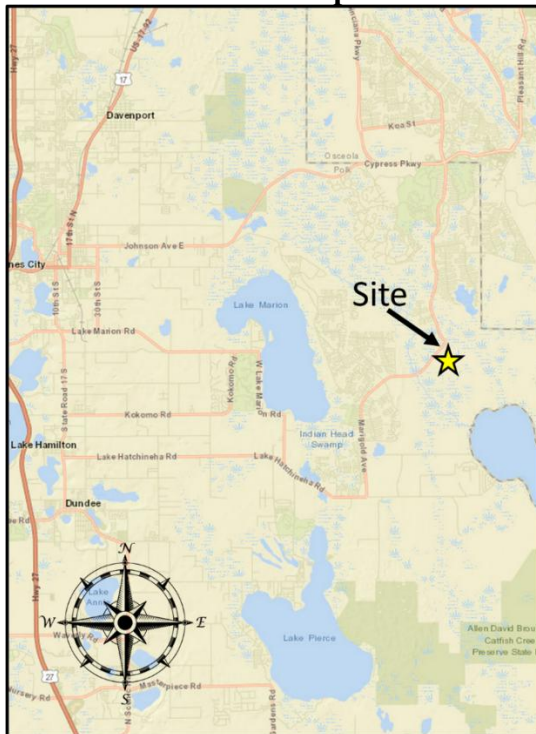


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

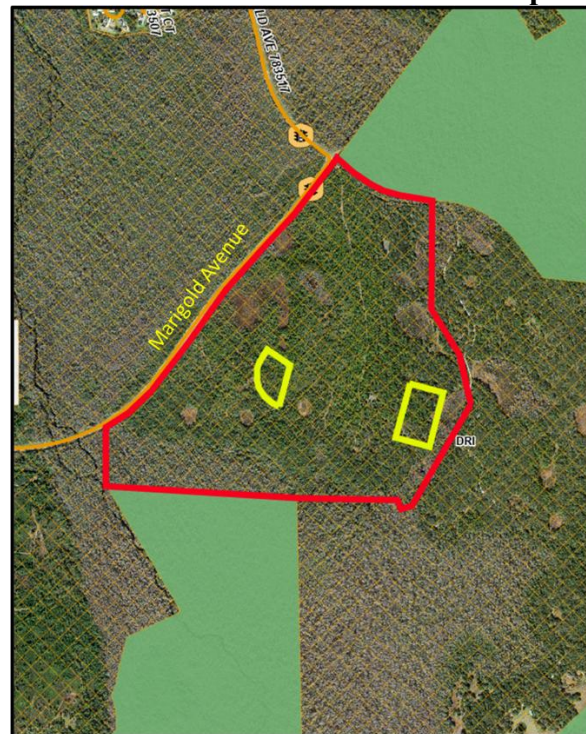
DRC Date:	July 10 th , 2025	Level of Review:	4
PC Date:	November 5 th , 2025	Type:	Comprehensive Plan Amendment
BoCC Date:	December 2 nd , 2025	Case Numbers:	LDCPAS-2025-16
Applicant:	John Adams, RJWA, Inc	Case Name:	Osprey Creek CPA
		Case Planner:	J.P. Sims, Planner II

Request:	Small Scale Comprehensive Plan map amendment from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Residential Low (RL) in the Utility Enclave Area (UEA) on 17.48 +/- acres.
Location:	The subject property is located south and east of Marigold Avenue, north of County Road 542 (Lake Hatchineha Road, and west of Osceola County Line, east of Haines City, in Section 01, Township 28, Range 28.
Property Owner:	Osprey Creek LP
Parcel Size/number:	17.48 +/- acres (Parcel #282801-934670-000001)
Development Area:	Rural Development Area (RDA)
Nearest Municipality:	City of Haines City
DRC Recommendation:	Approval
Planning Commission Vote:	Approval (7-0)
Public Comment:	None
Florida Commerce*	N/A

Location Map



Current Future Land Use Map



Summary

The applicant, John Ryan Adams, of RJWA Inc, is requesting a Small-Scale Comprehensive Plan Amendment to change the Future Land Use Designations from Development of Regional Impact (DRI) in the Rural Development Area (RDA) to Residential (RL-1) in the Utility Enclave Area (UEA) on 17.48-acre parcels of property in the Poinciana Master Plan. Site is located south and east of Marigold Avenue, west of Osceola County Line, and north of County Road 542 (Lake Hatchineha Road), east of Haines City city limits, in Sections 01, Township 28, and Range 28.

Compatibility Summary

This request will be compatible with the surrounding area as Marigold Avenue is an Urban Major Collector, which promotes a diversity of uses. The sites directly surrounding it are undeveloped with either Development of Regional Impact (DRI) or Preservation (PRESVX). Per the applicant, the proposed change reflects the fact that the tracts being changed no longer have a commercial or institutional draw, so residential would be the better use.

Infrastructure Summary

The subject site is within the Toho Water Authority Service Area for both water and sewer per a letter from Toho provided by the applicant. The road with access, Marigold Avenue, is an Urban Major Collector maintained by Polk County, where there is available capacity. Mass transit is available in the area with the Poinciana Express Line 603 from Citrus Connection, with a Transfer Point at the Walmart in Poinciana. Public safety response times are normal for this part of the County, and school capacity issues will need to be resolved with the School Board before any occupancy certificates can be issued. The request is compatible with the available infrastructure.

Environmental Summary

The nearest neighborhood park is Poinciana Playground 1.23 miles west of the site driving, and the nearest regional Park is Poinciana Community Park 4 miles driving to the southwest of the subject site. The site is comprised of Malabar Fine Sand, Immokalee Sand, and Felda Fine Sand. There are wetlands and flood zone on the east portion of the site. There are no Conservation Easements on this site.

Comprehensive Plan

The relevant sections of the Comprehensive Plan that are applicable to the project request:

- Policy 2.102(A1-A15): Growth Management Policies
- Policy 2.102-A10 Location Criteria
- Policy 2.107(A1-A5): Utility Enclave Area (UEA)
- Policy 2.120-C: Residential Low
- Policy 2.130-A: Poinciana Pre-DRI

Findings of Fact

Request and Legal Status

- This is an applicant-initiated request for the Future Land Use designation change from Pre-Development of Regional Impact (Pre-DRI) in the Rural Development Area (RDA) to Residential Low (RL) in the Utility Enclave Area (UEA).
- The subject site is currently designated for Commercial and Institutional uses within the Poinciana Master Plan. Changes are associated with LDPD-2023-29.
- The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Section 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.
- The subject site does not have direct frontage on a paved road meeting county standards. LDPD-2023-29 provides frontage on a road per the site plan. This CPA is necessary to change the use per Policy 2.130-A of the Comprehensive Plan.

Compatibility

- The existing uses surrounding the site are:
 - North – PRESVX; undeveloped Preservation
 - West – DRI; undeveloped
 - East – DRI; undeveloped
 - South – PRESVX; undeveloped Preservation

Infrastructure

- The zoned schools for the site are Laurel Elementary, Lake Marion Creek Middle, and Haines City High School.

- Polk County Fire Rescue Station 46 will be the response unit for fire and EMS for this site. It is located at 9500 Marigold Avenue in Poinciana, with an approximate travel distance of 3.3 miles.
- The subject site is within the Sheriff Department's Northeast District. The Northeast District Office is located at 1100 Dunson Road in Davenport.
- The subject site is within the Toho Water Authority Service Area for both water and sewer.
- There are no sidewalks in the vicinity of the subject site.
- The closest mass transit route is Route 603 with Citrus Connection. The closest bus stop to the subject site is at the Walmart in Poinciana.
- The nearest neighborhood park is Poinciana Playground 1.23 miles west of the site driving, and the nearest regional Park is Poinciana Community Park 4 miles driving to the southwest of the subject site.
- The closest road to the site is Marigold Avenue. Marigold Avenue is a

Environmental

- The subject site is relatively flat with a high elevation of 60 feet on the west side of the site and a low of 55 feet on the east side of the site. There are two areas, but the elevation is almost flat from the west to the east side of the site.
- There are wetlands and flood zone on site on the eastern portion of the request.
- The soil type for the site is a mix of Felda fine sand, Immokalee sand, and Malabar fine sand.
- According to Polk County Endangered Habitat Maps, the subject site is not located within a one-mile radius of an observation of a protected animal species (Source: Florida Department of Environmental Protection, 2015).
- There are no known archeological or historical resources on the subject site per data from the Florida State Historical Commission.
- 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.
- On the Polk Green Map, site does show in the Potential Network Connection. However, site and area around is partially developed with residential uses. No Conservation Easements exist on site. The closest Conservation Easement is one mile east of the subject 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 UEs:
 - 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-A4: OVERLAY DISTRICTS** - All Overlay Districts shall be permitted within UEs in accordance with applicable criteria.
 - **POLICY 2.107-A5: DEVELOPMENT CRITERIA** - Development within UEs 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. Connection to public sewer shall be required as regulated by the Nutrient Restoration Plan Overlay.

- 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 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process.

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

therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2025-16**.

Planning Commission Recommendation: On October 1st, 2025, in an advertised public hearing, the Planning Commission voted 6:1 to **recommend APPROVAL of LDCPAS-2025-16**.

***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 DRI; undeveloped	North PRESVX; undeveloped	Northeast PRESVX; undeveloped
West DRI; undeveloped	Subject Site DRI; undeveloped	East DRI; undeveloped
Southwest DRI; undeveloped	South PRESVX; undeveloped	Southeast DRI; undeveloped

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 UEA's is to recognize existing isolated areas of urban development that contain centralized water and sewer systems. UEA's are those areas within the County that are not located within a TSDA, UGA, or SDA and have developed at urban or suburban densities with County owned, municipal or County-franchised potable water systems, and small-scale public or County franchised centralized sewer facilities, or private sewer systems with capacities in excess of 400,000 GPD.

The request is a Future Land Use designation that is compatible with the surrounding area. Residential Low is allowed within the Utility Enclave Area (UEA), but not within the Rural Development Area (RDA), which is why the Development Area had to be changed. The Land Uses surrounding the subject site are either Development of Regional Impact (DRI) or Preservation (PRESVX). Not of the sites are developed. The closest development is one mile to the west on Laurel Avenue.

From LDPD-2023-29, “Another alternative to a PD modification for developing the site is through a Comprehensive Plan Amendment (CPA). Poinciana does not have a designated land use district on the County’s Future Land Use Map (FLUM) or through LDC Tables 2.1 and 2.2. By completing a CPA, it would be assigned a land use district – likely Residential Low (RL) – which could attain up to 5 DU/AC through a Planned Development. The benefit to a CPA on this site is that it would erase the commercial and institutional entitlements that were installed with Master Plan, allowing for more residential units.”

B. Infrastructure

The subject site is within the Toho Water Authority Utilities Service Area for both water and sewer. A letter from Toho confirming this has been provided by the applicant. The parcel accesses onto Marigold Avenue, an Urban Major Collector, that connects to County Road 542, also an Urban Major Collector. There is available transportation capacity on both roads. Public safety response times are normal for this part of the County. Two of the schools zoned for this site are over capacity, so mitigation efforts with the School Board will need to be utilized before occupancy certificates can be given for any residential development. The request is compatible with the available infrastructure.

From LDPD-2023-29, “This property is in the UEA where Toho Water Authority provides utilities. Connection to centralized potable water and wastewater is required. Reclaimed services are available.”

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 two of the zoned schools are currently over capacity.

Table 2 School Information

Name of School	Annual Estimated Demand	% Capacity 2024-2025 School Year	Average driving distance from subject site
Laurel Elementary School	12 students	119%	1.5 miles
Lake Marion Creek Middle School	7 students	89%	2.6 miles
Haines City High School	10 students	120%	15 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	Northeast District Command Unit (100 Dunson Road, Davenport, FL)	21.2 +/- miles Priority 1 – 09:58 Priority 2 – 30:57
Fire/ EMS	Station #46 (9500 Marigold Avenue, Kissimmee, FL)	2.6 +/- miles

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

Water and Wastewater

A. Estimated Demand

The subject site is within the Toho Water Authority Utility Service Area for potable water and sewer. Site will connect to both.

Table 4 Estimated Water and Sewer Impact Analysis

Permitted Intensity	Maximum Permitted in Existing Land Use DRI	Maximum Allowable in Proposed RL in Poinciana DRI w/PD
12 +/-acres Tract C 522,720 sq ft	12 acres = 522,720 sq ft X 0.25 FAR = 130,680 sq ft	17.48 +/- acres X 5 du/ac 87 du
Potable Water Consumption	130,680 sq ft X 0.24 GPD = 31,363 GPD	87 du X 360 GPD 31,320 GPD
Wastewater Generation	31,363 GPD X 80% = 25,091 GPD	87 du X 270 GPD = 23,490 GPD
5.48 +/- acres Tract B 238,709 sq ft	5.48 acres = 238,709 sq ft X 0.25 FAR = 59,677 sq ft	
Potable Water Consumption	59,677 sq ft X 0.15 GPD = 8,952 GPD	
Wastewater Generation	8,952 X 80% = 7,161 GPD	

Source: Concurrency Manual; Single Family Residential is 360 GPD used for water and 270 used for wastewater generation rates. Institutional (INST-1) rates of 0.25 FAR with 0.24 GPD for water and 80% for wastewater were used for the 12 acres since schools are a common use in INST and one of the two tracts was originally slated for a School site per Poinciana Master Plan. The other parcel was Commercial, so Grocery Store calculation was used which was 0.25 FAR with 0.15 GPD for water and 80% for wastewater.

B. Service Provider

The subject site is within the Toho Water Authority Utility Service Area for water and sewer. A letter from Toho Water Authority confirming this was provided by the applicant. Site will connect to both water and sewer.

C. Available Capacity

Information is not available for capacity as the water and wastewater is handled by Toho Water Authority. However, a letter was provided to applicant from Toho Water Authority that they do in fact have capacity in water and sewer lines to serve this site.

D. Planned Improvements

Toho has announced that they are developing a plan for utilizing new water sources and reclaimed water usage. No further information was provided.

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 DRI	Maximum Allowable in Proposed RL-1 in Poinciana DRI w/PD
12 +/-acres Tract C 522,720 sq ft	12 acres = 522,720 sq ft X 0.25 FAR = 130,680 sq ft / 1000 = 131 sq ft	17.48 +/- acres X 5 du/ac 87 du
Average Annual	131 sq ft X 2.27 AADT = 265 Trips (89% New Trips)	87 du X 7.81 AADT = 679 Trips (100% New Trips)
PM Peak	131 sq ft X 0.16 PM Peak = 19 Trips (89% New Trips)	87 du X 1 PM Peak = 87 Trips (100% New Trips)
5.48 +/- acres Tract B 238,709 sq ft	5.48 acres = 238,709 sq ft X 0.25 FAR = 59,677 sq ft / 1000 = 60 sq ft	
Average Annual	60 sq ft X 59.07 AADT = 2,964 Trips (76% New Trips)	
PM Peak	60 sq ft X 8.79 PM Peak = 401 Trips (76% New Trips)	

Source: Concurrency Manual and Table for Minor Traffic Study –Elementary School LDA at 2.27 AADT and 0.16 PM Peak Hours (89% new trips), Supermarket LDA at 59.07 AADT and 8.79 PM Peak Hours (76% New Trips,) and Single-family detached housing LDA at 7.81 AADT and 1 Peak Hours (100% new trips).

B. Available Capacity

The roads surrounding the subject site have insufficient PM Peak capacity available for a residential development. There is currently nothing developed on the site. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links.

Table 6					
Link #	Road Name	Current LOS	Available Capacity	Minimum LOS Standard	Projected Five Year LOS
8431N	MARIGOLD AVENUE (POINCIANA PARKWAY TO PALMETTO STREET)	F	0	D	F
8431S		F	0	D	F
Source: Polk Transportation Planning Organization, Roadway network Database 2025					

C. Roadway Conditions

Marigold Avenue is an Urban Major Collector with unavailable capacity in both directions with a current condition of Fair. Per Roads and Drainage, this area is currently being improved to be repaved and widened so it will be better on the next PCI update. The condition of the roadways and the LOS change over time. The conditions are addressed when development accesses a road during the Level 2 Review. LOS is a tool that can limit the intensity of a development.

D. Sidewalk Network

There are no sidewalks in the vicinity of the subject site.

E. Planned Improvements:

Marigold Avenue is currently undergoing an expansion that will improve the quality and widen the road to handle a higher capacity of traffic.

F. Mass Transit

The closest mass transit route is Route 603 with Citrus Connection, with the closest stop being at the Walmart in Poinciana.

Park Facilities:

The following analysis is based on public recreation facilities.

A. Location:

The nearest neighborhood park is Poinciana Playground 1.23 miles west of the site driving, and the nearest regional Park is Poinciana Community Park 4 miles driving to the southwest of the subject site.

B. Services:

Poinciana Community Park has Basketball Courts, Cricket Pitch, Dog Park, Restrooms, Soccer Fields, Softball Fields, Walking Paths/Trails. Poinciana Playground has a tot lot.

C. Multi-use Trails:

The closest free hiking trail is in the Poinciana Community Park which is 4 miles southwest of the subject site.

D. Environmental Lands:

This site contains no County owned environmental lands. The closest environmental lands to the site is the Kissimmee Chain of Lakes Reserve which borders the subject site to the south and north. On the Polk Green Map, site does show in the Potential Network Connection. There are no Conservation Easements on the site. The closest Conservation Easement is one mile to the east of the subject site.

E. Planned Improvements:

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

Environmental Conditions

The site is entirely comprised of Candler Sand, which is suitable for building.

A. Surface Water:

There is no surface water on the subject site. The site is almost flat with a low of 55 feet on the east portion and a high of 60 feet on the west portion.

B. Wetlands/Floodplains:

There are wetlands and flood zone AE on the eastern subject site.

C. Soils:

The subject site is comprised of a mix of soil types as listed in Table 8 following this paragraph.

Table 8

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Dwellings w/o Basements	% of Site (approximate)
Malabar fine sand, 0 to 2 percent slopes (10)	Severe: wetness, poor filter	Severe: wetness	9.7%
Immokalee sand (21)	Severe: wetness	Severe: wetness	13.9
Felda fine sand, frequently ponded, 0 to 1 percent slopes (86)	Severe: ponding, poor filter	Severe: ponding	76.4

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

D. Protected Species

According to the Florida Biodiversity Matrix GIS application, no threatened or endangered plant or animal species exist on the site. If any are discovered, the applicant shall properly protect the specie(s) or mitigate any impacts consistent with federal, state, and local law.

E. Archeological Resources:

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

F. Wells (Public/Private)

The subject site is not located in the Wellfield Protection District and does not have any wells on site. The site will be connecting to water and sewer from Toho Water Authority. The closest Well site is 4.55 miles to the west of the subject site.

G. Airports:

The site is not within an Airport Impact District.

Economic Factors:

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

Consistency with the Comprehensive Plan

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

Table 8 Comprehensive Plan and Land Development Code

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with	The Comprehensive Plan permits a variety of different Future Land Use designations in

Comprehensive Plan Policy	Consistency Analysis
<p>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>urban areas and contribute to a combination of mixed uses. Residential Low (RL) would be compatible with the surrounding area of PRESVX and DRI.</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 all undeveloped. Toho Water Authority Utilities are 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 site has already been approved for development with LDPD-2023-29. There is ample connectivity to water, sewer, and electricity. Fire is close by with low response times, while Sheriff is close enough to not be an issue. Two of the three schools that are zoned for the site are overcapacity. The overall parcel does contain wetlands and part of it does reside within flood zone AE. The site is currently undeveloped but will have access roads provided per LDPD-2023-29.</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 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 	

Comprehensive Plan Policy	Consistency Analysis
<p>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>	
<ul style="list-style-type: none"> • POLICY 2.107-A1 DESCRIPTION - UEAs shall be those areas within the County which have developed at urban or suburban densities with County-owned, municipal or County-franchised potable-water systems, and centralized public sewer facilities, or private sewer system in excess of 400,000 GPD. UEAs are typically lacking the full complement of other urban services typically found in the Transit Supportive Development, Urban Growth, or Suburban Areas. • POLICY 2.107-A2 DESIGNATION AND MAPPING - The Future Land Use Map Series shall designate and map Utility-Enclave Areas (UEAs) base districts for those areas of the County meeting the general characteristics of this Section 2.107. Expansion of Utility Enclave Areas shall only be permitted in those cases where: <ul style="list-style-type: none"> o a. it is determined that such expansion is necessary for the utility provider to realize a beneficial return on its existing utility investment(s); o b. it is consistent with other policies in the Plan, and meets the requirements of Policy 2.102-A9 and Policy 2.102-A10 ("locational criteria" for land use and development area expansions); and o 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: <ul style="list-style-type: none"> o 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. o b. RESIDENTIAL: Residential-High, Residential-Medium and Residential-Low Districts shall be permitted within UEA's in accordance with applicable criteria. o c. OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park 	<p>Residential Low (RL) is an allowable use in the UEA. There is ample infrastructure available in the area to support this land use with connections to water and sewer connections through Toho Water Authority. Marigold Avenue is an Urban Major Collector Road with available capacity. There are emergency services, parks, education, mass transit, and residential development close by to the west.</p> <p>Toho provided a letter showing that this site can connect to water and sewer, but it will be up to the private developer to create the connections. Per the letter, "Toho staff has determined that Toho has potable water, reuse and sewer capacity with existing facilities and expansions as part of planned improvements contained in its Capital Improvement Plan to serve the referenced project. As noted in the attached document, extension and/or upsizing of infrastructure at the Owner's expense may also be required to serve the property."</p>

Comprehensive Plan Policy	Consistency Analysis
<p>Centers, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.</p> <ul style="list-style-type: none"> • POLICY 2.107-A4: OVERLAY DISTRICTS - All Overlay Districts shall be permitted within UEAs in accordance with applicable criteria. • POLICY 2.107-A5: DEVELOPMENT CRITERIA - Development within UEAs shall conform to the following criteria as further specified by the Land Development Code: <ul style="list-style-type: none"> o 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. Connection to public sewer shall be required as regulated by the Nutrient Restoration Plan Overlay. o 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. o c. Provide access to parks, green areas, and open space and other amenities. o 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). 	
<p>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.</p> <p>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."</p> <p>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-</p>	<p>The subject site is already slated for development with LDPD-2023-29. The land use change from DRI to RL-1 is to change the use of the land on the PD from a commercial and institutional use to residential in nature. Primarily to accommodate single family homes. The density requested is under the allowable 5 du/ac and is allowed within the new UEA Development Area.</p>

Comprehensive Plan Policy	Consistency Analysis
<p>Low shall be evaluated based on the general criteria listed in Policy 2.119-A2.</p> <p>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.</p>	
<ul style="list-style-type: none"> • POLICY 2.130-A: POINCIANA (PRE-DRI #1) - The Poinciana development contains approximately 47,000 acres located in Polk and Osceola counties. The project is a multi-use development proposed to contain single-family, multi-family, commercial, industrial, institutional, and open space/recreation uses within 8 villages, 9 estate areas, and 6 office/industrial parks. Located in Polk County are Villages 3, 4, 6, 7, and 8. The Poinciana development received approval by Polk County in 1971 as a Planned Unit Development (PUD 71-10). In 1983, Poinciana received vested rights status under Sections 830.06 and 120.57, F.S., which vested this project from the Development of Regional Impact (DRI) review process. 	<p>From LDPD-2023-29, “Another alternative to a PD modification for developing the site is through a Comprehensive Plan Amendment (CPA). Poinciana does not have a designated land use district on the County’s Future Land Use Map (FLUM) or through LDC Tables 2.1 and 2.2. By completing a CPA, it would be assigned a land use district – likely Residential Low (RL) – which could attain up to 5 DU/AC through a Planned Development. The benefit to a CPA on this site is that it would erase the commercial and institutional entitlements that were installed with Master Plan, allowing for more residential units.” Since the County does not have a comprehensive history of the impacts of the BLIMS and where the land uses have been transferred, therefore this CPA is needed.</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

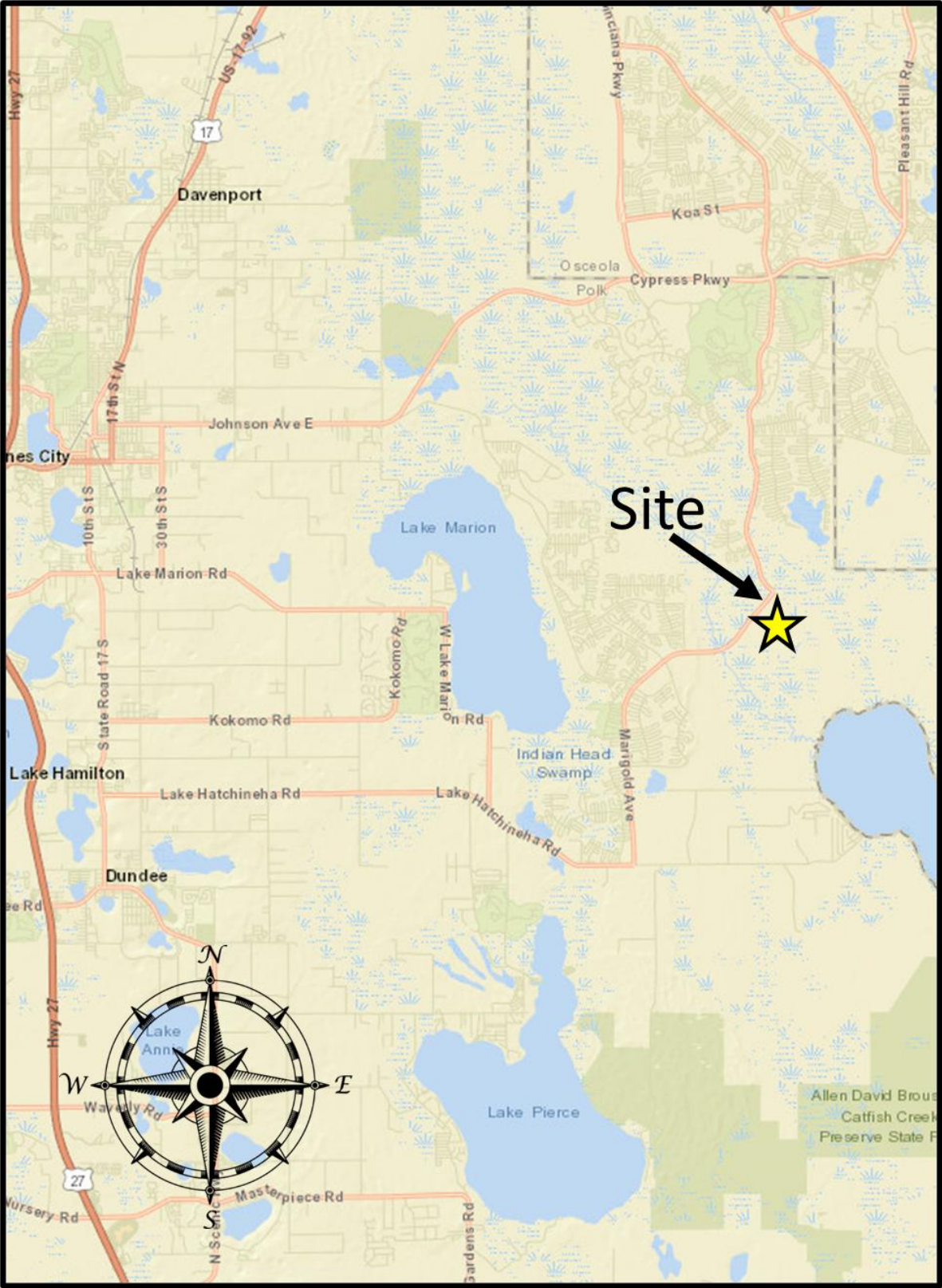
Comments from other agencies

No comments

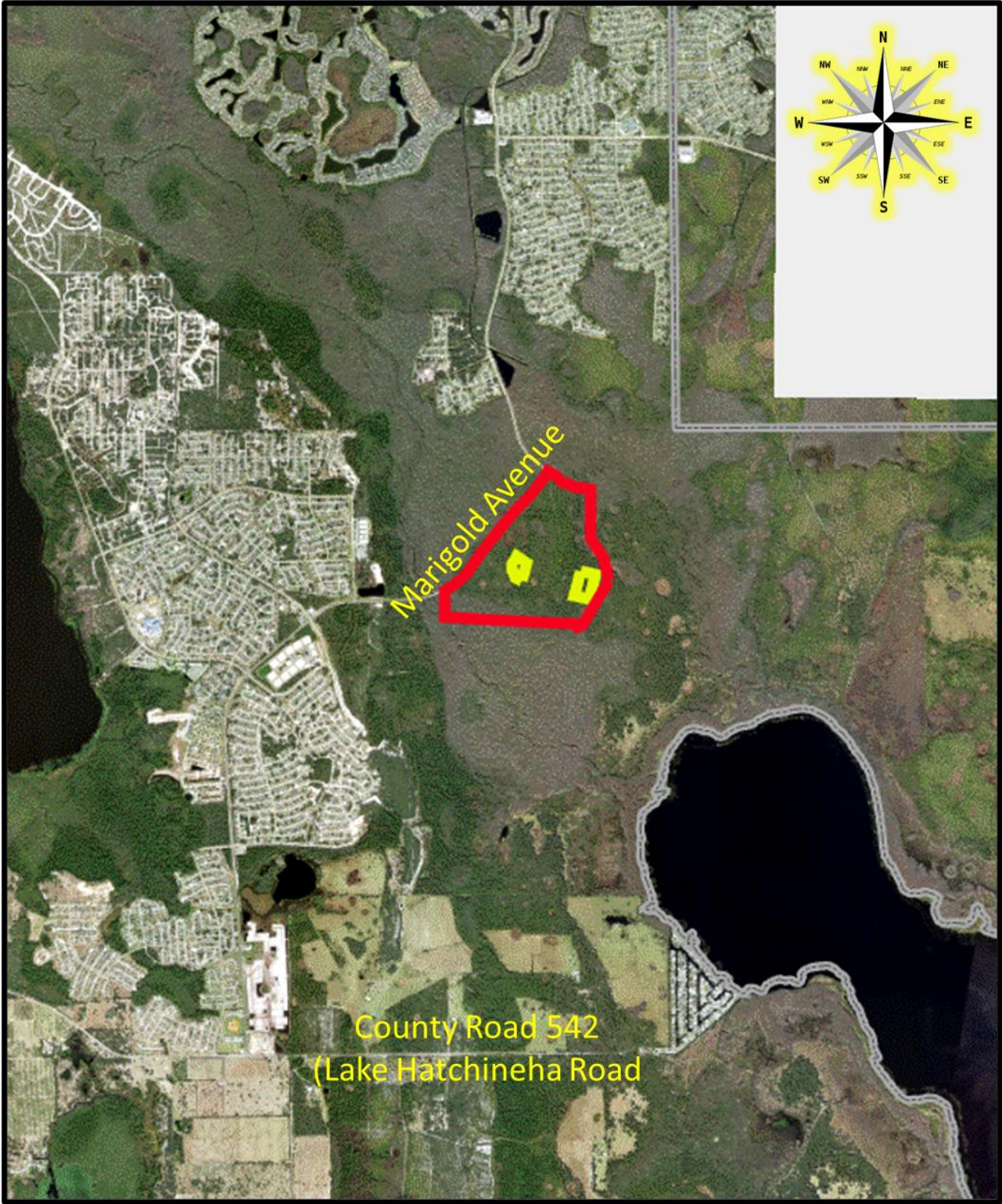
Exhibits:

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 6	RL-1 Permitted and Conditional Uses
Exhibit 7	Site Plan

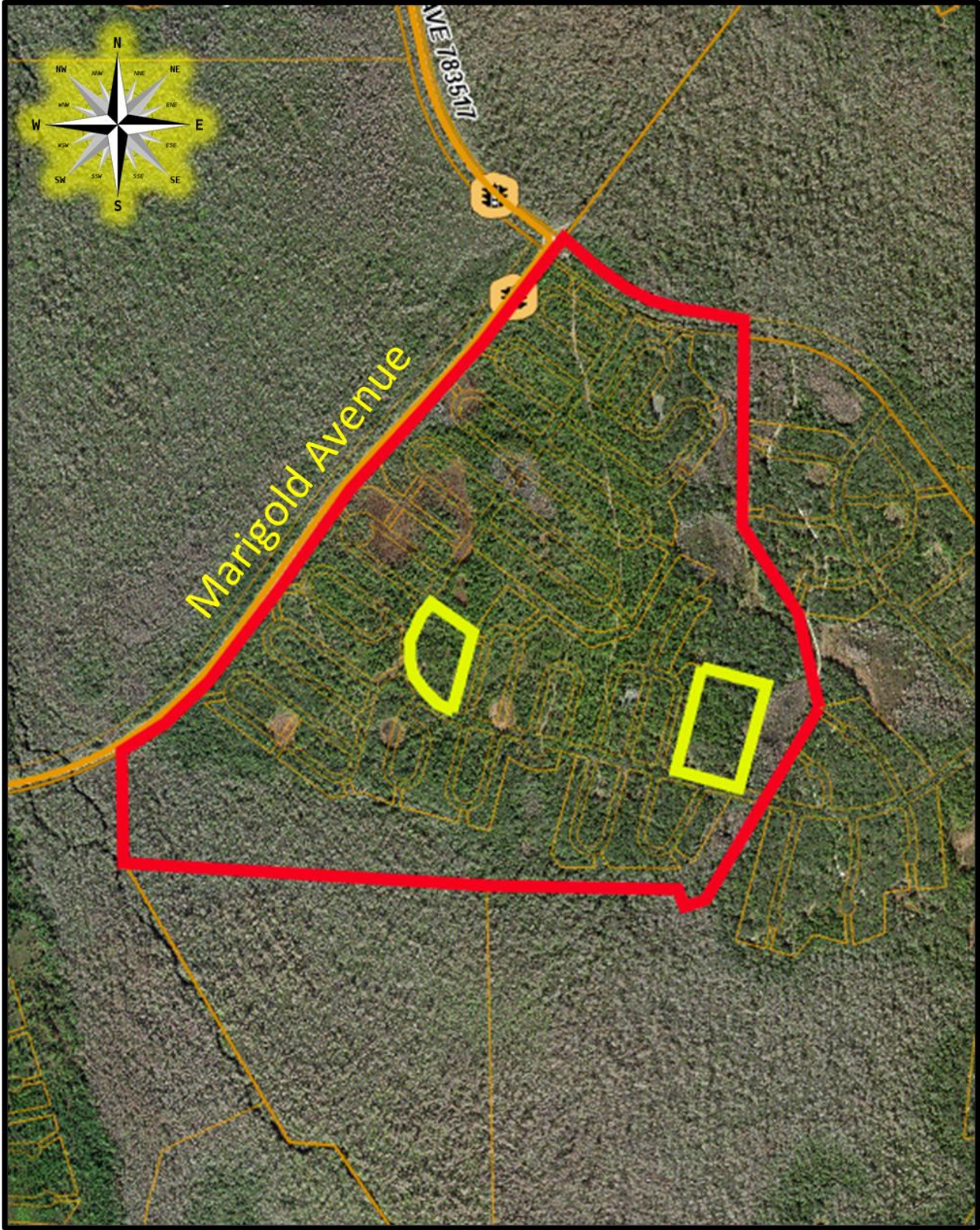
Applicant's submitted documents and ordinance as separate files



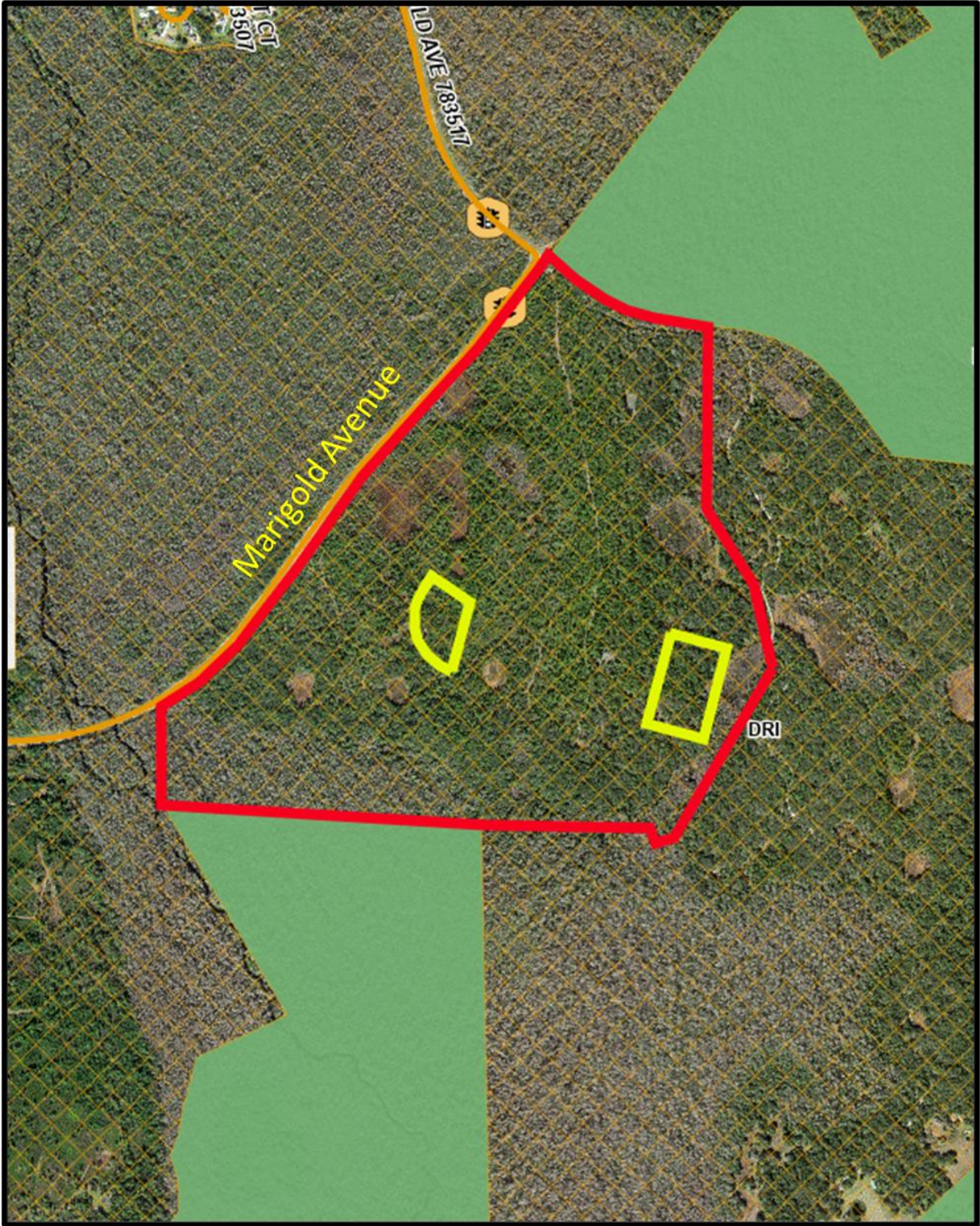
LOCATION MAP



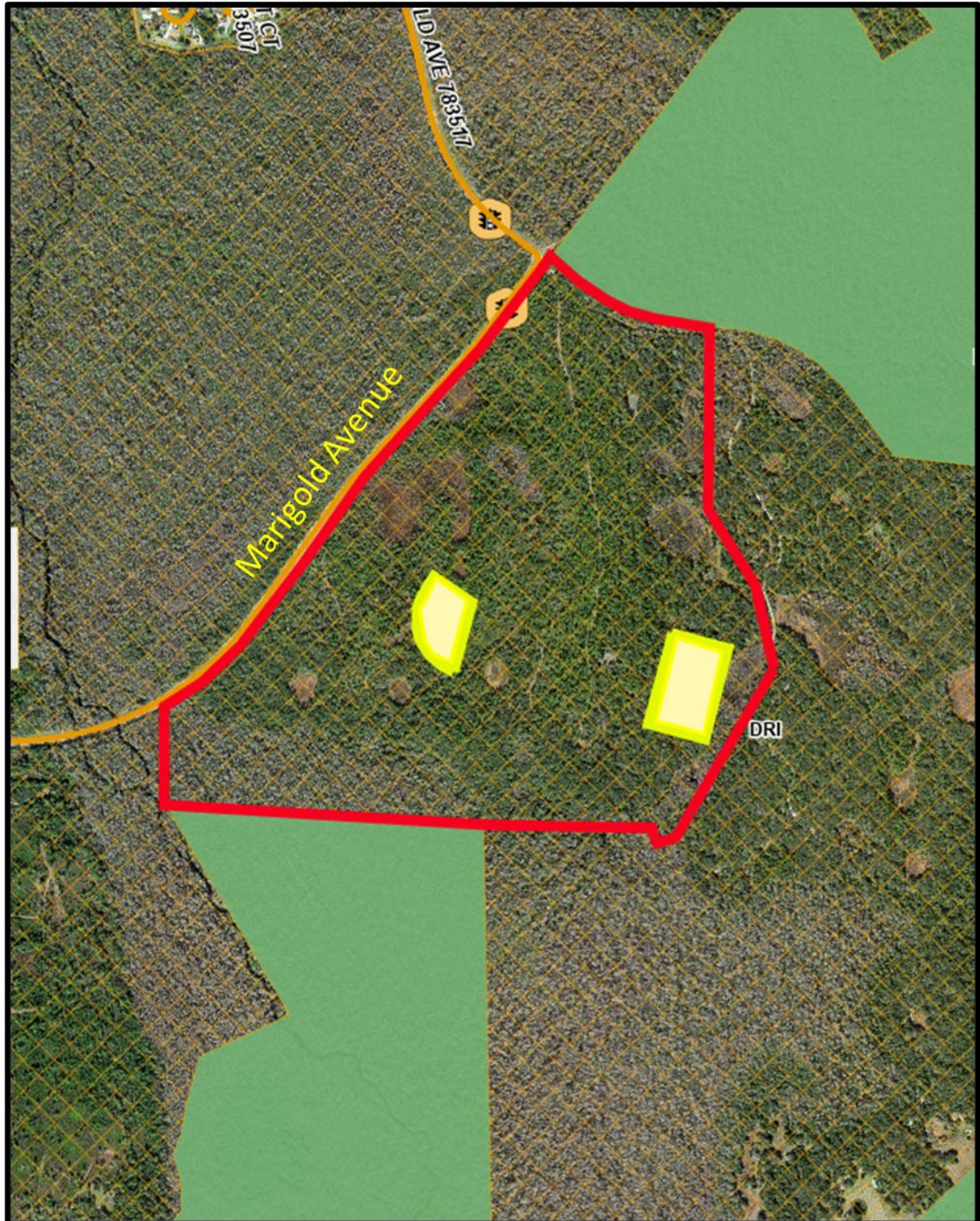
2023 AERIAL PHOTO CONTEXT



2023 AERIAL PHOTO CLOSE UP



CURRENT FLUM
Development of Regional Impact (DRI)



PROPOSED FLUM Residential Low (RL-1)

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



SITE PLAN FROM LDPD-2023-29