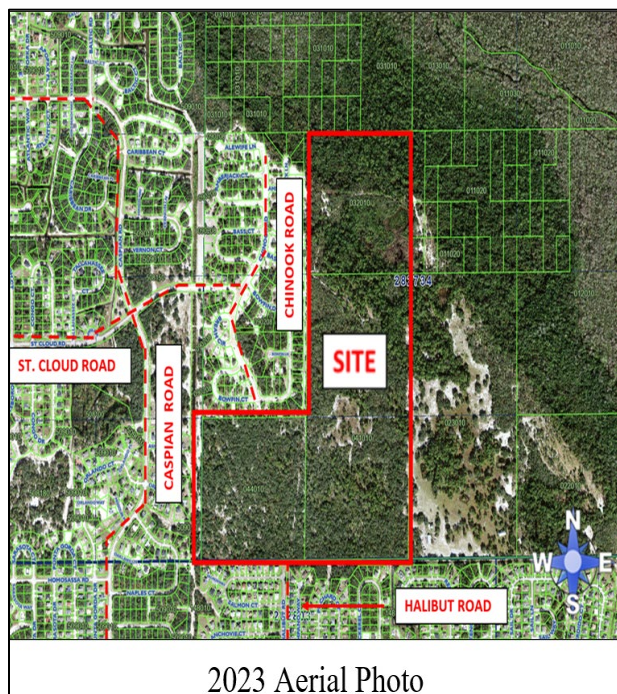
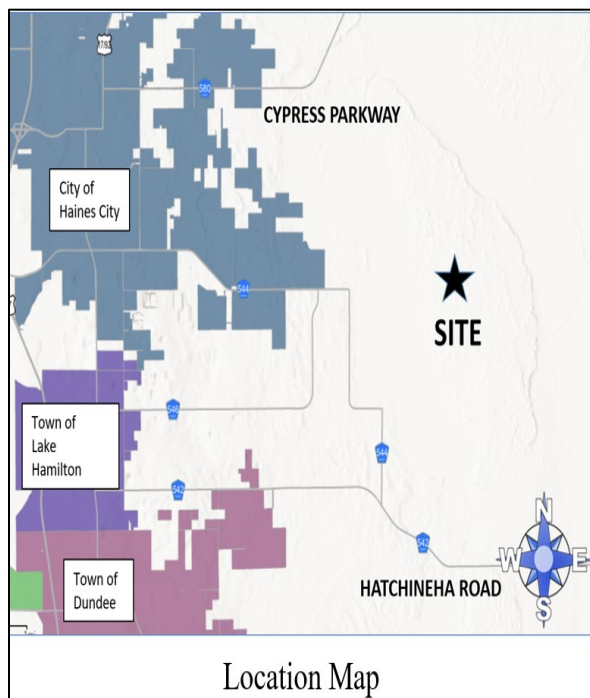


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	July 25, 2024
Planning Commission Date:	March 5, 2025
BoCC Dates:	May 6, 2025, July 1, 2025
Applicant:	Bart Allen, Esq.
Level of Review:	Level 4 Review, Large-Scale Comprehensive Plan Amendment
Case Number and Name:	LDCPAL-2024-14 (Poinciana Subdivision)
Request:	This is an applicant-initiated Comprehensive map amendment to change 160 acres from Agricultural/Residential-Rural (A/RR) to Residential-Low (RL) & from Rural Development Area (RDA) to Utility Enclave Area (UEA) on the Future Land Use Map.
Location:	South of Chinook Road, North of Halibut Road, East of Caspian Road, and east of the City of Haines City, in Section 34, Township 27, Range 28.
Property Owner:	Peter George Kalogridis II
Parcel Size:	160 +/- acres
Development Area:	Rural Development Area (RDA)
Future Land Use:	Agricultural/Residential-Rural (A/RR)
Nearest Municipality	Haines City
DRC Recommendation:	Approval
Planning Commission Vote:	Approval 7:0
Florida Commerce:	Pending Transmittal
Case Planner:	Mark J. Bennett, AICP, FRA-RA, CNU-A, Senior Planner



Summary:

This is an applicant-initiated Comprehensive map amendment to change 160 acres from Agricultural/Residential-Rural (A/RR) to Residential-Low (RL) & from Rural Development Area (RDA) to Utility Enclave Area (UEA) on the Future Land Use Map.

Compatibility Summary

The site currently consists of undeveloped woodlands. Single-family residences are to the west and south of the site, with a pasture (including a residence) and undeveloped woodlands to the north and east. Given the property's location in close proximity to the existing Poinciana development, a change to Residential-Low would be compatible with existing development already in the area.

As shown on the aerial photos of the site, the property is accessed by Chinook and Halibut Roads. During the review of this project, staff identified a need to have these roads connect thru the subject property. This will have the effect of expanding the roadway network in this area. To accomplish this goal, the applicant (at staff's request) withdrew the corresponding Level 4 application for a district change, and instead filed an application for a Planned Development (PD) that is in the development review process.

Infrastructure Summary

Because the site is proposed to be in the Utility Enclave Area, connection to public water and wastewater services is required. There is sufficient roadway capacity. Public safety facilities and services are available.

Environmental Summary

There are wetlands and floodplains on the northern portion of the site, with an eagle's nest within one mile.

Comprehensive Plan

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

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.107(A1-A5): Utility Enclave Areas
- Policy 2.120(C1-C4): Residential-Low
- Section 2.123B(B1-B5): Floodplain-Protection Areas
- Section 2.123C(C1-C6): Wetland-Protection Areas

Findings of Fact

Request and Legal Status

- LDCPAL-2024-14 is an applicant-initiated request for a Comprehensive Plan Amendment (CPA) to designate approximately ± 160 acres from Agricultural Residential Rural (A/RR) to Residential-Low (RL), and from Rural Development Area (RDA) to Utility Enclave Area (UEA).
- According to POLICY 2.107-A1 DESCRIPTION - UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.
- POLICY 2.109-A24 states that “The purpose of the Residential Low (RL) Future Land Use designation is to provide areas for the low-density residential development in the urban areas of unincorporated Polk County.
- The property is vacant and undeveloped.
- The subject property is not part of the historical platted Poinciana development.

Compatibility

- The Comprehensive Plan defines Compatibility in Section 4.400 as “A condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.”
- The site currently consists of undeveloped woodlands. Single-family residences are to the west and south of the site, with a pasture (including a residence) and undeveloped woodlands to the north and east.
- Given the property’s location near the existing Poinciana development, a change to Residential-Low would be compatible with existing development already in the area.

Infrastructure

- The property is zoned for Laurel Elementary, Lake Marion Creek Middle, and Haines City Senior High.
- Fire and ambulance response is from Polk County Fire Rescue Station 46, located at 9500 Marigold Avenue, Poinciana, 3.8 miles away. The estimated response time is eleven (11) minutes.
- Sheriff’s response to the site is served by the Northeast District, located at 1100 Dunson Road, Davenport. The response times for August 2024 were: Priority 1 – 11:34 minutes, Priority 2 – 26:36 minutes.

- The site is located within the Toho Water Authority Service Area.
- The subject property is adjacent to Chinook Road and Halibut Road. They are both Local residential roads that are 20 feet wide. The Pavement Condition Index for Chinook Road is “Very Good.” For Halibut Road, while the immediate link next to the subject property is rated as “Good,” subsequent portions of this road are also classified as “Fair.”

Environmental

- The site is undeveloped and consists of woodlands.
- The Lil Halibut Park is located one mile southeast of the site, and the Poinciana Community Park is four miles south.
- There are wetlands, Zone “A,” and Zone “AE” floodplains on the site.
- The subject site is south of the Lake Marion Creek Wildlife Management Area, which is owned by the South Florida Water Management District, and east of the Bellini Preserve, located between Lake Marion Creek Road and Lake Marion.
- There are lands about .75-mile northeast of the site that have conservation easements.
- The subject property is identified as being within a potential network connection on the Polk Green Districts Map.
- The soil types on the site that have from slight to severe limitations for septic tank usage and dwellings without basements.
- The site is comprised of Adamsville fine sand (10%), Astatula sand, (43%), Basinger fine sand (4%), Hontoon Muck (8%), Narcoossee sand (3%), Satellite sand (2%), and Tavares fine sand (30%). according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey.
- According to the Florida Natural Areas Inventory Biodiversity Matrix, the site is located within one mile of an eagle’s nest.
- This property is not within an Airport Impact District.
- The site is not within a Wellfield-Protection District.
- There are no archeological or historic resources on the site.

Comprehensive Plan Policies

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.
- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:
 - a. there have been provisions made which buffer incompatible uses from dissimilar uses;
 - b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use;
 - c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.
- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently utilized; and compact, high-density and intensity development is located where urban services can be made available.
- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.
- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
 - a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
 - b. nearness to agriculture-production areas;
 - c. distance from populated areas;
 - d. economic issues, such as minimum population support and market-area radius (where applicable);
 - e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
 - 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;

2. sanitary sewer and potable water service;
 3. storm-water management;
 4. solid waste collection and disposal;
 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
 6. emergency medical service (EMS) provisions; and
 7. other public safety features such as law enforcement;
 8. schools and other educational facilities
 9. parks, open spaces, civic areas and other community facilities
- f. environmental factors, including, but not limited to:
1. environmental sensitivity of the property and adjacent property;
 2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
 3. wetlands and primary aquifer recharge areas;
 4. soil characteristics;
 5. location of potable water supplies, private wells, public well fields; and
 6. climatic conditions, including prevailing winds, when applicable.
- **POLICY 2.107-A1 DESCRIPTION** - UEs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.
 - **POLICY 2.107-A2 DESIGNATION AND MAPPING** - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where:
 - a. it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s);
 - b. it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); and
 - c. it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed.

- **POLICY 2.107-A3: LAND USE CATEGORIES** - The following land use categories shall be permitted within UEAs:
 - a. **ACTIVITY CENTERS:** Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria.
 - b. **RESIDENTIAL:** Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria.
 - c. **OTHER:** Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.
- **POLICY 2.107-A5: DEVELOPMENT CRITERIA** - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code:
 - a. All uses developed after adoption of the Polk County Comprehensive Plan shall be required to connect to the existing centralized water and sewer system and may receive a development order provided all other provisions of this Plan are met.
 - b. Incorporate design features that promote healthy communities, green building practices, mixed use development, transit oriented design, variety in housing choices and other initiatives consistent with Section 2.1251 - Community Design, of this element.
 - c. Provide access to parks, green areas, and open space and other amenities.
 - d. Be designed to facilitate the provision of public safety services (i.e., fire, EMS and law enforcement). In order to achieve higher densities and intensities allowed by each land use, development in the UEA shall be required to connect to centralized water and sewer system and incorporate clustering and other low impact design criteria as established under the Conservation Development Section (Section 2.1251).
- **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-C2: DESIGNATION AND MAPPING** - Residential-Low districts shall be located within TSDAs, UGAs, and UEAs as designated on the Future Land Use Map Series as "RL."
- **POLICY 2.120-C3: LOCATION CRITERIA** - Residential-Low areas shall be located only within the TSDAs, UGAs, SDAs, and UEAs and new Residential-Low development shall not be located within Activity Centers. The placement of Residential-Low shall be evaluated based on the general criteria listed in Policy 2.119-A2.
- **POLICY 2.120-C4: DEVELOPMENT CRITERIA** - Residential development may contain a variety of housing types as defined by the Land Development Code within the TSDA. Outside the TSDA, RL may contain single-family dwelling units, duplex units, small-scale multi-family units, and family-care homes, and shall be permitted, with County approval, at a density of up to, and including, 5 DU/AC. Additionally, community facilities may be allowed in accordance with policies of this Plan.

- POLICY 2.123-B2: Development Criteria within a "Floodplain-Protection Area" shall conform to the following criteria:
 - a. Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code.
 - b. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not:
 - 1. enlarge the off-site floodplain;
 - 2. alter the natural function of the floodplain; nor
 - 3. result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C.
- POLICY 2.123-C2: Development Criteria within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria:
 - a. Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards.
 - b. Wetland impacts where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for:
 - 1. Resource-Based Recreational Uses as defined by this Plan that are compatible with wetland functions;
 - 2. access to the site;
 - 3. necessary internal traffic circulation, where other alternatives do not exist, or for purposes of public safety;
 - 4. utility transmission and collection lines;
 - 5. pre-treated storm-water management;
 - 6. mining that meets state and federal regulations; or
 - 7. expansion of an existing use or a new use where upon consultation with the appropriate regulatory agency (prior to permitting) it is determined that the proposed mitigation implements all or part of an agency or jurisdiction's plan and provides greater long term ecological value than the impact.
 - c. Commercial and industrial development shall locate on the non-wetland portion of a development site.
 - d. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows:
 - 1. a maximum of one dwelling unit per Lot of Record; or
 - 2. at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel.
 - e. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be transferred from

wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3.

- f. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency.
- g. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order.
- h. Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.

Development Review Committee Recommendation: Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee (DRC) finds that with the proposed conditions the request **IS compatible** with the surrounding land uses and general character of the area and **IS consistent** with the Polk County Comprehensive Plan and Land Development Code. Therefore, the DRC recommends **APPROVAL of LDCPAL-2024-14**.

Planning Commission Recommendation: On March 5, 2025, in an advertised public hearing, the Planning Commission voted (7:0) to **recommend APPROVAL of LDCPAL-2024-14**.

GENERAL NOTES

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

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

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

Compatibility with the Surrounding Uses

According to *Policy 2.102-A2* of Polk County's Comprehensive Plan, "land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; and c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development." The "development criteria" and the "density and dimensional regulations" of a land use district are often the measuring tools used by staff to determine compatibility and the appropriateness of locating differentiating uses. Compatibility is defined in the Comprehensive Plan as "a condition in which land uses or conditions can coexist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition."

A. Land Uses

The subject property is currently in a Rural Development Area (RDA). These are unincorporated areas within the County that are not located within a Transit Supportive Development Area, Urban-Growth Area, Suburban-Development Area, or Utility-Enclave Area. Development in these areas is characterized by large open areas, agricultural use, with scattered development and rural centers. Services are limited and mostly found in the rural centers and clustered developments.

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

The site is within an Agricultural/Residential-Rural (A/RR) land use. The adjacent land use districts next to the proposed request include lands also designated as A/RR, plus a Development of Regional Impact (DRI) designation, which recognizes the Poinciana project. There is also a 17.5+/- acre site designated as Institutional (INST), which is owned by the Polk County School Board and is currently vacant.

The site currently consists of undeveloped woodlands. Single-family residences are to the west and south of the site, with a pasture (including a residence) and undeveloped woodlands to the north and east. Given the property's location in close proximity to the existing Poinciana development, a change to Residential-Low would be compatible with existing development already in the area.

B. Infrastructure:

According to Comprehensive Plan POLICY 2.102-A1: DEVELOPMENT LOCATION, "Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities."

The site is proposed to be included in the existing Utility Enclave Area (UEA). In this development area, the construction of sidewalks is required. New development is required to connect to public water and wastewater services, which are offered by Toho Utilities. There is adequate traffic capacity on surrounding roadways emergency services are within a reasonable distance.

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

Table 1

Northwest Development of Regional Impact (DRI), Agricultural/Residential-Rural (A/RR) Single-family residential, undeveloped woodlands	North Agricultural/Residential-Rural (A/RR) Undeveloped woodlands	Northeast Agricultural/Residential-Rural (A/RR) Undeveloped woodlands
West Development of Regional Impact (DRI) Single-family residential Institutional-1 (INST-1) Vacant (owned by Polk County School Board)	Subject Site Agricultural/Residential-Rural (A/RR) Undeveloped woodlands	East Agricultural/Residential-Rural (A/RR) Undeveloped woodlands, pasture, residential
Southwest Development of Regional Impact (DRI) Single-family residential	South Development of Regional Impact (DRI) Single-family residential	Southeast Development of Regional Impact (DRI) Single-family residential

Nearest and Zoned Elementary, Middle, and High School

The schools zoned for the subject property are listed in Table 2 below. Because the request is for a residential use, the request will impact school concurrency. Using a gross density of 5 units per acre (the maximum density for Residential-Low) multiplied by 160 acres results in a maximum unit count of 800 units. The annual estimated demand listed below is based on this 800-unit figure.

Table 2: School Information

School	Annual Estimated Demand	Distance from Subject Site	School Capacity (including portables)
Laurel Elementary	166	1.2 miles	119%
Lake Marion Creek Middle	156	1.4 miles	88%
Haines City Senior High	115	6.4 miles	120%

Source: Polk County School Board website

According to the 2023-2024 Polk County School District Utilization Table, Laurel Elementary had 881 student stations of permanent capacity with an enrollment of 1,065 students (184 over capacity). Lake Marion Creek Middle had 1,184 permanent stations and an enrollment of 1,038 students (119 available). Haines City Senior High had 2,448 stations and 2,931 students (483 over capacity). Because the schools in this area are overcapacity, the provision of Section 703 (Concurrency), specifically Section (School Concurrency) shall apply. The applicant may need to

enter into a mitigation agreement as outlined in this section to ensure that adequate school capacity is in place.

Nearest Sheriff, Fire, and EMS Station

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

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

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

Table 3 Public Safety Information

	Name of Station	Distance	Response Time*
Sheriff	Northeast District, located at 1100 Dunson Road, Davenport	± 20 miles	P1: 11:34 minutes P2: 26:36 minutes
Fire/ EMS	Polk County Fire Rescue Station 46, located at 9500 Marigold Avenue, Poinciana	±3.8 miles	11 minutes

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

Water and Wastewater

Because development in the Utility Enclave Area is required to connect to public water and sewer facilities, the proposed Comprehensive Plan Amendment will have an impact on these systems.

A. Estimated Demand

The development of the property under the proposed land use designation will not negatively impact the minimum LOS for the existing facilities. The analysis is based on a worst-case estimate for 800 units (160 acres @ 5 units/acre), that does not account for environmental constraints.

Table 4 Estimated Water and Sewer Impact Analysis

Maximum Allowable Use: 800 single-family residential units 160 Acres	Estimated Impact Analysis Agricultural/Residential-Rural (A/RR) to Residential-Low (RL) Development Area: RDA to UEA	
	Current Land Use designation A/RR	Maximum Permitted Use in Proposed RL
Current Maximum Allowable Use	160 acres (1 single-family dwelling unit (DU)/5 acres) 32 DUs	800 DUs
Potable Water Consumption	32 DU * 360 GPD/DU = 11,520 GPD	800 DUs * 360 GPD/DU = 288,000 GPD
Wastewater Generation	32 DU * 270 GPD/DU = 8,640 GPD	800 GPD * 270 GPD/DU = 216,000 GPD

GPD – Gallons Per Day;

Source: Polk County Concurrence Manual and Polk County Utilities: single family @ 360 GPD Potable water and 270 Wastewater

B. Available Capacity:

The Toho Water Authority is the public water or wastewater service provider in this area, Listed below are the Permitted, maximum treatment, and Excess Capacity data from the applicant:

Water Treatment Plant: – Toho Water Authority – Poinciana Water System PWS 349-4429

Permitted Capacity: 4,810,000 GPD

Max Treated: 3,236,800 GPD

Excess Capacity: 1,573,200 GPD

Wastewater Treatment Plant: TWA – Lake Marion – WRF A010979

Permitted Capacity: 3,000,000 GPD

Average Treated: 2,220,000 GPD

Excess Capacity: 780,000 GPD

C. Planned Improvements:

No information is known currently for any planned improvements to utilities in this area.

Roadways/ Transportation Network

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

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

A. Estimated Demand

Table 5, following this paragraph, shows the Average Annual Daily Trip (AADT) rate and the PM Peak hour trip rate. The analysis is based on a worst-case estimate for 800 units (160 acres @ 5 units/acre), that does not account for environmental constraints.

Table 5 Estimated Transportation Impact Analysis

Maximum Allowable Use: 800 single-family residential units 160 Acres	Estimated Impact Analysis Agricultural/Residential-Rural (A/RR) to Residential-Low (RL) Development Area: RDA to UEA	
	Current Land Use designation A/RR	Maximum Permitted Use in Proposed RL
	A/RR – 160 acres (1 single-family DU/5 AC) 32 DUs	800 single-family DUs
Average Annual Daily Trips (AADT)	A/RR – 32 DU * 7.81 trips/DU = 250 AADT	800 DU * 7.81 trips/DU = 6,248 AADT
PM Peak Hour Trips	A/RR - 32 DU * 1 trip/DU = 32 AADT	800 DU 1 trip/DU = 800 AADT

Source: Concurrency Manual and Table for Minor Traffic Study –single family – 7.81 AADT per unit and 1 PM Peak Hour per unit 100% new trips

B. Available Capacity:

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

Table 6, charts the generalized available capacity of the closest links that is monitored in the Roadway Network Database:

Table 6 Available Capacity

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard	5-Year Peak Hour Projected LOS
8214E	Lake Marion Creek Drive From: Poinciana Parkway to CR 580 (Cypress Parkway)	C	469	D	C
8214W	Lake Marion Creek Drive From: Poinciana Parkway to CR 580 (Cypress Parkway)	C	458	D	C

Source: Polk County Transportation Planning Organization, Concurrency Roadway Network Database October 13, 2023

As identified above, Lake Marion Creek Drive has sufficient PM peak hour capacity to support future development activity.

C. Roadway Conditions

Lake Marion Creek Drive is a County-maintained Urban Roadway with a surface width of 20 feet, and a Pavement Condition Index of “Fair.”

The two closest roads to the site are Chinook Road and Halibut Road. They are both Local residential roads that are 20 feet wide. The Pavement Condition Index for Chinook Road is “Very

Good.” For Halibut Road, while the immediate link next to the subject property is rated as “Good,” subsequent portions of this road are also classified as “Fair.”

D. Planned Improvements:

The roadway improvement that is closest to the site for Marigold Avenue, from Palmetto Street to Cypress Parkway. This is a capacity improvement listed in the FY2024-2028 Community Investment Program (CIP).

E. Mass Transit

There is no transit within a reasonable distance of the site. The closest route is Route 16X – Haines City/Poinciana Express. This route travels on Cypress Parkway, about 4 miles north of the site.

F. Sidewalks

There is a sidewalk along the east side of Halibut Road next to the site’s southern boundary. Since this project is proposed to be included in the existing Poinciana Utility Enclave Area and is within 2 miles of an elementary school (Laurel Elementary is 1.2 miles away), the construction of sidewalks will be required.

Park Facilities and Environmental Lands:

The Lil Halibut Park is located one mile southeast of the site, and the Poinciana Community Park is four miles south. The proposed use could impact these facilities, due to greater usage because of more residential development in proximity to these facilities.

A. Location:

The Lil Halibut Park is located at 1681 Halibut Road, Poinciana. The Poinciana Community Park is at 5109 Allegheny Road, Poinciana 34759.

B. Services:

The Poinciana Community Park has a 0.75-mile paved walking path, a playground, baseball fields, a cricket pitch and basketball parks. There are also multipurpose fields, a pavilion that can be rented and league play. Additionally, a dog park features separate areas for large and small dogs, agility equipment, water fountains and shaded areas for humans. The Lil Halibut Park is a small neighborhood playground. It features an accessible, gated playground for children ages 4 through 12.

C. Multi-use Trails:

There are two multi-use trails (Snell Creek & The Huckleberry Island Trailhead, which is part of the Lake Marion Creek Wildlife Management Area) located along Cypress Parkway, approximately 4 miles north of the site.

Environmental Lands:

The subject site is south of the Lake Marion Creek Wildlife Management Area, which is owned by the South Florida Water Management District. There are also lands about .75 mile northeast of

the site that have conservation easements. The Bellini Preserve, which was recently acquired by Polk County, is located between Lake Marion Creek Road and Lake Marion. This property is approximately .8 mile west of the site. The subject property is identified as being within a potential network connection on the Polk Green Districts Map.

Environmental Conditions

The site is undeveloped and consists of woodlands. There are wetlands and flood zones that are located on the north portion of the site. The site also has soil types that have from slight to severe limitations for septic tank usage and dwellings without basements.

A. Surface Water:

Based on a review of aerial photos, there are no surface water features on this site. The elevation of the site is varied, but generally slopes to the north. Elevations range from a high of 109 feet in the southwest corner of the site, and 77 feet at the northern property line.

B. Wetlands/Floodplains:

Wetlands, Zone “A.” and Zone “AE” Flood Zones are present on the subject site. These areas are generally located on the portions of the site. The applicant will be required to demonstrate compliance with LDC Chapter 6 (*Resource Protection*) during the Level 2 review process for any site development.

C. Soils:

The site is comprised of soils within varying limitations for development, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey.

Table 7, below, lists the soils associated with the subject site.

Table 7 Soils

Soil Name	Septic Tank Absorption Limitations	Field	Limitations to Dwellings without Basements	% of Site (approximate)
Adamsville fine sand	Severe: wetness, poor filter		Moderate: wetness	10%
Astatula sand, 0 to 8 percent slopes	Slight		Slight	43%
Basinger fine sand	Severe: ponding, poor filter		Severe: ponding	4%
Hontoon Muck	Severe: subsides, ponding, low strength		Severe: subsides, ponding, low strength	8%
Narcoossee sand	Severe: wetness, poor filter		Moderate: wetness	3%
Satellite sand	Severe: wetness, poor filter		Severe: wetness	2%
Tavares fine sand 0 to 5 percent slopes	Moderate: wetness		Slight	30%

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

As previously mentioned in this report, the proposed request is for a Residential-Low designation in a Utility Enclave Area (UEA). Because connection to sewer is required for new development in this area, any soil septic-tank limitations will be minimal. Given that most of the soil types only have slight or moderate limitations for dwellings without basements, there should not be a concern

with soil. Any future development of the site will be subject to Section 2.303: “Soils” of the County’s Comprehensive Plan (in conjunction with the Land Development Code) which requires all development to implement Best Management Practices based on the Department of Environmental Protection’s (DEP) Florida Development Manual.

D. Protected Species

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

E. Archeological Resources:

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

F. Wells (Public/Private)

The site is not within a Wellfield Protection District.

G. Airports:

This property is not within an Airport Impact District.

Economic Factors:

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

Consistency with the Comprehensive Plan

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

Table 8 Comprehensive Plan

Comprehensive Plan Policy	Consistency Analysis
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;	Most of the adjacent properties are developed with residential uses.

Comprehensive Plan Policy	Consistency Analysis
<p>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>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>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 site is not currently used for agriculture.</p> <p>Fire and EMS service are available and are located 4 miles south of the site.</p>
<p>POLICY 2.102-A10: LOCATION CRITERIA - The following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:</p> <ul style="list-style-type: none"> a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided, b. nearness to agriculture-production areas; c. distance from populated areas; d. economic issues, such as minimum population support and market-area radius (where applicable); e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to: <ul style="list-style-type: none"> 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: <ul style="list-style-type: none"> 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. 	

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.107-A1 DESCRIPTION - UEs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas.</p> <p>POLICY 2.107-A2 DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where:</p> <ol style="list-style-type: none"> it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s); it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); and it is determined, through adequate data and analysis of population and land use needs, that such expansion is needed. <p>POLICY 2.107-A3: LAND USE CATEGORIES - The following land use categories shall be permitted within UEs:</p> <ol style="list-style-type: none"> ACTIVITY CENTERS: Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and High-Impact Commercial Centers shall be permitted within UEA's in accordance with applicable criteria. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation. 	<p>The proposed request for an expansion of the existing Utility Enclave Area is appropriate, due to its location next to an existing UEA.</p> <p>Residential-Low is allowed in an UEA.</p>
<p>POLICY 2.120-C3: LOCATION CRITERIA - Residential-Low areas shall be located only within the TSDAs, UGAs, SDAs, and UEs and new Residential-Low development shall not be located within Activity Centers. The placement of Residential-Low shall be evaluated based on the general criteria listed in Policy 2.119-A2.</p>	<p>The proposed Residential-Low (RL) designation will be located in a UEA if approved.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.123-B2: Development Criteria within a "Floodplain-Protection Area" shall conform to the following criteria:</p> <ol style="list-style-type: none"> Development shall be encouraged to locate on the non-floodplain portions of a development site and density may be transferred from undeveloped floodplain areas to contiguous non-floodplain areas per the Land Development Code. Development or redevelopment shall meet the requirements of the Polk County Land Development Code, and shall not: <ol style="list-style-type: none"> enlarge the off-site floodplain; alter the natural function of the floodplain; nor result in post development run-off rates which exceed pre-development run-off rates for storm frequencies at least as stringent as those rates established by the applicable Water Management District pursuant to Titles 40D and 40E, F.A.C. <p>POLICY 2.123-C2: Development Criteria within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria:</p> <ol style="list-style-type: none"> Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards. Wetland impacts where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for: <ol style="list-style-type: none"> Resource-Based Recreational Uses as defined by this Plan that are compatible with wetland functions; access to the site; necessary internal traffic circulation, where other alternatives do not exist, or for purposes of public safety; utility transmission and collection lines; pre-treated storm-water management; mining that meets state and federal regulations; or expansion of an existing use or a new use where upon consultation with the appropriate regulatory agency (prior to permitting) it is determined that the proposed mitigation implements all or part of an agency or jurisdiction's plan and provides greater long term ecological value than the impact. Commercial and industrial development shall locate on the non-wetland portion of a development site. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows: <ol style="list-style-type: none"> a maximum of one dwelling unit per Lot of Record; or <ol style="list-style-type: none"> at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be 	<p>Portions of the site contain both Zone “A” and Zone “AE” floodplain. Any development of the site will be required to comply with this policy.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>transferred from wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3.</p> <p>f. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency.</p> <p>g. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order.</p> <p>h. Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.</p>	
<p>POLICY 2.123-C2: Development Criteria within a wetland, as determined by appropriate regulatory agencies having the authority to designate areas as wetlands and exercise jurisdiction over the wetlands so designated shall conform to the following criteria:</p> <p>a. Every reasonable effort shall be required to avoid or minimize adverse impacts on wetlands through the clustering of development and other site planning techniques. Mitigation will only be permitted in accordance with applicable state standards.</p> <p>b. Wetland impacts where unavoidable and where properly mitigated, as determined by agencies having jurisdiction, shall be permitted for:</p> <ol style="list-style-type: none"> 1. Resource-Based Recreational Uses as defined by this Plan that are compatible with wetland functions; 2.access to the site; 3.necessary internal traffic circulation, where other alternatives do not exist, or for purposes of public safety; 4. utility transmission and collection lines; 5.pre-treated storm-water management; 6.mining that meets state and federal regulations; or 7.expansion of an existing use or a new use where upon consultation with the appropriate regulatory agency (prior to permitting) it is determined that the proposed mitigation implements all or part of an agency or jurisdiction's plan and provides greater long term ecological value than the impact. <p>c. Commercial and industrial development shall locate on the non-wetland portion of a development site.</p> <p>d. If a site is such that all beneficial use of the property is precluded due to wetland restrictions, then the parcel shall be allowed to develop as follows:</p> <ol style="list-style-type: none"> 1. a maximum of one dwelling unit per Lot of Record; or 2. at a gross density of one dwelling unit per ten acres (1 DU/10 AC). No parcel shall be created after December 1, 1992, which consists entirely of wetlands, unless accompanied by a deed restriction which prohibits future development on the parcel. <p>e. Development shall be required to locate on the non-wetland portions of a development site. The Land Development Code shall permit residential densities to be</p>	<p>The northern portions of the site contain wetlands. Any development of the site will be required to comply with this policy.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>transferred from wetland areas to contiguous non-wetland areas within the same development subject to the provisions of Policy 2.123-C3.</p> <p>f. In accordance with Section 163.3184(6)(c), F.S., the County shall defer the delineation of jurisdictional wetland limits and wetland mitigation amounts to the applicable federal, state or regional permitting agency.</p> <p>g. All permits from an agency with jurisdiction shall be approved prior to, or concurrently with, the County issuing a final development order.</p> <p>h. Polk County will coordinate with regulatory agencies to identify and implement procedures to support compliance with permit terms and conditions as part of the County's building inspection and code enforcement activities.</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

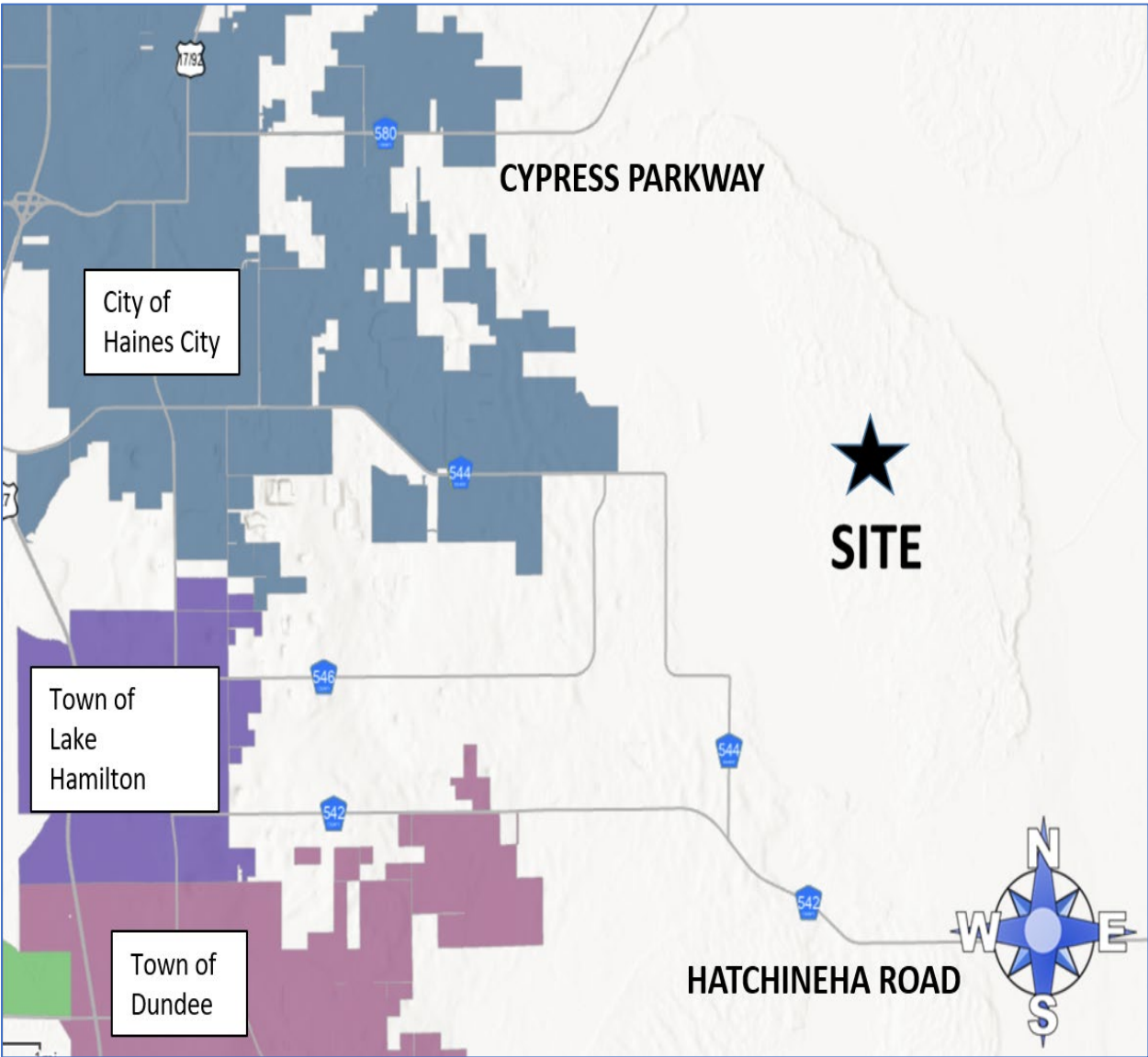
Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes	
Urban Sprawl Criteria	Sections where referenced in this report
a. <i>Promotes substantial amounts of low-density, low-intensity, or single use development in excess of demonstrated need.</i>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

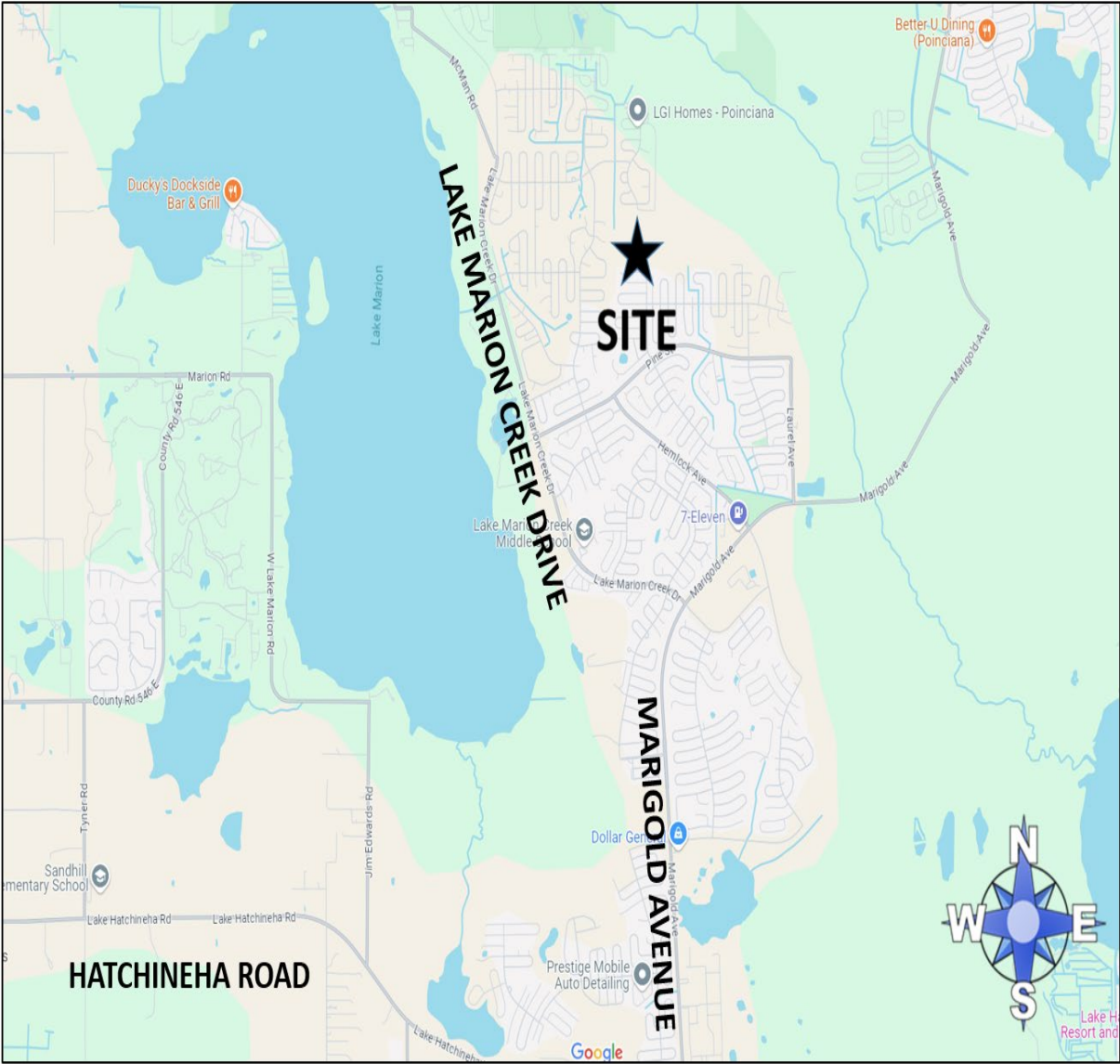
None

Exhibits:

- Exhibit – 1 Location Map
- Exhibit – 2 Location Map (Detailed)
- Exhibit – 3 2023 Aerial Photo
- Exhibit – 4 Current Future Land Use Map
- Exhibit – 5 Proposed Future Land Use Map
- Exhibit – 6 Utility Capacity Letter from Applicant



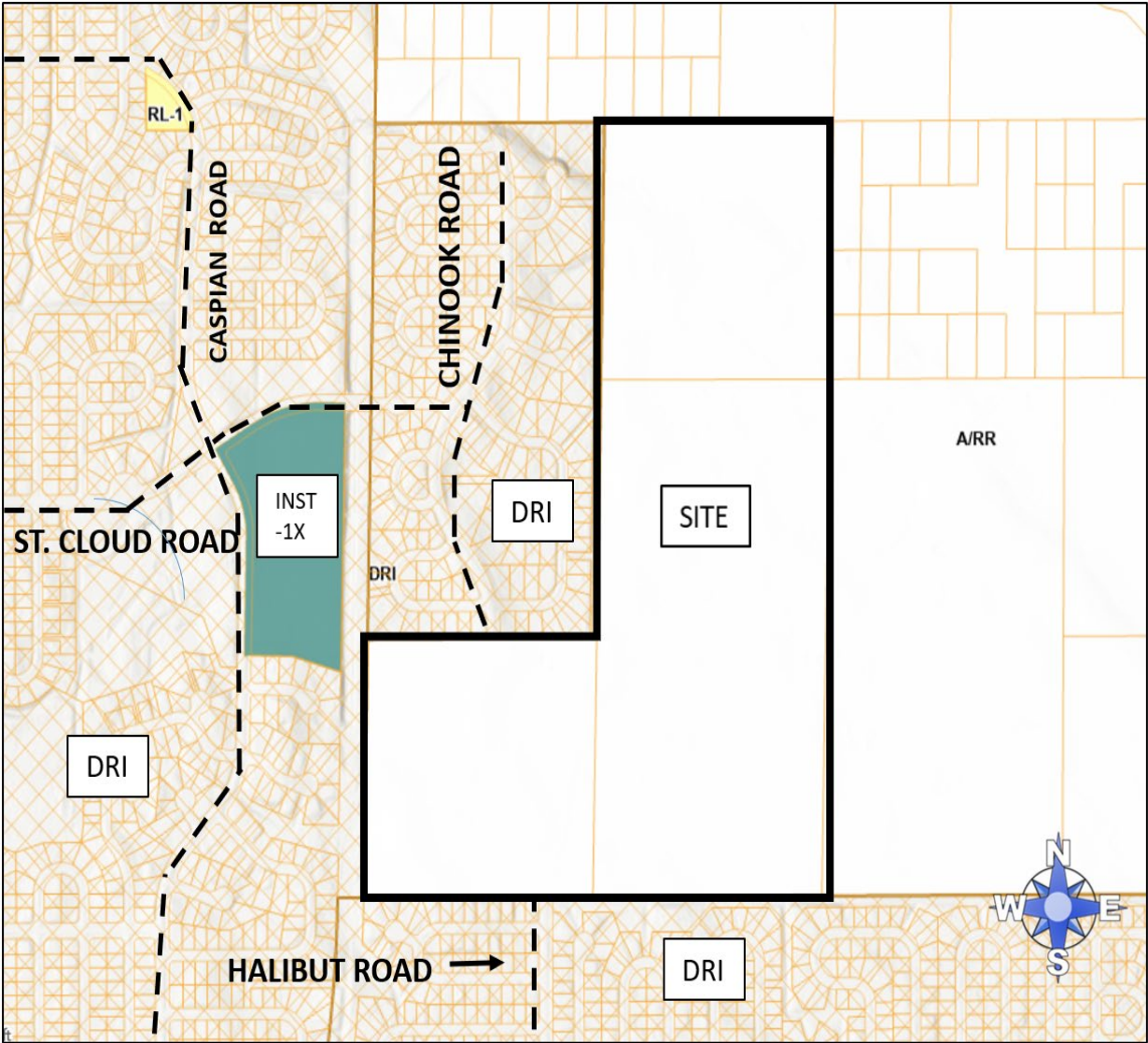
Location Map



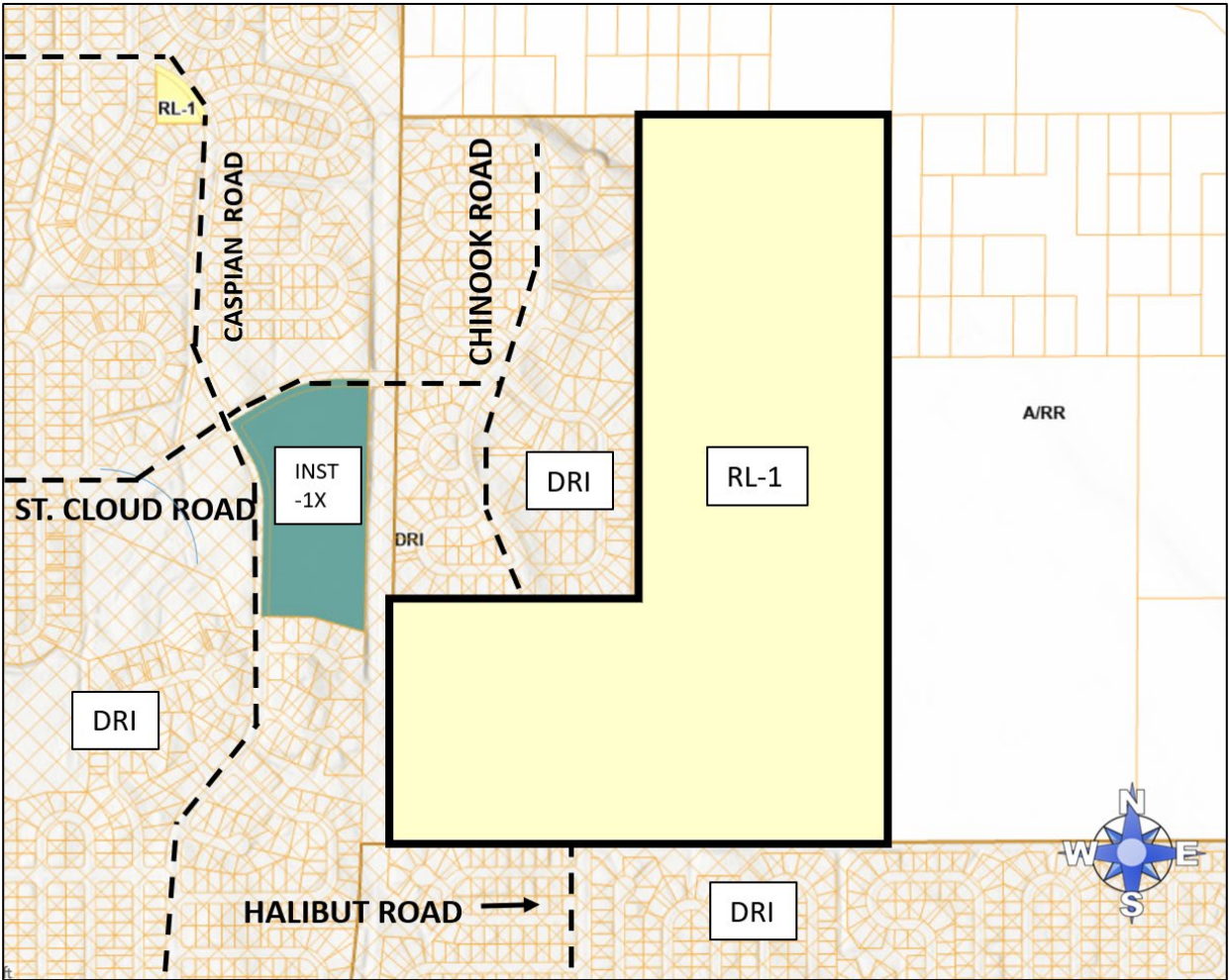
Source: Google Maps

Location Map (Detailed)

Board of County Commissioners Staff Report
Level 4/MJB



Current Future Land Use Map



Proposed Future Land Use Map



**OSCEOLA
ENGINEERING**

1003 FLORIDA AVENUE, SAINT CLOUD, FL 34769
PHONE 407.891.0452 FAX 407.891.9173

January 8, 2025

Polk County
Board of County Commissioners
330 West Church Street
Bartow, FL 33830

RE: Poinciana Subdivision
Parcels 28-27-34-000000-032010, 28-27-34-000000-041010 & 28-27-34-000000-044010

Dear Commissioners:

This project will not have a financial impact to Polk County, as the Toho Water Authority will be the utility service provider. The utility demands associated with the referenced subdivision are as follows:

Water Treatment Plant: – Toho Water Authority – Poinciana Water System PWS 349-4429

Permitted Capacity: 4,810,000 GPD

Max Treated: 3,236,800 GPD

Excess Capacity: 1,573,200 GPD

Proposed Development:

433 Units x 200 GPD = 86,600 GPD

Wastewater Treatment Plant: TWA – Lake Marion – WRF A010979

Permitted Capacity: 3,000,000 GPD

Average Treated: 2,220,000 GPD

Excess Capacity: 780,000 GPD

Proposed Development:

433 Units x 184 GPD = 79,672 GPD

The utility demands from the proposed development are within the range of excess capacity currently existing at the water treatment and wastewater treatment facilities. Permitted and current usage information obtained from most current publicly available sources.

Respectfully,



Broc L. Althafer, P.E.
Project Manager

Utility Capacity Letter from Applicant