 du X 270 GPD = 540 GPD	25 du X 180 GPD 4,500 GPD

Source: Concurrency Manual: RL-1 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 is within the Winter Haven Utility Service Area for water and wastewater as confirmed by City of Winter Haven Utilities. There is a Distribution Main Line for water that runs along the front of the subject property on Overlook Drive SE.

If site is unable to connect to wastewater through City of Winter Haven Utilities, then the density of the development will need to be reduced as with septic, density cannot be higher than 4 du/ac.

C. Available Capacity

Information is not available for capacity as the water is handled by Winter Haven Utilities.

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-1	Maximum Permitted in Proposed RM
2.55 +/-acres	2.55 +/- acres X 1 du/ac = 2 du	2.55 +/- acres X 10 du/ac = 25 du
Average Annual	2 du X 7.81AADT = 16 Trips (100% New Trips)	25 du X 6.74 AADT = 169 Trips (100% New Trips)
PM Peak	2 du X 1.0 AADT = 2 Trips	25 du X 0.51 AADT = 13 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 father away from the site as it is at the driveway.

Link #	Road Name	Current LOS	Available Capacity	Minimum LOS Standard	Projected Five Year LOS
4054E	CR 550 (Overlook Drive)	C	358	D	C
4054W		C	340	D	C
8103E	Dundee Road	D	343	D	E
8103W		D	324	D	E

Source: Polk Transportation Planning Organization, Roadway network Database 2023

C. Roadway Conditions

CR 550 (Overlook Drive) is an Urban Collector with available capacity in both directions. Dundee Road is an Urban Collector. The Pavement Condition Index (PCI) for CR 550 is Fair while Dundee Road has a PCI rating of Good. 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

County Road 550 (Overlook Dr SE) has sidewalks across the street to the subject site along its entire property frontage. Dundee Road has no sidewalks running along the entirety of the road from west to east.

E. Planned Improvements:

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

F. Mass Transit

The closest mass transit route is Route 27X, the Dundee/Eagle Ridge route with the closest stop being the Dundee Police Station stop which is 3.5 miles from the subject site.

Park Facilities:

The following analysis is based on public recreation facilities. The nearest neighborhood park is the Lake Florence Park 1.7 miles southwest of the site and the nearest regional Park is the East Central Park four (4) miles to the east of the subject site.

A. Location:

The nearest neighborhood park is the Lake Florence Park 1.7 miles southwest of the site and the nearest regional Park is the East Central Park four (4) miles to the east of the subject site.

B. Services:

East Central Park has a baseball complex, tot lot, a soccer field, basketball court, and open pavilion space. Lake Florence Park has a dock that leads out into the lake.

C. Multi-use Trails:

The closest free hiking trail is in the Catfish Creek Preserve Hiking Trail which is nine (9) +/- miles to the east of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site are the Lewis Arboretum which is directly to the southwest of the subject site on the south side of Overlook Drive. While Green Horizon Land Trust is a conservation easement, it is not county owned. Catfish Creek is a state owned property.

E. Planned Improvements:

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

Environmental Conditions

The site is primarily composed of Kaliga muck, which is unsuitable for building and typically associated with wetlands. However, the portion of the parent parcel being changed does not contain any of these types of soils.

A. Surface Water:

There is no surface water on the subject site. However, there is an elevation change from the uplands portion of the site to the wetlands portion which is not being changed. The southern portion of the uplands has an elevation of 129 feet, which drops down to 122 feet when it changes into wetlands, so there is a small drop in elevation for water to run downhill into.

B. Wetlands/Floodplains:

There are wetlands and Flood Zone AE on the southern half of the parent parcel, but none exist on the subject site that is being changed.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph. According to the soil survey of Polk County, the soil types range in good permeable soils as well as soils associated with wetlands.

Table 8

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Pomona fine sand (7)	Severe: wetness, percs slowly	Severe: wetness	10.2%
Sparr sand, 0 to 5 percent slopes (14)	Severe: wetness, poor filter	Moderate: wetness	0.3%
Tavares fine sand, 0 to 5 percent slopes (15)	Moderate: wetness	Slight	15.6%
Immokalee sand (21)	Severe: wetness	Severe: wetness	19.6%
Kaliga muck, frequently ponded, 0 to 1 percent slopes (32)	Severe: ponding, poor filter	Severe: subsides, ponding, low strength	54.3%

*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.

The parcel to the east and south of the subject site is owned by the Green Horizon Land Trust, which is a conservation easement that was purchased in 2011.

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 Winter Haven Utilities. The nearest Wellfield is about 0.73 miles to the southwest 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
<p>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:</p> <p>a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</p>	<p>The 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 is RM abutting to the north of the site in Emily Estates.</p>
<p>POLICY 2.102-A1: DEVELOPMENT LOCATION – Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing Communities.</p>	<p>The lands surrounding the subject site are already a combination of religious institutions and single-family homes. Winter Haven Utilities are readily available in this area for water and wastewater. This request is consistent with this policy.</p>
<p>POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.</p>	<p>The 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. Schools that are zoned for the site are not at capacity. The overall parcel does contain wetlands or floodplains, but not on the portion being changed. Site directly accesses an Urban Collector in County Road 550.</p>
<p>POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:</p> <p>a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable);e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:</p> <ol style="list-style-type: none"> 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways; 2. sanitary sewer and potable water service; 3. storm-water management; 4. solid waste collection and disposal; 5. fire protection with adequate response times, properly 	<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. Schools that are zoned for the site are not at capacity. The overall parcel does contain wetlands or floodplains, but not on the portion being changed. Site directly accesses an Urban Collector in County Road 550.</p>

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<p>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>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 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>Residential Medium is allowed in the UGA. There are sidewalks across the street from the site along Overlook Drive. The change from Residential Low to Residential Medium will compliment the surrounding land uses.</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</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 site is connected to water and wastewater through Winter Haven Utilities. The sidewalks fronting the property promote walkability in</p>

Comprehensive Plan Policy	Consistency Analysis
<p>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.</p>	<p>the surrounding area. Public Safety is readily available nearby. The zoned high schools 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>
<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 "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</p>	<p>Future Land Uses to the north of the subject site are already designated Residential Medium. County Road 550 is an Urban Collector with sufficient capacity. Applicant is indicating an interest in constructing</p>

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<p>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>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

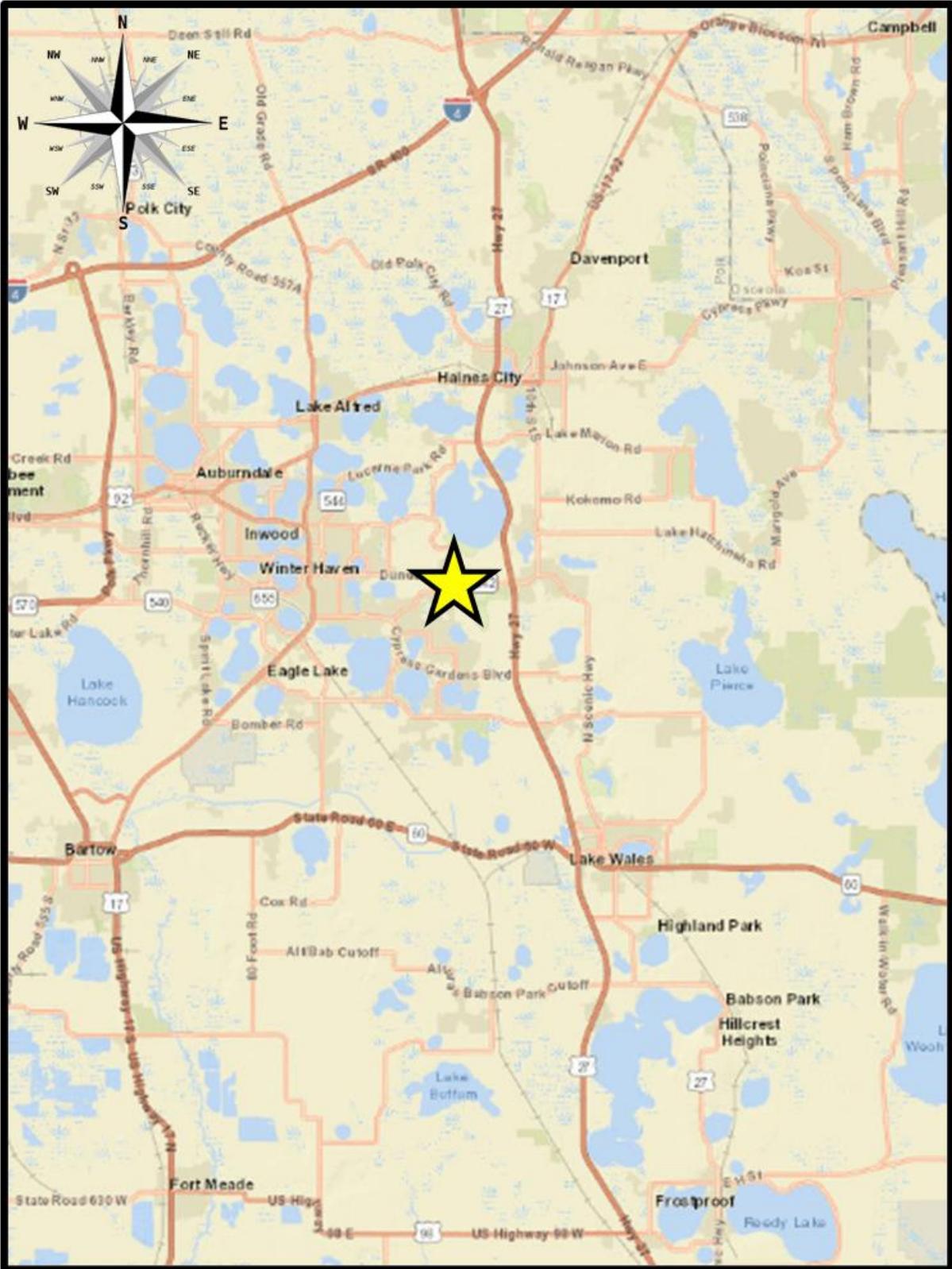
Comments from other agencies

No comments

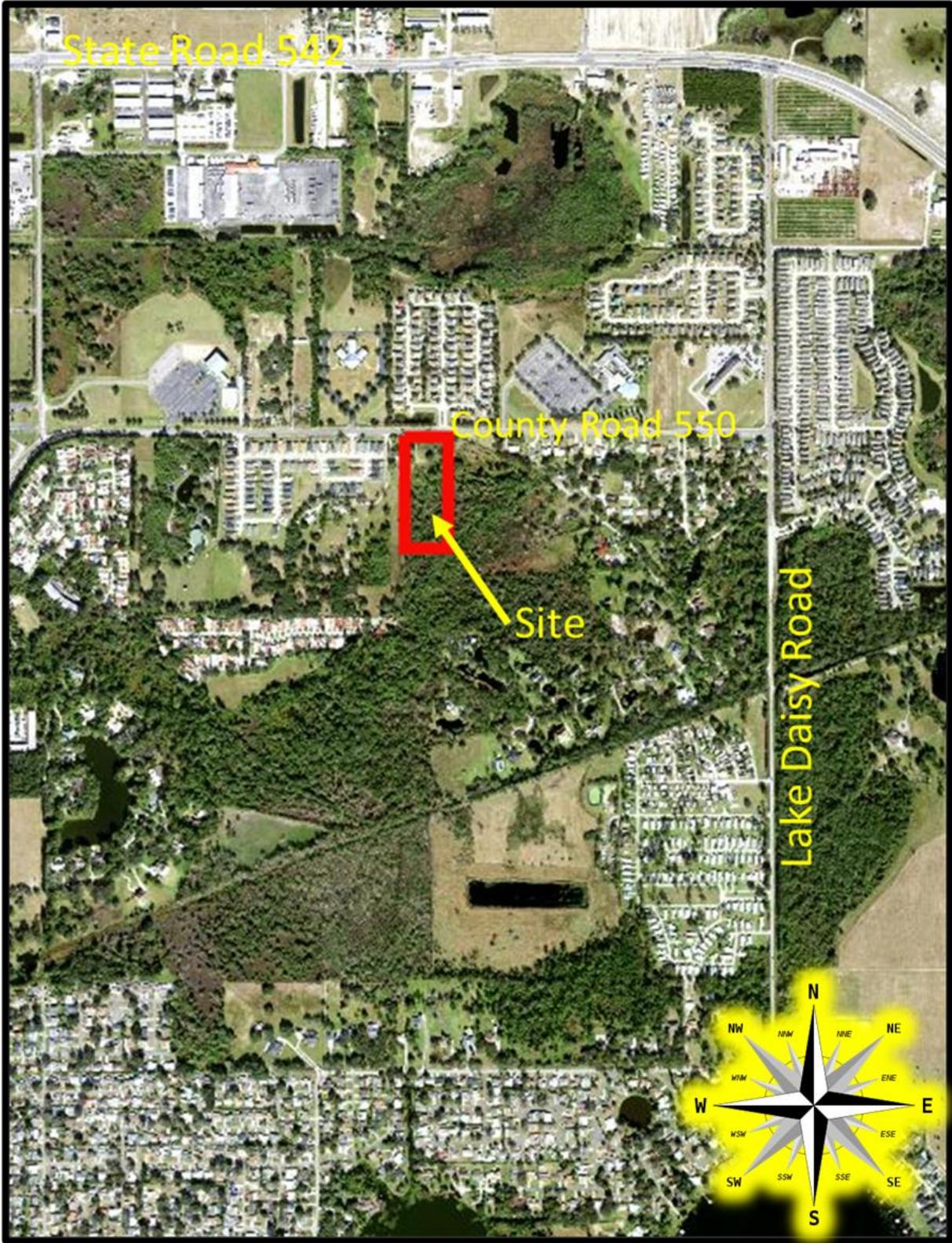
Exhibits:

- 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-1 Permitted and Conditional Uses

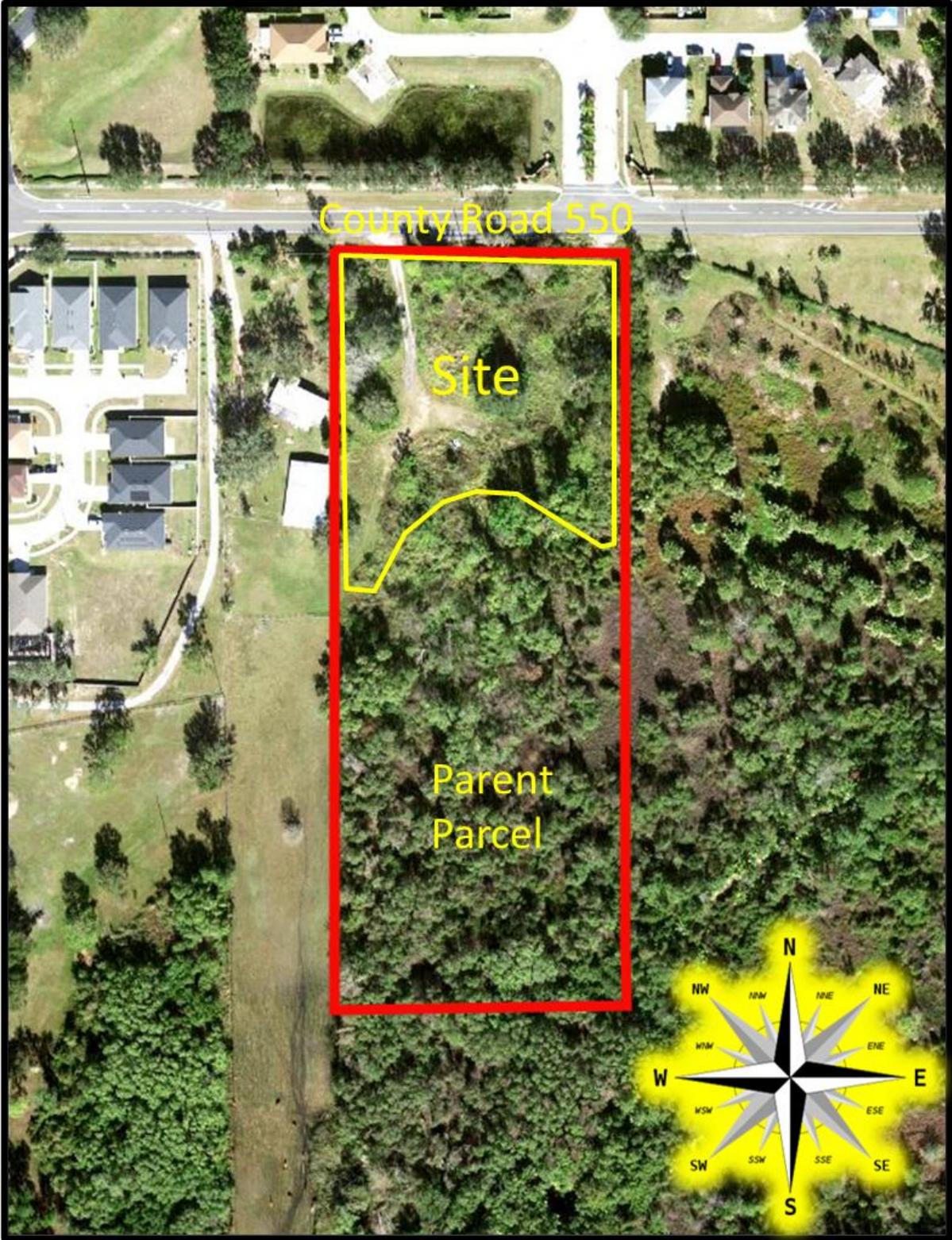
Applicant's submitted documents and ordinance as separate files



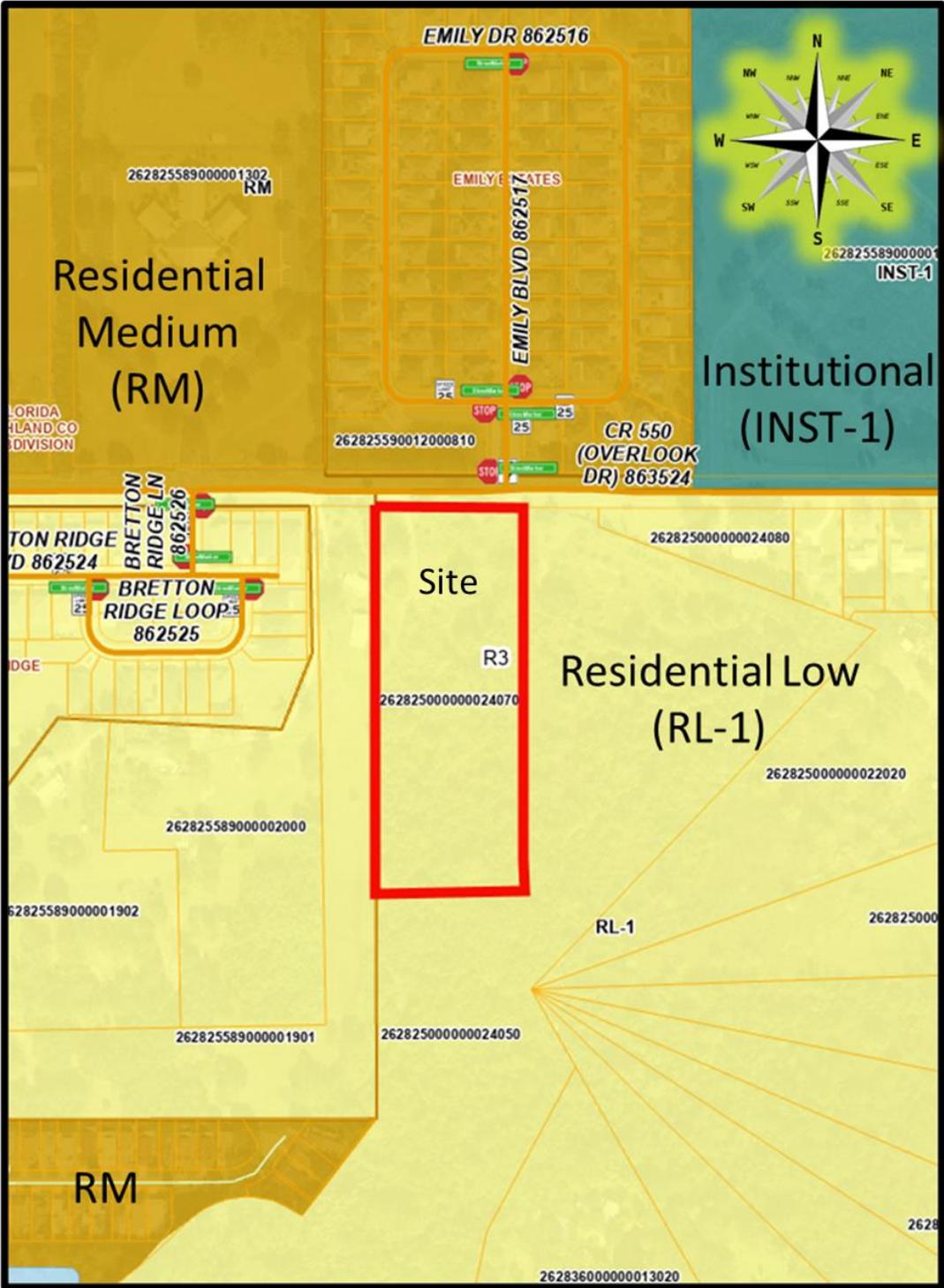
LOCATION MAP



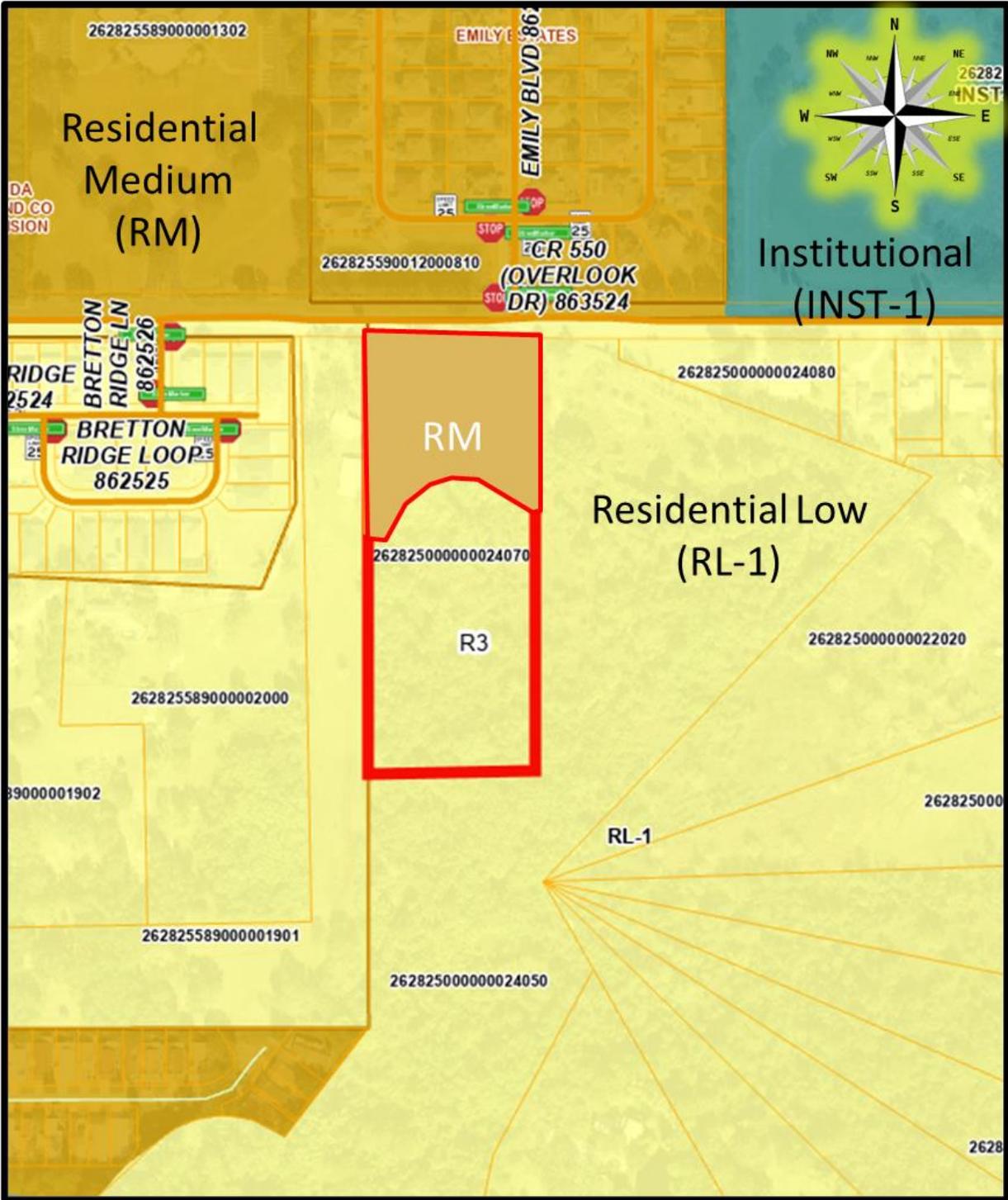
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM Residential Low (RL-1)



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-1	Single-family Detached Home & Subdivision, Farming General, Utilities- Class I	Group Home- Small (6 or less residents), Mobile Homes- Individual, Animal Farm- Intensive, Emergency Shelter- Small (6 or less residents), Golf Course, Livestock Sale- Auction, Nurseries and Greenhouses, Recreation- Passive, Utilities- Class II, Residential Infill Development, Recreation- Low Intensity, School- Elementary, School- Middle	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), Agricultural Support- Off-Site, 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, Riding Academies, School- High, School- Leisure/Special Interest, Utilities- Class III, Mobile Home Park, Mobile Home Subdivision

Residential Low (RL-1) PERMITTED AND CONDITIONAL USES