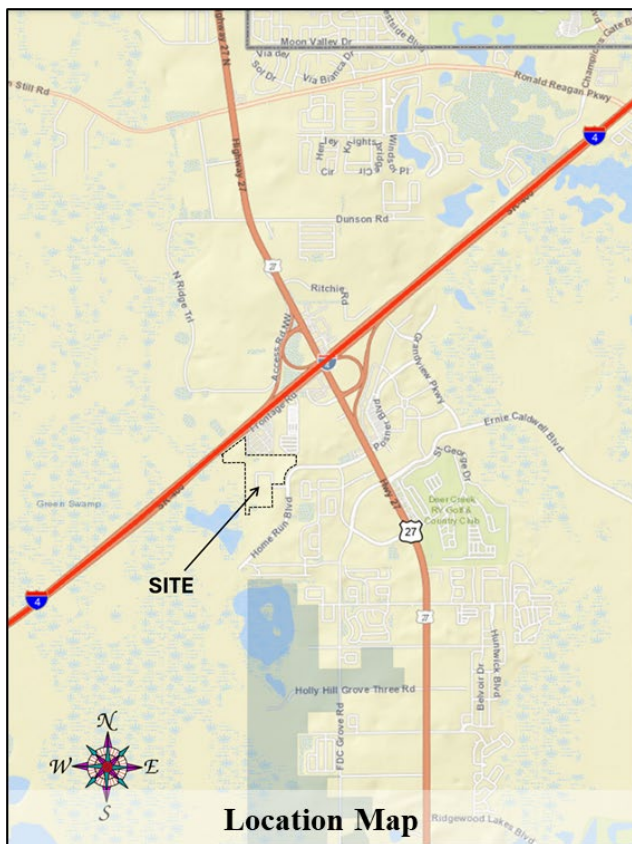


POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date: April 25, 2024	Level of Review: Level 3 Review
PC Date: July 10, 2024	Type: Planned Development Modification
BoCC Date: n/a	Case Numbers: LDCU-2024-20
Applicant: Polk County	Case Name: NERUSA WWTP Expansion
	Case Planner: Erik Peterson, AICP

Request:	Conditional Use modification of case #CU 08-16, Polk County's Northeast Regional Utility Service Area Wastewater Treatment Plant to expand the limits, add a second access, and government facilities, and upgrade the facility from 6 MGD to 9 MGD.
Location:	200 Westview Road, west of Homerun Boulevard, west of U.S. Highway 27, north of Sunset View Drive, south of I-4, north of Haines City, in Section 28, Township 30, Range 28.
Property Owners:	Polk County
Parcel Size (Number):	±55 acres (272618-000000-034030, 034010, & 043010, 262613-488500-010222,)
Future Land Use:	Institutional-2X (INST-2X), Business Park Center-1X (BPC-1X), and Regional Activity Center (RACX), Green Swamp Area of Critical State Concern, Ridge Special Protection Area, Northridge Selected Area Plan
Development Area:	Transit Supportive Development Area (TSDA)
Nearest Municipality:	Haines City 0.6 miles
DRC Recommendation:	Pending Review
Planning Commission Vote:	Pending Public Hearing



Location Map



2023 Aerial Photo

Summary:

Polk County Utilities proposes an Expansion to the Northeast Regional Utility Service Area's (NERUSA) Wastewater Treatment Plant. This project will expand the capacity of the plant from six million gallons per day (6 MGD) to nine million gallons per day (9 MGD). This expansion will enable the plant to potentially serve another 11,000 to 17,000 residential units in the service area. The Board of County Commissioners approved an expansion of the plant from 3 MGD to 6 MGD through case #CU 08-16 in August of 2008. A list of previous conditions of approval are shown in Exhibit 6. Staff has consolidated the pertinent conditions into the conditions of this proposed expansion.

The plant expansion not only includes new and larger wastewater treatment components such as oxidation ditches and new ground storage tanks for reclaimed water but also new offices for operation and maintenance and new buildings for storage of equipment and supplies for use throughout the Northeast Utility Service Area network. Therefore, there is an increase in the overall land area of the site and an additional site entrance from the I-4 Frontage Road. In the future, other Government Facilities such as Fire Rescue or other County offices may be located on this property. These will not require Planning Commission approval because they are permitted administratively in the INST-2X, BPC-1X, and RACX land use districts.

Findings of Fact

- *This is a request for Conditional Use modification of case #CU 08-16, Polk County's Northeast Regional Utility Service Area Wastewater Treatment Plant to expand the limits, add a second access, government facilities, and upgrade the facility from 6 MGD to 9 MGD on ±54.34 acres in an Institutional-2X (INST-2X), Business Park Center-1X (BPC-1X), and Regional Activity Center (RACX), Green Swamp Area of Critical State Concern, Ridge Special Protection Area, Northridge Selected Area Plan.*
- *The site was approved for an 6,000,000 gallon per day (GPD) wastewater treatment facility in 2008.*
- *The site is located in the Transit Supportive Development Area (TSDA), which is the area "where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services" according to POLICY 2.104-A1 of the Comprehensive Plan.*
- *Comprehensive Plan POLICY 2.125-D2.a says, "Utility facilities shall generally be limited to the non-Rural-Development Areas, as designated on the Future Land Use Map Series. The scale of such facilities should be related to surrounding land uses and designed to preserve the character of residential neighborhoods, when so located."*
- *Comprehensive Plan POLICY 2.125-D2.d says, "Polk County adopted the Land Development Code in accordance with Section 163.3202(1), FS, to further define appropriate development controls to govern the locational and site criteria for utilities."*
- *Chapter 10 of the Land Development Code (LDC) defines Class III Utilities as "Production or treatment facilities such as sewage treatment plants, elevated water storage towers, non-accessory ground storage tanks, or similar facilities. This definition does not include electric power plants and lime stabilization facilities."*
- *Section 401.08, Table 401.06., Table 4.16 Use Table for Standard Land Use Districts for the North Ridge Selected Area Plan lists Class III Utilities as a Level 3 Conditional Use in the Institutional-2X (INST-2X), Regional Activity Center-X (RACX), and Business Park Center-1X (BPC-1X) districts.*
- *Chapter 3, Section 303, Criteria for Conditional Uses, of the Land Development Code states "Wastewater treatment facilities, whether interim, package, or permanent, shall maintain a minimum setback of 100 feet from any off-site residential use or district, or any on-site platted lot or dwelling unit."*
- *The surrounding Future Land Use Map districts are RACX to the north and east, BPC-1X to the east and south, COREX to the west. There are multifamily residential structures abutting the site and single-family homes within 300 feet.*
- *The property is over 2¼ miles from the nearest school and a significant distance from current or potential school bus stops in the vicinity of the site.*
- *Fire and EMS response to this project is from Polk County Fire Rescue Station 38 located at 126 Cottonwood Drive. The travel distance is approximately 2½ miles from the main entrance.*
- *The site is served by the Polk County Sheriff's Office Northeast District Command Center at 1100 Dunson Road approximately 2¼ miles driving distance from the site.*

- *The site is in the Polk County Northeast Regional Utility Service Area (NERUSA). It is the primary source within the area for wastewater treatment.*
- *The site access to the subject property is through a limited access drive to Home Run Boulevard, a County maintained Roadway.*
- *According to the Transportation Planning Organization, there are capacity deficiencies on U.S. Highway 27 and Interstate 4. All other supporting roadways have available capacity. Expansion of the plant will not result in an increase in current traffic.*
- *There are no wetlands and floodplains on the site where the wastewater treatment facility is planned.*
- *The site where the wastewater treatment facility will be located is mostly comprised of Candler Sand, according to the U.S. Department of Agriculture, Soil Conservation Service, Polk County Survey.*
- *According to the 2011 Polk County Endangered Habitat Map, the property is not located within a one-mile radius of an endangered species sighting according to the Florida Natural Areas Inventory, 2002, 2006, &2011.*
- *The site is not within an airport flight path and height notification zone.*

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 LDCU-2024-20.**

CONDITIONS OF APPROVAL

Based upon the findings of fact, the DRC recommends APPROVAL of LDCU-2024-20 with the following conditions:

1. This approval shall be to expand the boundary, add a second access, allow for future government facilities, and upgrade the Wastewater Treatment facility from six (6) million gallons per day to nine (9) million gallons per day on 53.34 acres
2. The site plan included herein together with the conditions of approval shall be considered the “Binding Site Plan.” Any modifications to LDCU-2024-20, except for those listed in Section 906.E of the LDC, shall constitute a Major Modification to this approval and require a Level 3 Review before the Planning Commission. [PLG]

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: Approval of this request shall not constitute a waiver or variance from any applicable development requirement unless specifically noted in the conditions of approval and consistent with the LDC.

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: Approval of this request is only for Level 3 Review and only for those development decisions within the Planning Commissioners' jurisdiction. Building permits will be required for improvements to structures in accordance with Chapter 553 of the Florida Statutes.

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.

Surrounding Land Use Designations and Current Land Use Activity

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

Table 1

<p>Northwest: Regional Activity Center-X (RACX) Business Park Center-1X (BPC-1X) Vacant RACX, I-4, Amazon Distribution Facility</p>	<p>North: RACX Theme World RV Park</p>	<p>Northeast: RACX Mount Summit RV Park Haven at Davenport Apartments</p>
<p>West: BPC-1X, Green Swamp Conservation Core (COREX) vacant</p>	<p>Subject Property: Institutional-2X (INST-2X), Business Park Center-1X (BPC-1X), and Regional Activity Center (RACX) 6 MGD Wastewater Treatment Plant and Reclaimed Water Storage</p>	<p>East: RACX, BPC-1X, Residential Medium (RMX) Office/Warehousing Development Alta Citron Apartments Sunridge Subdivision</p>
<p>Southwest: BPC-1X, COREX vacant</p>	<p>South: BPC-1X Office/Warehousing Development Cabinet manufacturing</p>	<p>Southeast: BPC-1X, RMX Office/Warehousing Development Cabinet manufacturing</p>

The site is surrounded on three sides by a mixture of much more intensive land uses. The west side is vacant and mostly within the Green Swamp Conservation Core.

Compatibility with the Surrounding Land Uses and Infrastructure:

This wastewater facility expansion is compatible with surrounding land uses and other infrastructure in the immediate area. This facility has been located on this site since the mid-1980s without issue. This plant expansion will address one of several infrastructure weaknesses in the northeast and enable continual growth in the service area. The analysis to follow breaks down the components of the surrounding area and provides data to determine how well the proposed use will coexist in the proposed location in a stable fashion over time.

A. Land Uses:

This facility was first established in the mid 1980s to support economic development of the I-4 and US Highway 27 interchange area. Some of the first customers of the facility were the RV parks on the northern boundary. The closest residential development has occurred since the plant reached 3,000,000 gallons per day of operational capacity. An apartment complex was just built on the eastern boundary of the plant. It is safe to say that further expansion of this plant will continue to “coexist in relative proximity ... in a stable fashion over time such that no use or condition is unduly negatively impacted directly or

The LDC defines compatibility 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.”

indirectly by another use or condition.” While there will be more equipment constructed, the amount of operational staff will remain constant.

B. Infrastructure:

This request is to improve the capacity of the existing wastewater system, a vital element of urban infrastructure. This system’s expansion will enable another 12,000 homes to be developed in the service area. The northeast area of the County has some infrastructure deficiencies, but efforts are underway to correct them. There has been a significant market demand for residential and commercial development in this area over the last 30 years. It is anticipated to continue into the future.

Nearest and Zoned Elementary, Middle, and High School

School capacity is not a concern for non-residential uses. Proximity and traffic conflicts are a concern. Fortunately, the activity on this site is benign and will have no potential conflicts with any school’s operation. Listed to follow are the three closest schools to the site.

Table 2

Name of School	Average driving distance from subject site
Ridgewiew Global Studies Academy Elementary	±2¼ miles driving distance
Ridgewiew Global Studies Academy Middle School	±2¼ miles driving distance
Davenport High School	±5½ miles driving distance

Source: Polk County School Board GIS

This wastewater treatment facility expansion will pose no potential adverse impacts upon any nearby schools. All three schools along with five others in the utility service area are currently served by the facility. Two more schools are planned within the service area over the next five years.

Nearest Sheriff, Fire, and EMS Station

Fire and EMS response to this project is from Polk County Fire Rescue Station 38 located at 126 Cottonwood Drive. The travel distance is approximately 2½ miles from the main entrance on Home Run Boulevard and response times can average six or more minutes depending on the type of call.

Table 3

	Name of Station	Distance	Response Time*
Sheriff	Northeast District Command (1100 Dunson Road)	±2¼ miles	6 minutes
Fire	Station 38(126 Cottonwood Drive, Davenport)	±2½ miles	6 minutes
EMS	Station 38(126 Cottonwood Drive, Davenport)	±2½ miles	6 minutes

Source: Polk County Sheriff’s Office and Public Safety

*Response times are based from when the station receives the call, not from when the call is made to 911.

The nearest Sheriff’s substation is the Northeast Command Center on Dunson Road, 2¼ miles to the north. 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. However, the closer to the command center increases the number of patrol officers available in the area.

Water and Wastewater Demand and Capacity:

This wastewater treatment facility will not require any water or wastewater. It will provide wastewater services. The current capacity is 6,000,000 gallons per day (GPD) which is capable of serving the equivalent of approximately 21,428 single family homes. The new facility will provide 9,000,000 GPD, which is a level of service equivalent to approximately 32,143 single family homes.

A. Estimated Demand and Service Provider:

The site expansion acreage is Regional Activity Center (RACX) and Business Park Center-1X (BPC-1X). In the North Ridge Selected Area Plan, up to 15 dwelling units per acre are permitted by right, and up to 25 dwelling units per acre are permitted by meeting certain density bonus points derived by site amenities. If this expansion were to be denied (hypothetically), these properties would be available for development. For the purpose of this analysis, staff reviewed the impact of potential development on the Business Park Center-1X (BPC-1X), and Regional Activity Center (RACX) portions of the site that have yet to be occupied.

Table 4

Subject Property	Estimated Impact Analysis		
	Demand as Currently Permitted RACX & BPC-1X	Maximum Permitted in the District RACX & BPC-1X	Proposed Plan INST-2X, RACX & BPC-1X
±17.4 acres RACX ±6 acres BPC-1X			
Permitted Intensity	351 multifamily units	585 multifamily units	Class III Utility
Potable Water Consumption (GPD)	69,498 GPD	115,830GPD	360 GPD
Wastewater Generation (GPD)	63,180 GPD	105,300 GPD	270 GPD

Source: Polk County Concurrency Manual & Polk County Utilities

The facility will add another restroom with the added operations center, flow will be the equivalent of one single family residential connection (ERC). The wastewater Treatment plant will add to the wastewater capacity and not detract from the available potable water capacity. With the greater reclaimed water production, there will be less potable water consumed in the system.

B. Available Capacity:

The Northeast Regional Utility Service Area is permitted for 13,940,000 GPD of water capacity. Current flow is at approximately 8,117,000 GPD. There is approximately 4,234,000 GPD allocated to projects with entitlements leaving 794,000 GPD in uncommitted capacity. The system growth rate is approximately 962 gallons and 3.2 equivalent residential connections per day. At the current rate of growth there is approximately 2.3 years of potable water capacity remaining.

The Northeast Regional Wastewater Treatment Plant is permitted to treat 6,000,000 GPD. Current flow is approximately 4,687,000 GPD. There are approximately 1,000,000 GPD of committed capacity to entitled projects leaving 313,000 GPD of uncommitted capacity. The system growth rate is approximately 409 gallons and 3.1 equivalent residential connection per day. At the current rate of growth there are approximately two years of wastewater treatment capacity remaining without this proposed improvement.

Reclaimed water capacity is not tracked for concurrency. The capacity to serve reclaimed water is directly proportional to the amount of wastewater treatment. As more homes are connected to wastewater service, more are connected to reclaimed water for irrigation. This reduces demand on

the potable water system which extends the capacity of the potable water facilities. If this request for expansion is not approved, there will be less water for expansion of the reclaimed water system.

C. Planned Improvements:

The Northeast Regional Wastewater Treatment plant is permitted and constructed to expand to 6,000,000 GPD this request is for an expansion to 9,000,000 GPD to be completed by 2027. The reclaimed water system production will expand as the plant flow increases. This will enable more development to use reclaimed water for irrigation that is currently being supported by the potable system.

Roadways/ Transportation Network

Class III Utilities do not often generate significant amounts of traffic on roadways. They are typically more of a “land intensive” use. This means they can use a lot of land but don’t have as much activity to go with it. The site is developed with a restricted commercial driveway access (Westview Road) to Home Run Boulevard. There is more than ample capacity on the directly affected roadways, even for a use with higher transportation demands.

A. Estimated Demand:

It’s difficult to compare the traffic impacts of a wastewater system to anything else. It’s even harder to compare it against the many possible land uses that can be located in an INST-2X district, especially since it’s developed. For the purpose of this analysis, staff reviewed the impact of potential development on the Business Park Center-1X (BPC-1X), and Regional Activity Center (RACX) portions of the site that have yet to be occupied. If this expansion were to be denied (hypothetically), these properties would be available for development. The highest trip generation rates come in these categories with their allocations of high-density residential development. In the North Ridge Selected Area Plan, RACX can permit between 10 and 50 units per acre and BPC-1X permits between 15 and 25 units per acre. The table to follow assumes 15du/ac to be the base and 25 du/ac to be the upper end.

Table 5

Subject Property	Estimated Impact Analysis		
	Demand as Currently Permitted RACX & BPC-1X	Maximum Permitted in the District RACX & BPC-1X	Proposed Plan INST-2X, RACX & BPC-1X
±17.4 acres RACX ±6 acres BPC-1X			
Permitted Intensity	351 multifamily units	585 multifamily units	Class III Utility
Average Annual Daily Trips (AADT)	1,594	2,656	20
PM Peak Hour Trips	137	229	8

Source: Polk County Concurrency Manual and Polk County Utilities (multifamily = 4.54 AADT, 0.39 PM Peak)

In the end, this property is best suited for wastewater services. This request will not require a major or minor traffic study since the average annual daily trip rate (AADT) will be less than 50 trips per day. The additional access on Frontage Road will primarily be for maintenance vehicles and used during construction.

B. Available Capacity:

Although the request will have limited impact on the transportation system, it is still pertinent to be aware of available capacity when making land use decisions. Table 6, to follow, provides a good

snapshot of the capacity on the surrounding road network. I-4 and U.S. Highway 27 are constrained facilities.

Table 6

Link #	Road Name	Current Level of Service (LOS)	Available PM Peak Hour Capacity	Minimum LOS Standard
8408E	Heller Brothers Road From: FDC Grove Road. To: U.S. Highway 27	B	1,498	D
8408W	Heller Brothers Road From: U.S. Highway 27 To: FDC Grove Road	B	1,492	D
8406N	FDC Grove Road/Park Place Boulevard From: U.S. Highway 27 To: Heller Brothers Road	B	618	D
8406S	FDC Grove Road/Park Place Boulevard From: Heller Brothers Road To: U.S. Highway 27	B	612	D
5110N	U.S. Highway 27 From: CR 547 To: I-4	F	-312	D
5110S	U.S. Highway 27 From: I-4 To: CR 547	D	18	D
8222E	Interstate-4 From: CR 557 To: Osceola County Line	F	-278	D
8222W	Interstate-4 From: Osceola County Line To: CR 557	F	-47	D

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

Polk County Roads and Drainage Division cannot control these facilities, but it can control the roadways that feed into them and improve alternative routes such as FDC Grove Road to lessen the local demand on the state thoroughfares.

C. Roadway Conditions

Homerun Boulevard is in above average condition and this project will upgrade the current access to the I-4 Frontage Road which is unpaved to a paved.

D. Planned Improvements:

The North Ridge Trail has recently received funding in the upcoming budget year to begin construction on some of the legs between Dean Still and Florencevilla Grove Road. There is adequate capacity on affected roadways to support the amount of development that the wastewater treatment plant will enable. The state legislature has directed FDOT to prioritize the I-4 Expansion bringing the I-4 Ultimate buildout to the intersection of U.S. Highway 27. This will remedy the current traffic delays that stem from congestion between the Osceola County line.

Table 7

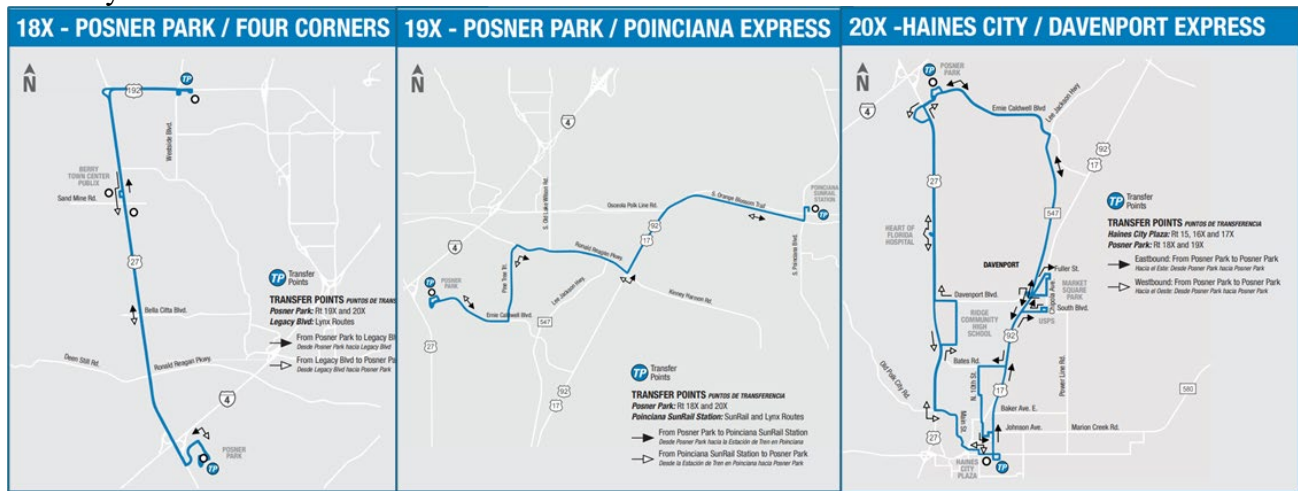
Road	Fiscal Year CIP (Construction)	Project Description
North Ridge Trail	final design completed Construction 2025	New roadway Dean Still Road to Legacy Park Boulevard (Florencevilla Grove Road connection)
Interstate 4 "Beyond the Ultimate"	2028	This project is part of FDOT's "Beyond the Ultimate" plan for improving I-4 which includes widening the Interstate to 10-Lanes from West of US 27 to Champions Gate at the Osceola County Line. The project will consist of three general use lanes, auxiliary lanes, and two special use lanes.
FDC Grove Road	2024	Intersection improvements between Massee Road and Minute Maid Ramp #2.

E. Sidewalks

Sidewalks are deficient on Homerun Boulevard to the east towards U.S. Highway 27 where they are most needed. There are more sidewalks along Homerun Boulevard going south to its dead end. Homerun Boulevard is in need of a complete sidewalk network because it connects residential to employment and commerce. This plant expansion will connect the sidewalk on the north and west side to the new apartment complex to the east that has sidewalks along its frontage.

F. Mass Transit

The NERUSA WWTP site is less than a mile from the Posner Park & Ride Transfer Station at the intersection of ERNIE Caldwell Boulevard and Colonial Way. From this station riders can connect to other transfer stations on U.S. 192 at the Osceola County line, downtown Haines City, and the SunRail station in Osceola County. All with an hour and 15-minute headways Monday through Saturday.



The six employees working at the facility may not use this service, but it speaks to the level of urban services provided to the area.

Park Facilities:

The closest County recreation facility is Loughman Park approximately 7-8 miles away to the east or north in Loughman or Lake Davenport. The request will not adversely affect either park or its operations. The facility provides reclaimed water to Northeast Regional Park on Lake Davenport.

A. Location:

Loughman Park is located at 6302 Old Kissimmee Road approximately 7½ miles from the site. The Northeast Regional Park is located 7½ miles to the north of on U.S. Highway 27.

B. Services:

Loughman has soccer, basketball, multi-purpose fields, picnic tables, pavilion, and a playground. The Northeast Regional Park has six lighted soccer/football fields, five lighted baseball fields, basketball, tennis, and racquetball courts, concession facilities, boat access, as well as playground facilities for children and dog walks.

C. Environmental Lands:

Lake Bonnet Marsh is on the west side of U.S Highway 27. There is public access at the end of Sanders Road to the south.

C. Planned Improvements

There are no planned improvements to park facilities in this area in the County’s 5-year capital improvements plan.

Environmental Conditions

There are no significant environmental limitations to the development of this property. The applicant has selected the best location for a wastewater treatment plant on the entire ±360-acre Warner Southern University campus. It has good soil, is far from nearby surface waters, no wetlands or flood hazard areas, no recent endangered species sightings, or archeological resources.

A. Surface Water:

Today, the closest surface waters are man made from the sand mining conducted in the past. These large, deep waterbodies provide storage for the headwaters of the St. John’s River. Stormwater outfall from the site will flow west into the Green Swamp Conservation Core. Runoff into the swamp partially absorbs into the Upper Florida Aquifer but also flows into the St. Johns River and into the Atlantic Ocean. Up to a 25-year 24-hour event is contained in two dry stormwater ponds and held for 14-days before release. This is a requirement of all development in the Green Swamp Area of Critical State Concern. This is not too difficult to achieve on this site. The Candler Sand that comprises most of the ground coverage has a high absorption rate and much of the site sits well above the surficial water table.

B. Wetlands/Floodplains:

There are no wetlands or 100-year flood hazard areas within the wastewater treatment plant site. However, immediately to the west of the property boundary is almost completely within a large wetland and floodplain system. Historically those properties were lakes prior to the construction of I-4. There is no discharge of fluids from the wastewater plant off site. All effluent is captured, treated, and distributed into a dynamic reclaimed water irrigation service network. Solid byproducts are removed and disposed of in the County’s landfill.

C. Soils:

The site is comprised of some of the most favorable soils for development, according to the U.S. Department of Agriculture, Soil Conservation Service (USDA, SCS) Polk County Survey. Apopka and Candler sands are well drained and very malleable.

Table 8

Soil Name	Septic Tank Absorption Field Limitations	Limitations to Small Commercial Buildings	% of Site (approximate)
Apopka Fine Sand (2)	Slight	Slight	15%
Candler Sand (3)	Slight	Slight	85%

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

D. Protected Species

There have been no sightings within one mile of the proposed wastewater treatment plant site according to the Florida Natural Areas Inventory surveys in 2002, 2006, and 2011. A more in-depth protected species study will be required for both the Environmental Resource Permit (ERP) from the Florida Department of Environmental Protection as well as the federal agency providing the funding for the project.

E. Archeological Resources:

There are no protected archeological resources in Section 18, Township 26, and Range 27, that the site of these proposed ground storage tanks would adversely impact, according to the Florida Department of State, Division of Historical Resources.

F. Wells (Public/Private)

The Polk County Utilities' (PCU's) Van Fleet well system is 1.4 miles to the north of the site. PCU's Edghill well site is 1.8 miles to the south. There are no other public use wells closer to the site than those facilities.

G. Airports:

The site is over five (5) miles from the edge of the runway for the Gore Airport. A private airfield west of Hanes City. Wastewater Treatment Plants are typically close to grade and pose no threat to aircraft.

Economic Factors:

The Northeast Regional Utility Service Area (NERUSA) has been under development since shortly after the adoption of the Comprehensive Plan in 1991. The County approved two development initiatives (North US 27 and County Road 54 Selected Area Plans) back in 1992 and 1994. With those planning efforts came the call for a regional utility network. This network was beginning to come together in the early 2000's when over pumping was discovered at one of the water treatment plants. It was after sanctions by the Southwest Florida Water Management District that the County embarked on an extensive effort to masterplan the entire service area and consider water conservation as a vital part of the system's expansion. Three wastewater treatment facility systems (Polo Park, Providence, and Homerun Boulevard) were consolidated into one large facility that could be equipped with a more sophisticated treatment system to bring the effluent to a higher quality for landscape irrigation then redistribute it to new residential developments.

This facility is the second largest wastewater treatment facility in the County to the Glendale plant in the City of Lakeland. This expansion will parallel the Glendale plant's permitted capacity. The plant serves three Selected area Plans, three former Developments of Regional Impact, and portions of the Haines City and the City of Davenport. The current facility serves over 50,000 customers. The growth rate on the system is above 3.2 equivalent residential connections (ERCs) per day. In 2023, the last set of system improvements were completed to extent the permitted capacity from 4.75 MGD to 6 MGD. The time has come to enter the third phase of the expansion to provide 9 MGD of plant capacity. Without this expansion, all development approvals will come to an end in the Northeast Utility service area. Plant capacity is estimated to run out some time in 2027 at the current growth rate. If this occurs, many land development investments will be lost. The impact on the County's economy could be substantial. There are no other wastewater treatment alternatives.

Consistency with the Comprehensive Plan, LDC, and Other County Ordinances:

The site is located in the Transit Supportive Development Area (TSDA), which are “those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed-use development.” according to POLICY 2.104-A1 of the Comprehensive Plan. Providing needed wastewater treatment capacity is essential to development of “higher density and intensity.”

POLICY 2.125-D1: UTILITIES PERMITTED USES states that “utility facilities shall be permitted throughout the County in all land use classifications, subject to County approval, to support existing and proposed development.” The NERUSA WWTP serves an area that has the County’s highest growth rate. This service area includes three Selected area Plans, three former Developments of Regional Impact, and portions of the Haines City and the City of Davenport. The current facility serves over 50,000 customers. The growth rate on the system is above 3.2 equivalent residential connections (ERCs) per day. In 2023, the last set of system improvements were completed to extend the permitted capacity from 4.75 MGD to 6 MGD. The time has come to enter the third phase of the expansion to provide 9 MGD of plant capacity.

Table 9, to follow, provides an analysis of the proposed request when compared to typical policies of the Comprehensive Plan selected by staff for evaluation of development proposals. Based upon this analysis, the proposed request is consistent with relevant policies of the Polk County Comprehensive Plan.

Table 9

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</p>	<p>The facility currently borders two RV parks, an apartment complex, warehousing/distribution facilities, and the Green Swamp Conservation Core. There is no discharge of effluent from the plant. 100% of the water effluent goes into three grand storage reservoir tanks that send reclaimed water to residents and businesses for landscape irrigation. The facilities produce very little noise and unlike plants of the past, this one has the optimal technology in odor control. There is no history of complaints about this facility from nearby residents and businesses. Wastewater plants produce an insignificant amount of traffic and have virtually no demand fo any other urban service.</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 Northeast Utility Service Area (NERUSA) has the most compact and urban development in all of the unincorporated areas. All of which need wastewater treatment to develop. This plant is a necessity for a “compact growth pattern” to occur.</p>

Comprehensive Plan Policy	Consistency Analysis
POLICY 2.102-A3: DISTRIBUTION - 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.	This facility expansion is needed to serve the development approved within the utility service area. More land is needed to accommodate more equipment due to state of the art treatment requirements.
POLICY 2.102-A4: TIMING - The development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.	The expansion of the NERUSA WWTP from 6 MGD to 9 MGD has been planned since 2008 when the expansion from 3 MGD to 6 MGD was approved. Timing was a matter of the development growth rate in the utility service area. However, many state and federal requirements for treatment process and effluent quality have changed since then and as a result the plant components require more space. Therefore, more land is needed for this next expansion.
POLICY 2.102-A15: ADEQUATE PUBLIC FACILITIES - The County will direct new growth to areas where adequate public facilities exist or are planned; and ensure that essential services are in place to provide for efficient, cost-effective response times from the Fire Department, Sheriff's Department, and Emergency Management Service (EMS).	The facility has six (6) operators at the facility during the day and two (2) overnight. More government facilities are planned for the remaining excess space onsite. These structures may be occupied by Polk County staff other than utilities staff. There is the possibility of a fire rescue station onsite.

Land Development Code (LDC) Section 401.06, Table 401.16, Use Table for Standard Land Use Districts for the North Ridge Selected Area Plan lists Class III Utilities as a Level 3 Conditional Use in the Institutional-2X (INST-2X), Business Park Center-1X (BPC-1X), and Regional Activity Center (RACX) districts. A Level 3 Review is approved by the Planning Commission under the criteria listed in Section 906.D.7 of the LDC

Table 10

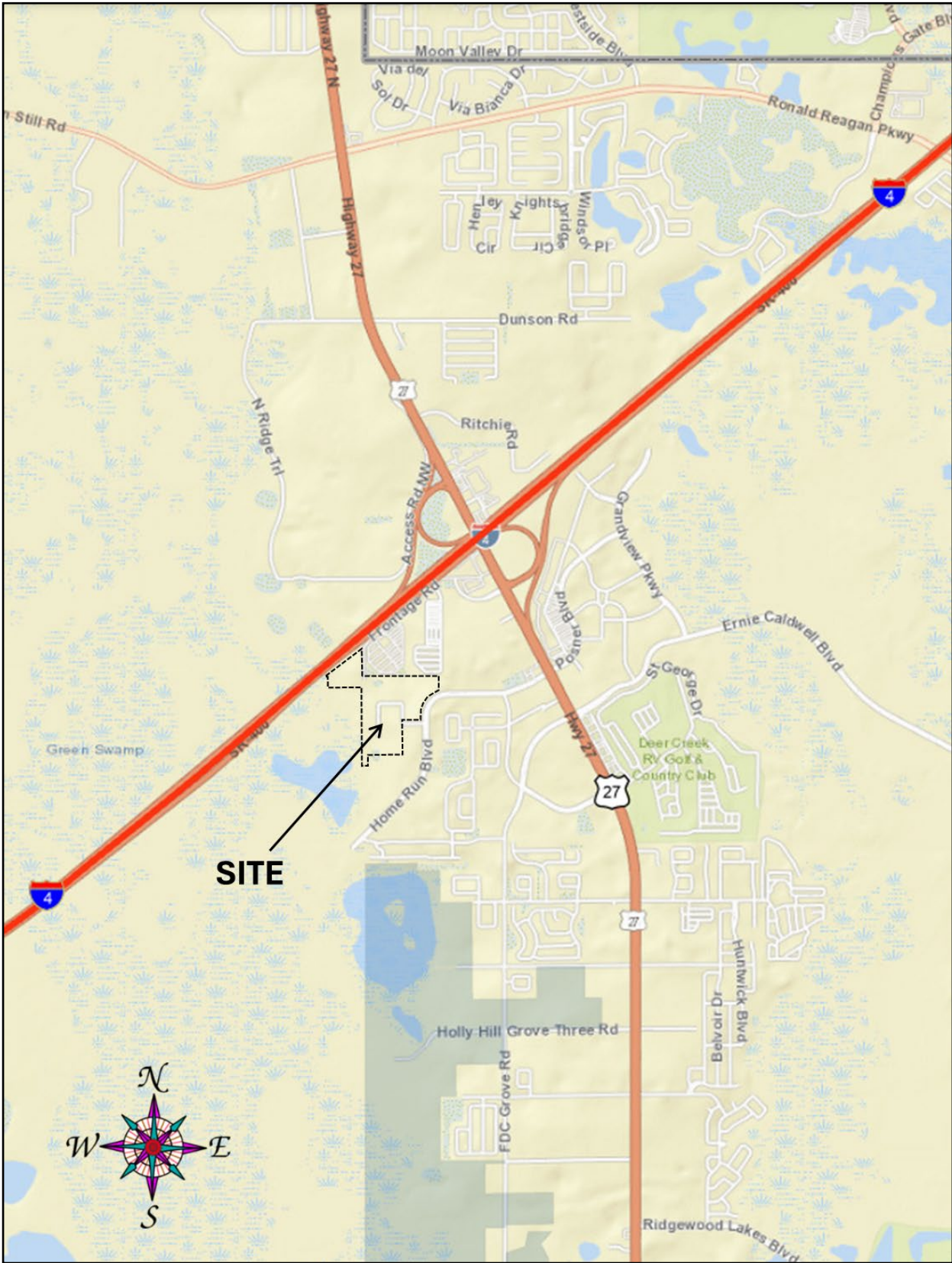
The Planning Commission, in the review of development plans, shall consider the following factors in accordance with Section 906.D.7 of the LDC:	
Whether the proposed development is consistent with all relevant requirements of this Code;	<i>Yes, this request is consistent with the LDC, specifically Sections 303, Class III Utilities, 401.06 (North Ridge SAP), Section 504 Green Swamp Ridge Special Protection Area, and 906.D Level 3 Review Procedures.</i>
Whether the proposed development is consistent with all applicable policies of the Comprehensive Plan;	<i>Yes, this development is consistent with the Comprehensive Plan because POLICY 2.125-D1 states "utility facilities shall be permitted throughout the County in all land use classifications"</i>
Whether the proposed use is compatible with surrounding uses and the general character of the area, including such factors as density, height, bulk, scale, intensity, traffic, noise, and appearance; and	<i>The proposed expansion of the wastewater treatment plant is increasing the volume by 1/3 but will not increase activity onsite. The expansion is on the opposite side of the existing operations from nearby single-family residences.</i>
How the concurrency requirements will be met if the development were built.	<i>Wastewater treatment plants generate an insignificant amount of vehicle travel, require no school or park capacity, must be designed to meet drainage requirements, and are a concurrency facility on their own.</i>

The request meets all conditions in Section 303 of the LDC for Class III Utilities in an INST-2X, BPC-1X, and RACX land use district. These conditions are listed in the Findings of Fact on page 3 of this report.

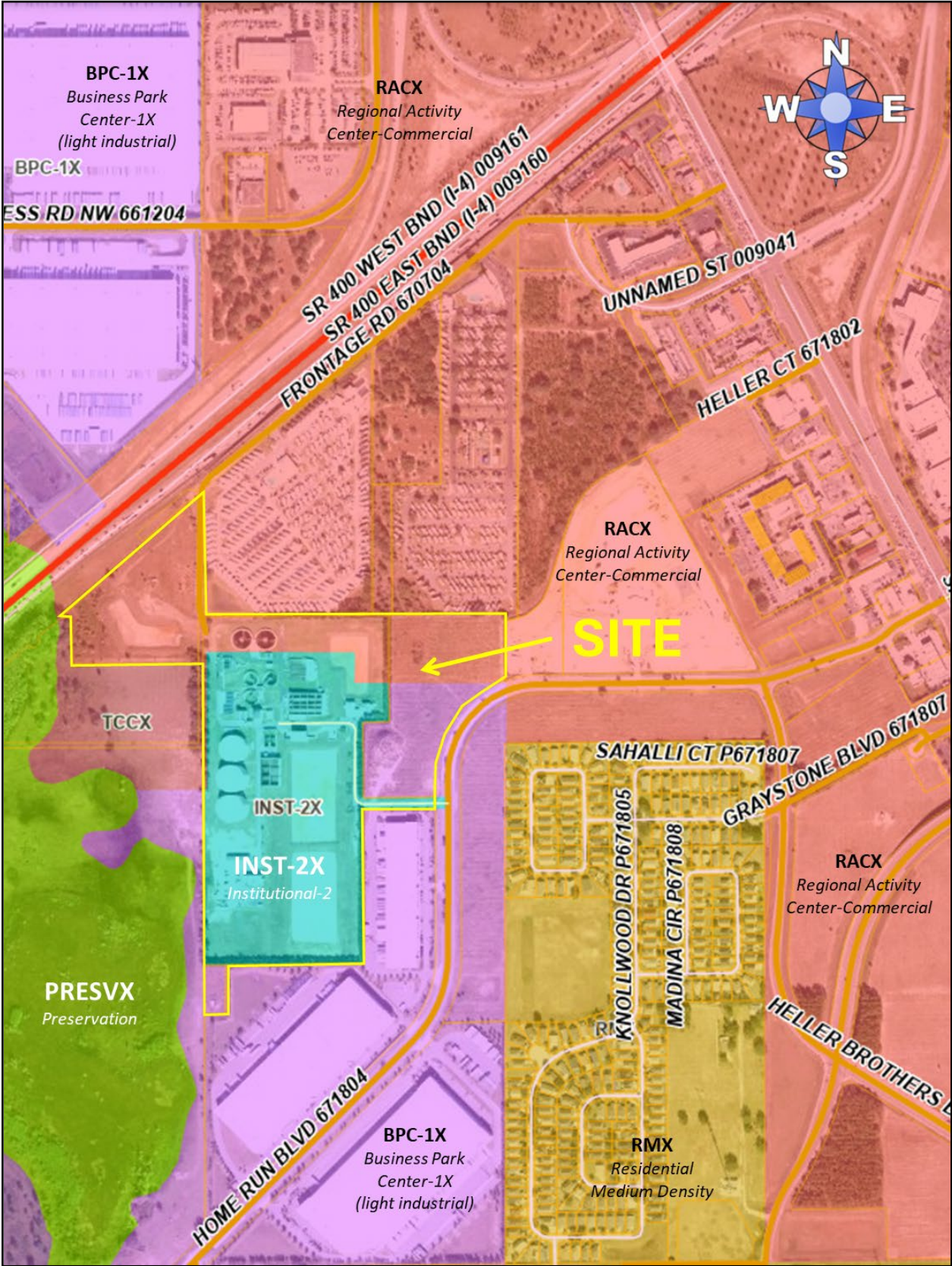
Comments from other Agencies: The Polk County Utilities, Land Development Engineering, County Surveyor, Polk County School Board, and the Polk County Public Safety Division contributed to the drafting of this report.

Exhibits:

- Exhibit – 1 Location Map
- Exhibit – 2 Future Land Use Map
- Exhibit – 3 2021 Satellite Photo (Context)
- Exhibit – 4 2021 Satellite Photo (Close-up)
- Exhibit – 5 Site Plan
- Exhibit – 6 Previous Conditions of Approval Annotated



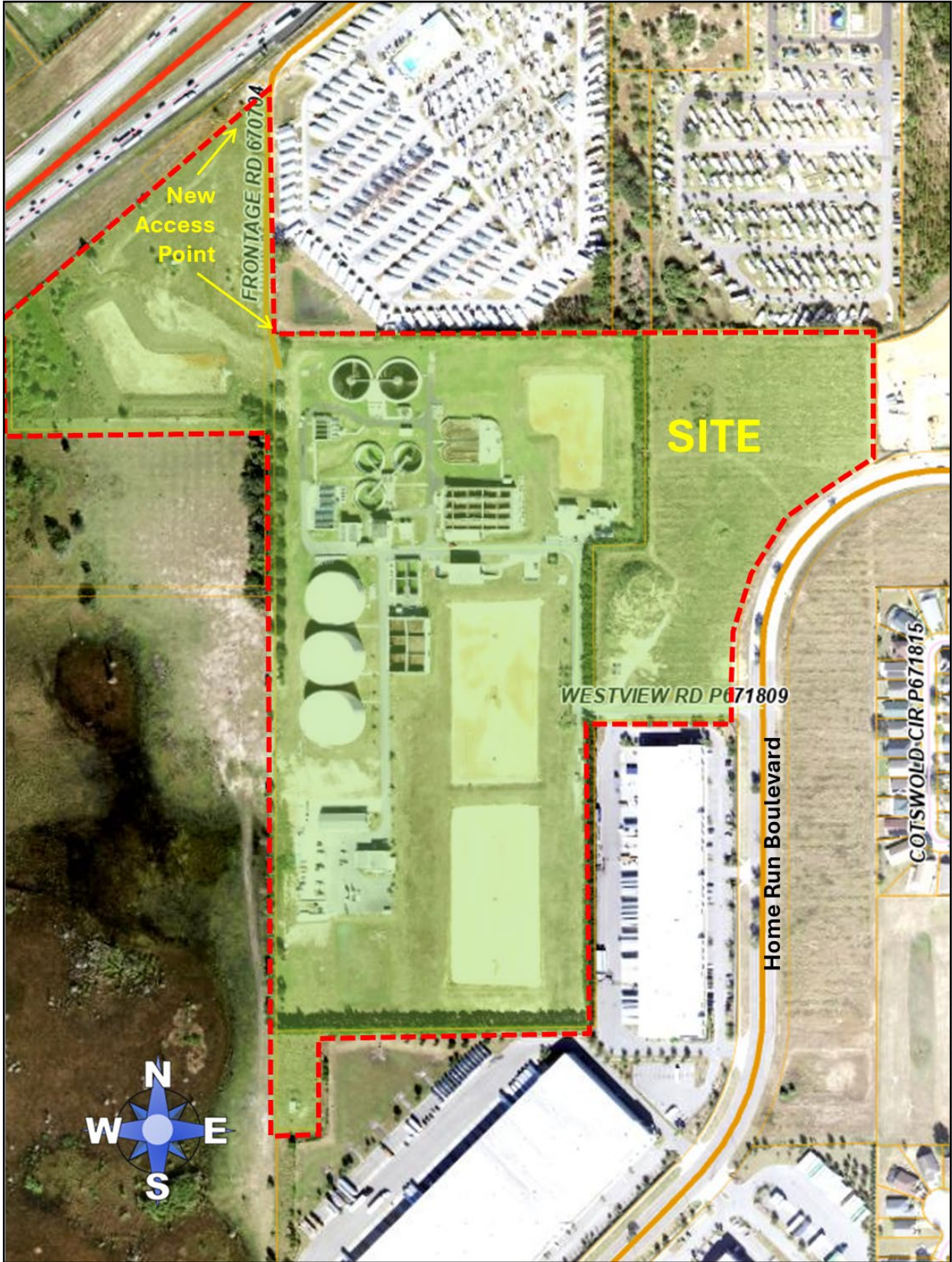
Location Map



Future Land Use Map



2023 Aerial Photo (Context)



2023 Aerial (Close Up)



Site Plan

Previous Conditions of Approval Annotated

1. Approval of CU 08-16 is contingent upon the continued presence of the existing screening, tree and shrub cover surrounding the site. If the screening, trees and/or shrubs are removed, the applicant shall have 60 days to plant a Type C buffer in its place. [PLG]

This expansion will occupy new property. Therefore, a new buffer will be installed in accordance with current LD standards.

2. The new facility shall comply with the FDEP Groundwater Monitoring Requirements for a 100,000 GPD facility per Policy 3.102-A2 of the Comprehensive Plan. [PLG]

This standard is in the LDC and Florida Statutes. Not pertinent to list it.

3. A sufficient application for Level 2 Review shall be submitted prior to the end of business on June 10, 2011; otherwise, this Conditional Use approval shall be null and void. [PLG]

This condition is out of date.

4. Approval of CU 08-16 shall be for the expansion of the Northeast Regional Utility Service Area (NERUSA) Waste Water Treatment Facility (WWTF) to 9 Million Gallons per Day (MGD). [PC MODIFIED]

This condition became null and void due to condition #3 above.