

**POLK COUNTY  
DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT**

<b>DRC Date:</b> April 27, 2024	<b>Level of Review:</b> 4
<b>PC Date:</b> July 10, 2024	<b>Type:</b> Comprehensive Plan Amendment
<b>BoCC Date:</b> August 6, 2024	<b>Case Number:</b> LDCPAS-2024-4
<b>Applicant:</b> Sarah Case, Next Level Planning & Permitting	<b>Case Name:</b> Winter Lake Road RH CPA
	<b>Case Planner:</b> J.P. Sims, Planner II

<b>Request:</b>	A Future Land Use designation change from Residential Low (RL) to Residential High (RH) on 7.18 +/- acres.
<b>Location:</b>	The subject property is located south of State Road 540 (Winter Lake Road), east of Spirit Lake Road, west of State Road 655 (Recker Highway), and north of US Highway 17, west of the Winter Haven city limits, in Sections 25, Township 28, and Range 36.
<b>Property Owner:</b>	Wilson Irrevocable Family Trust
<b>Parcel Size/number:</b>	7.18 +/- acres (Parcel #252836-355250-000010, 252836-355250-000020)
<b>Development Area:</b>	Urban Growth Area (UGA)
<b>Nearest Municipality:</b>	City of Winter Haven
<b>DRC Recommendation:</b>	Approval
<b>Planning Commission Vote:</b>	Pending
<b>Public Comment:</b>	Pending
<b>Florida Commerce*</b>	N/A

**Location Map**



**Current Future Land Use Map**



## **Summary**

The applicant, Sarah Case, is requesting a Small-Scale Comprehensive Plan Amendment on behalf of the property owners, Wilson Irrevocable Family Trust, to change the Future Land Use Designations from Residential Low (RL) to Residential High (RH) on 7.18 +/- acres of property in the Urban Growth Area (UGA). Site is located south of State Road 540 (Winter Lake Road), east of Spirit Lake Road, west of State Road 655 (Recker Highway), and north of US Highway 17, west of the Winter Haven city limits, in Sections 36, Township 28, and Range 25. The subject site is currently developed with a tutoring center, a nursery, and a couple of residential sites.

## **Compatibility Summary**

This request will be compatible with the surrounding area as the density requested by the applicant is relatively similar to the development occurring on the north side of State Road 540. It directly accesses onto a Major Arterial Road, where higher density developments should occur. There is currently a tutoring center, nursery, and a couple of small residential developments on the site. It is surrounded by an assisted living facility, Greek Orthodox church, single family residential, and a mosque.

## **Infrastructure Summary**

The subject site is within the Polk County Central Service Area for water. The site will have access to water, as a water line runs along Bradbury Road on the west side of the site. However, the site will need to connect to wastewater, which is not immediately available. The closest wastewater line is on the north side of State Road 540, so that line will need to be extended south to the subject site. The road with access, State Road 540, a Minor Arterial Road, does have available capacity. The other road, Bradbury Road, is a Local Road so capacity is not tracked. Mass transit is not available nearby, but there is a stop 2.7 miles away to the east of the subject site. Public safety response times are normal for this part of the County, but school capacity will be an issue in the future as one of the zoned schools is already over capacity. The request is compatible with the available infrastructure if wastewater lines are extended to the site.

## **Environmental Summary**

The nearest neighborhood park is Lake Shipp Park 1.4 miles east of the site and the nearest regional Park is Simmers-Young Park 2.6 miles to the northwest of the subject site. The soil type for the site is entirely comprised of Tavares fine sand. There are no wetlands or flood zone on 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 2.105(A1-A5): Urban Growth Area (UGA)
- Policy 2.120-E: Residential High

## Findings of Fact

### Request and Legal Status

- This is an applicant-initiated request for the Future Land Use designation change from Residential Low (RL) to Residential High (RH) in the Urban Growth Area.
- The subject site is currently partially developed with a tutoring center, nursery, and a couple of houses and directly accesses onto State Road 540, a Minor Arterial Road.
- The Land Use district is Residential Low 2 (RL-2). RL-2 permits two units to the acre and a minimum lot size of 15,000 square feet.

### Compatibility

- The existing uses surrounding the site are:
  - North – RL-2; detached single family residential, with lot sizes ranging from 11,000 sq ft to 4,000 sq ft
  - West – RL-2; Assisted living facility; detached single family residential.
  - East – RL-2; undeveloped and a mosque further east.
  - South – RL-2; Greek Orthodox church.
- The subject site is currently developed with a tutoring center, a nursery, and two residential units.
- The general area to the west, east, and south of the subject site are designated for non-residential uses, but zoned Residential Low 2 (RL-2).

### Infrastructure

- The zoned schools for the site are Lake Shipp Elementary, Westwood Middle, and Lake Region High School.
- Polk County Fire Rescue Station 17 will be the response unit for fire and EMS for this site. It is located at 185 South 3<sup>rd</sup> Street, with an approximate travel distance of 2.3 miles.
- The subject site is within the Sheriff Department's Central District. The Central District Office is located at 3635 Avenue G Northwest in Winter Haven.
- The subject site will be serviced by Polk County's Central Region Service Area for potable water and wastewater, with wastewater needing to be extended to the site. The wastewater line is on the north side of State Road 540 at Pinnacle Point.
- There are sidewalks running along the northern edge of the subject site along the south side of State Road 540.

- The closest mass transit route is the Winter Haven Southside route serviced by Citrus Connection. The closest stop at Summer Glen Drive, is 2.7 miles away to the east of the subject site.
- The nearest neighborhood park is Lake Shipp Park 1.4 miles east of the site and the nearest regional Park is Simmers-Young Park 2.66 miles to the northwest of the subject site.

## **Environmental**

- The site's elevation is almost flat with an elevation of 150 feet to the west, with only a few spots where the elevation dips to a low of 143 feet on the southeast side.
- There are no wetlands or floodplain on the site, and it does not sit within a flood zone.
- The soil type for the site is 100% Tavares 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.

## **Comprehensive Plan Policies**

- POLICY 2.102-A1 Development Location states that Polk County shall promote contiguous and compact growth patterns through the development process to minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where tracts of land are by-passed in favor of development more distant from services and existing communities.
- POLICY 2.102-A2 Compatibility states that land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished: a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.
- POLICY 2.102-A3 Distribution states that development shall be distributed throughout the County consistently with this Future Land Use Element so that the public utility, other community services, and public transit and transportation systems can be efficiently

utilized; and compact, high-density and intensity development is located where urban services can be made available.

- POLICY 2.102-A4 Timing states that development of land shall be timed and staged in conjunction with the cost-effective and efficient provision of supporting community services which, at a minimum, shall require compliance with the Plan's Level of Service requirements and the County's concurrency management system.
- POLICY 2.102-A10 Location Criteria states the following factors shall be taken into consideration when determining the appropriateness of establishing or expanding any land use or development area:
  - a. nearness to incompatible land uses and future land uses, unless adequate buffering is provided;
  - b. nearness to agriculture-production areas;
  - c. distance from populated areas;
  - d. economic issues, such as minimum population support and market-area radius (where applicable);
  - e. adequacy of support facilities or adequacy of proposed facilities to be provided by the time of development, including, but are not limited to:
    - 1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;
    - 2. sanitary sewer and potable water service;
    - 3. storm-water management;
    - 4. solid waste collection and disposal;
    - 5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;
    - 6. emergency medical service (EMS) provisions; and
    - 7. other public safety features such as law enforcement;
    - 8. schools and other educational facilities
    - 9. parks, open spaces, civic areas and other community facilities
  - f. environmental factors, including, but not limited to:
    - 1. environmental sensitivity of the property and adjacent property;
    - 2. surface water features, including drainage patterns, basin characteristics, and flood hazards;
    - 3. wetlands and primary aquifer recharge areas;
    - 4. soil characteristics;
    - 5. location of potable water supplies, private wells, public well fields; and
    - 6. climatic conditions, including prevailing winds, when applicable.
- POLICY 2.105-A1: DESCRIPTION - Urban-Growth Areas shall:
  - a. complement the TSDA in guiding growth, while promoting orderly and compact development;
  - b. be located contiguous to the TSDAs or a municipality as they represent the expansion areas;
  - c. be supported by existing or planned urban type services that are programmed for the 20-year planning horizon;

- d. be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed-use development in close proximity to the development in the adjacent TSDAs;
  - e. include development criteria that: 1. promote the development of walkable communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities; 2. improve access to employment areas, schools, shopping, and recreational opportunities; 3. support the preservation of open space and natural areas; 4. reduce capital and operating cost for the provision of infrastructure and public services.
- **POLICY 2.105-A2: DESIGNATION AND MAPPING** - The Future Land Use Map Series shall designate and map UGAs for those areas of the County meeting the general characteristics of this Section 2.105.
  - **POLICY 2.105-A3: LAND USE CATEGORIES** - The following land use categories shall be permitted within UGAs:
    - a. **ACTIVITY CENTERS:** Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and Employment Centers, High-Impact Commercial Centers shall be permitted within UGAs in accordance with applicable criteria.
    - b. **RESIDENTIAL:** Residential-High, Residential-Medium, and Residential-Low Districts shall be permitted within UGAs in accordance with applicable criteria.
    - c. **OTHER:** Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Professional Institutional, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.

Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.

- **POLICY 2.105-A4: OVERLAY DISTRICTS** - All Overlay Districts shall be permitted within UGAs in accordance with applicable criteria.
- **POLICY 2.105-A5: DEVELOPMENT CRITERIA FOR URBAN GROWTH AREAS** - Development within the Urban Growth Areas shall conform to the following criteria as further specified in the Land Development Code:
  - a. connect to centralized potable water;
  - b. connect to centralized sanitary sewer systems if available.
  - c. incorporate design features that promote healthy communities and green building practices, as established in Section 2.1251, Community Design, of this element;
  - d. promote the implementation of "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;
  - e. promote the integration of pedestrian-oriented features, including sidewalks, trails, or walkways into every development including appropriate pedestrian shelters or awnings;

- f. provide access to civic space, parks, green areas, and open space and other amenities;
  - g. be supported by public safety (i.e., fire, EMS and law enforcement);
  - h. have access to public schools;
  - i. be encouraged to provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas;
  - j. encourage the inclusion of a variety of housing choices and mixed uses; and
  - k. additional standards supporting transit if development is within the "Corridor and Center Overlay"
- POLICY 2.120-E1: CHARACTERISTICS - Densities up to, and including, 15.00 DU/AC. The Residential-High classification is characterized by multi-story, multi-family units.
  - POLICY 2.120-E2: DESIGNATION AND MAPPING - Residential-High districts shall be located within TSDAs, UGAs, and UEAs as designated on the Future Land Use Map Series as "RH."
  - POLICY 2.120-E3: LOCATION CRITERIA - Residential-High areas shall be located only within TSDAs, UGAs, and UEAs and may be located within Activity Centers. The placement of Residential-High shall be evaluated based on the general criteria listed in Policy 2.119-A2.
  - POLICY 2.120-E4: DEVELOPMENT CRITERIA - Residential development may contain a variety of housing types as defined by the Land Development Code and shall be permitted at a density of up to 15 DU/AC. Multi-family structures may contain non-residential uses to provide support retail and personal services for the residents. Additionally, educational facilities are permitted in accordance with policies of this Plan.

**Development Review Committee Recommendation:** Based on the information provided by the applicant, recent site visits, and the analysis conducted within this staff report, the Development Review Committee finds that with the proposed conditions, the proposed request **IS COMPATIBLE** with the surrounding land uses and general character of the area, **IS CONSISTENT** with the Polk County Comprehensive Plan and Land Development Code, and therefore, the Development Review Committee (DRC) recommends **APPROVAL of LDCPAS 2024-4**.

**Planning Commission Recommendation:** On July 10, 2024, in an advertised public hearing, the Planning Commission voted ?? to **recommend ?? of LDCPAS-2024-4**.

*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

<b>Northwest</b> RL-2; low density detached single family residential	<b>North</b> RL-2; low density detached single family residential	<b>Northeast</b> RL-3; low density detached single family residential
<b>West</b> RL-2; assisted living facility	<b>Subject Site</b> RL-2; partially developed with a tutoring center, nursery, and two residential units	<b>East</b> RL-2; undeveloped/mosque
<b>Southwest</b> RL-2; low density detached single family residential	<b>South</b> RL-2; Greek Orthodox church	<b>Southeast</b> RL-2; 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 Urban Growth Areas (UGA) is to serve as a foundation from which a future urban pattern is established, and to provide future areas for development at urban densities and intensities. UGA's are areas within the County that, at a minimum, are currently served, or are programmed within the applicable Comprehensive Plan Capital Improvement Program to be served within years 10 through 20 of the Comprehensive Plan's planning period. UGA's are also supported by, or programmed to be supported by, other services typically found to accompany urban development such as public safety services, an urban road network, and developed parks.

The request is a Future Land Use request in context and is compatible with the surrounding uses. It is appropriate for higher density residential to directly access and front onto a Minor Arterial Road in the Urban Growth Area and will increase a variety of housing choices in this area of the County. The subject site is surrounded by non-residential uses with an assisted living facility to the west, Greek Orthodox church to the south, and a mosque to the east. Across State Road 540 to the north is a single-family residential development in Pinnacle Point, Coventry Cove, and Shores at Lake Sears. The lots in those developments range from 11,000 square feet to 4,000 square feet.

## B. Infrastructure

The subject site will be serviced by Polk County Utility's Central Region for potable water and wastewater. Water lines run along the north side of State Road 540 and extends down Bradbury Road to the west of the subject site, while wastewater is available on the north side of State Road 540 and will need to be extended to this site. The site accesses onto State Road 540, a Minor Arterial Road, and Bradbury Road, a Local Road. There is available transportation capacity on State Road 540, but since Bradbury is a Local Road, capacity is not tracked. Public safety response times are normal for this part of the County. While there is capacity within two of the schools, the other elementary is over capacity and will need to coordinate with the Polk County School Board to discuss mitigation issues. The request is compatible with the available infrastructure once wastewater is extended to the subject site.

### **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.

Table 2 School Information

<b>Name of School</b>	<b>Annual Estimated Demand</b>	<b>% Capacity 2022-2023 School Year</b>	<b>Average driving distance from subject site</b>
<b>Lake Shipp Elementary School</b>	<b>14 students</b>	<b>102%</b>	<b>1.4 miles</b>
<b>Westwood Middle School</b>	<b>4 students</b>	<b>76%</b>	<b>3.3 miles</b>
<b>Lake Region High School</b>	<b>5 students</b>	<b>62%</b>	<b>2.7 miles</b>

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

One of the three schools zoned for this site are overcapacity, so mitigation efforts will need to be made when this site is developed. If an adjacent elementary school zone has capacity, mitigation efforts will not be needed.

### 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

	<b>Name of Station</b>	<b>Distance Response Time*</b>
<b>Sheriff</b>	<b>Central District Command Unit</b> (3635 Ave G NW, Winter Haven)	3.1 +/- miles Priority 1 – 8:44 Priority 2 – 19:29
<b>Fire/ EMS</b>	<b>Station #17</b> (185 S 3rd St, Eagle Lake, FL 33839)	2.3 +/- miles

Source: Polk County Sheriff’s Office & Polk County Fire Rescue. Response times for June 2024.

### Water and Wastewater

#### A. Estimated Demand

The subject site is within the Polk County Central Region Service Area for potable water and wastewater. Potable water and wastewater lines run along the north side of State Road 540. Water lines currently extend south along Bradbury Road, but wastewater lines will need to be extended as well to serve the subject site.

Table 4 Estimated Water and Sewer Impact Analysis

<b>Permitted Intensity</b>	<b>Maximum Permitted in Existing Residential Low @ 5 du/acre with a Planned Development</b>	<b>Maximum Allowable in Proposed Residential High (RH) @ 15 du/ac with a Planned Development</b>
<b>7.18 +/-acres</b>	<b>7.18 +/- acres X 5 du/ac = 35 du</b>	<b>7.18 +/- acres X 15 du/ac = 107 du</b>
<b>Potable Water Consumption</b>	<b>35 du X 360 GPD = 12,600 GPD</b>	<b>107 du X 198 GPD = 21,186 GPD</b>
<b>Wastewater Generation</b>	<b>35 du X 270 GPD = 9,450 GPD</b>	<b>107 du X 180 GPD = 19,260 GPD</b>

**B. Service Provider**

The subject site is within the Polk County Utilities Central Region Service Area for water and wastewater. There are water and wastewater lines that run along the north side of State Road 540, and Urban Growth Area does require connection to wastewater if it is available. Water and wastewater lines service Pinnacle Point to the north of the subject site. Water lines extend south to run along Bradbury Road, and wastewater lines will need to be extended from the north side of State Road 540 to service the subject site at just over 200 feet away.

**C. Available Capacity**

Polk County Utility’s Central Region for Water has capacity available for the additional development, as can be seen in the table below from our 2022 Utilities Capacity Report.

System Status								
	Current Working Permit Limit (MGD)	Current Flow (MGD)	Percent of Current Limit Used Today (%)	Available Flow Capacity Today (MGD)	Firm Commitments (MGD)	Uncommitted Capacity (MGD)	System Growth Rate (MGD/year)	Time Until Flow Exceeds Limit (Years)
Central PWS	1.919	1.308	68%	0.612	0.090	0.522	0.014	> 20

The Wastewater Treatment Facility that would service this subject site for the Central Region also has available capacity, and there is an improvement planned for the future to upgrade the lift station and force mains.

System Status								
	Current Agreement with City of Bartow (MGD)	Current Flow (MGD)	Percent of Current Limit Used Today (%)	Available Flow Capacity Today (MGD)	Firm Commitments (MGD)	Uncommitted Capacity (MGD)	System Growth Rate (MGD/year)	Time Until Flow Exceeds Limit (Years)
Central Regional WWCS	1.000	0.842	84%	0.158	0.061	0.097	0.009	10.2

**D. Planned Improvements**

There are planned improvements to the lift stations and force mains in this service area, but that will not increase capacity.

**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

<b>Permitted Intensity</b>	<b>Maximum Permitted in Existing Residential Low @ 5 du/ac with a Planned Development</b>	<b>Maximum Allowable in Proposed Residential High (RH) @ 15 du/ac with a Planned Development</b>
7.18 +/-acres	7.18 +/- acres X 5 du/ac =  35 du	7.18 +/- acres X 15 du/ac =  107 du
<b>Average Annual</b>	35 du X 7.81 AADT =  274 Trips (100% New Trips)	107 du X 6.74 AADT =  721 Trips (100% New Trips)
<b>PM Peak</b>	35 du X 1 AADT =  35 Trips	107 du X 0.51 AADT =  55 Trips

Source: Concurrency Manual and Table for Minor Traffic Study –Residential Low (Single Family Detached Housing) at 7.81 AADT and 1 PM Peak Hours (100% New Trips), with Multifamily Housing (Low-Rise) at 6.74 AADT and 0.51 PM Peak Hours (100% New Trips).

B. Available Capacity

The roads surrounding the subject site have sufficient PM Peak capacity available for a residential development. There is currently a tutoring center, nursery, and a couple of houses developed on the site. The road directly accessing the site, Bradbury Road, is not tracked on the Roadway Network Database so capacity information is not available. State Road 540 is a Minor Arterial Road with available capacity in both directions. The table after this paragraph provides the current PM Peak Hour capacities of the nearby road links. It is also relevant to consider that the subject site is surrounded by various developments, such as a church, a mosque, an assisted living facility, and detached single family residential. These developments will have a significant impact on the road links.

<b>Link #</b>	<b>Road Name</b>	<b>Current LOS</b>	<b>Available Capacity</b>	<b>Minimum LOS Standard</b>	<b>Projected Five Year LOS</b>
6303E	SR 540 (WINTER LAKE ROAD)	C	972	D	C
6303W		C	931	D	C

Source: Polk Transportation Planning Organization, Roadway network Database 2023

C. Roadway Conditions

The condition of State Road 540 is unknown since it is maintained by the State of Florida. Bradbury Road, while capacity information is not maintained since it is a Local Road, is currently in Good condition. Bradbury Road has a 40 foot ROW and if entrance to the subject site is to be constructed on this road, it will need to be no more than 90 feet deep into the site. 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 sidewalks running along the northern edge of the subject site along the south side of State Road 540.

#### E. Planned Improvements:

There are no plans to improve State Road 540 now. However, if development occurs on the subject site, Bradbury Road will need to be improved to county standards in order to accommodate the increase in traffic.

#### F. Mass Transit

The closest mass transit route is the Winter Haven Southside route serviced by Citrus Connection. The closest stop at Summer Glen Drive, is 0.07 miles away to the east of the subject site.

### **Park Facilities:**

The following analysis is based on public recreation facilities. The nearest neighborhood park is Lake Shipp Park 1.4 miles east of the site and the nearest regional Park is Simmers-Young Park 2.6 miles to the northwest of the subject site.

#### A. Location:

The nearest neighborhood park is Lake Shipp Park 1.4 miles east of the site and the nearest regional Park is Simmers-Young Park 2.6 miles to the northwest of the subject site.

#### B. Services:

Lake Shipp Park has a tot lot, baseball fields, football fields, pavilion, picnic areas, and playground. Simmers-Young Park has ball fields, picnic & play areas, and a lake for fishing. 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.

#### C. Multi-use Trails:

The closest free hiking trail is in Panther Point Trail which is 4.22 +/- miles to the west of the subject site.

#### D. Environmental Lands:

The closest environmental lands to the site is Lake Hancock 2.66 miles to the west 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 subject site is comprised of a single soil type, which is suitable for building, but could present some issues with drainage if not properly constructed.

A. Surface Water:

There is no surface water on the subject site. The site’s elevation is almost flat with an elevation of 150 feet on the west side, with only a few spots where the elevation dips to a low of 143 feet on the east side.

B. Wetlands/Floodplains:

There are no wetlands on the site and it does not sit within a flood zone or floodplain.

C. Soils:

The subject site is comprised entirely of Tavares fine sand, as listed in Table 8 following this paragraph. According to the soil survey of Polk County, the subject site should not have many issues with flooding. The soils do not have the greatest septic tank absorption.

**Table 8**

<b>Soil Name</b>	<b>Septic Tank Absorption Field Limitations</b>	<b>Limitations to Dwellings w/o Basements</b>	<b>% of Site (approximate)</b>
<b>Tavares fine sand, 0-5% slopes (15)</b>	Moderate; wetness	Slight	100%

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

D. Protected Species

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

E. Archeological Resources:

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

F. Wells (Public/Private)

The subject site is not located in a Wellfield Protection District and does not have any wells on site. The site will be connecting to water from City of Lake Wales Utilities.

G. Airports:

The site is not within an Airport Impact District.

**Economic Factors:**

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

**Consistency with the Comprehensive Plan**

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

*Table 8 Comprehensive Plan and Land Development Code*

Comprehensive Plan Policy	Consistency Analysis
<p>POLICY 2.102-A2: COMPATIBILITY - Land shall be developed so that adjacent uses are compatible with each other, pursuant to the requirements of other Policies in this Future Land Use Element, so that one or more of the following provisions are accomplished:                      a. there have been provisions made which buffer incompatible uses from dissimilar uses; b. incompatible uses are made to be more compatible to each other through limiting the intensity and scale of the more intense use; c. uses are transitioned through a gradual scaling of different land use activities through the use of innovative development techniques such as a Planned Unit Development.</p>	<p>The Comprehensive Plan permits a variety of different Future Land Use designations in urban areas and contribute to a combination of mixed uses. Residential High in an Urban Growth Area is an allowed use and adds to a variety of housing options in the area.</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 used for a variety of uses, such as an assisted living facility, Greek Orthodox Church, a mosque, and single family residential. The subject site directly accesses onto a Minor Arterial Road. There are water and wastewater lines nearby. 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 parcels to the north of the subject site have been developed with a higher density residential use than what was previously there. There is available connectivity to water, wastewater, and electricity. Fire and Sheriff are available for</p>

Comprehensive Plan Policy	Consistency Analysis
<p><b>POLICY 2.102-A10: LOCATION CRITERIA</b> - 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"> <li>1. transportation facilities, including but not limited to, mass transit, sidewalks, trails and bikeways;</li> <li>2. sanitary sewer and potable water service;</li> <li>3. storm-water management;</li> <li>4. solid waste collection and disposal;</li> <li>5. fire protection with adequate response times, properly trained personnel, and proper fire-fighting equipment;</li> <li>6. emergency medical service (EMS) provisions; and</li> <li>7. other public safety features such as law enforcement;</li> <li>8. schools and other educational facilities</li> <li>9. parks, open spaces, civic areas and other community facilities,</li> </ol> <p>f. environmental factors, including, but not limited to:</p> <ol style="list-style-type: none"> <li>1. environmental sensitivity of the property and adjacent property;</li> <li>2. surface water features, including drainage patterns, basin characteristics, and flood hazards;</li> <li>3. wetlands and primary aquifer recharge areas;</li> <li>4. soil characteristics;</li> <li>5. location of potable water supplies, private wells, public well fields; and</li> <li>6. climatic conditions, including prevailing winds, when applicable.</li> </ol>	<p>this area. One of the schools that are zoned for the site are at capacity, so that will be an issue in the future. The overall parcel does not contain wetlands or floodplains. The site is partially undeveloped, with a tutoring center, nursery, and a couple of homes taking up a good portion. State Road 540 is a Minor Arterial Road, which is where you want higher density development to occur.</p>
<p><b>POLICY 2.105-A1: DESCRIPTION</b> - Urban-Growth Areas shall:</p> <p>a.complement the TSDA in guiding growth, while promoting orderly and compact development;b.be located contiguous to the TSDAs or a municipality as they represent the expansion areas;c.be supported by existing or planned urban type services that are programmed for the 20-year planning horizon;d.be those areas where the availability of infrastructure and other community facilities and services, including, but not limited to mass transit and other transportation alternatives, utilities, public safety, recreational and educational services, promotes and supports the location of higher density and intensity compact, mixed use development in close proximity to the development in the adjacent TSDAs;e.include development criteria that:</p> <ol style="list-style-type: none"> <li>1.promote the development of walkable</li> </ol>	<p>Residential High is allowed within the Urban Growth Area. Water and sewer lines have already been constructed in this area by Polk County Utilities, but wastewater will need to be extended along State Road 540 about 180 feet, and will service the subject site if developed. The timing of trying to get this site developed is consistent with what has already been approved surrounding the site. Public safety services are readily available. The elementary school zoned for the subject site is over capacity, but the other two schools have available space.</p>



Comprehensive Plan Policy	Consistency Analysis
<p>communities which include a balance between employment opportunities, mix of complementary uses and activities, and a range of housing opportunities;2.improve access to employment areas, schools, shopping and recreational opportunities;3.support the preservation of open space and natural areas;4.reduce capital and operating cost for the provision of infrastructure and public services.</p> <p><b>POLICY 2.105-A2: DESIGNATION AND MAPPING</b> - The Future Land Use Map Series shall designate and map UGAs for those areas of the County meeting the general characteristics of this Section 2.105.</p> <p><b>POLICY 2.105-A3: LAND USE CATEGORIES</b> - The following land use categories shall be permitted within UGAs:</p> <p>a.ACTIVITY CENTERS: Regional Activity Centers, Community Activity Centers, Neighborhood Activity Centers, Convenience Centers, Tourism Commercial Centers, and Employment Centers, High-Impact Commercial Centers shall be permitted within UGAs in accordance with applicable criteria.b.RESIDENTIAL: Residential-High, Residential-Medium, and Residential-Low Districts shall be permitted within UGAs in accordance with applicable criteria.c.OTHER: Linear Commercial Corridors, Commercial Enclaves, Industrial, Business-Park Centers, Professional Institutional, Office Centers, Leisure/Recreation, Institutional, Recreation and Open Space, Preservation.</p> <p>Note: Some land use categories are only allowed in adopted Selected Area Plans, special areas or neighborhood plans as specified in Section 2.109.</p> <p><b>POLICY 2.105-A4: OVERLAY DISTRICTS</b> - All Overlay Districts shall be permitted within UGAs in accordance with applicable criteria.</p> <p><b>POLICY 2.105-A5: DEVELOPMENT CRITERIA FOR URBAN GROWTH AREAS</b> - Development within the Urban Growth Areas shall conform to the following criteria as further specified in the Land Development Code:</p> <p>a.connect to centralized potable water;b.connect to centralized sanitary sewer systems if available.c.incorporate design features that promote healthy communities and green building practices, as</p>	

Comprehensive Plan Policy	Consistency Analysis
<p>established in Section 2.1251, Community Design, of this element;d.promote the implementation of "Complete Street" and "Conservation Development" principles as established under Section 2.1251, Community Design, of this element;e.promote the integration of pedestrian-oriented features, including sidewalks, trails, or walkways into every development including appropriate pedestrian shelters or awnings;f.provide access to civic space, parks, green areas, and open space and other amenities;g.be supported by public safety (i.e., fire, EMS and law enforcement);h.have access to public schools;i.be encouraged to provide connectivity with adjacent uses within the TSDA, and facilitate connectivity between the TSDA and other urban centers and the rural development areas;j.encourage the inclusion of a variety of housing choices and mixed uses; andk.additional standards supporting transit if development is within the "Corridor and Center Overlay"</p>	
<p>POLICY 2.120-E1: CHARACTERISTICS - Densities up to, and including, 15.00 DU/AC. The Residential-High classification is characterized by multi-story, multi-family units.</p> <p>POLICY 2.120-E2: DESIGNATION AND MAPPING - Residential-High districts shall be located within TSDAs, UGAs, and UEAs as designated on the Future Land Use Map Series as "RH."</p> <p>POLICY 2.120-E3: LOCATION CRITERIA - Residential-High areas shall be located only within TSDAs, UGAs, and UEAs and may be located within Activity Centers. The placement of Residential-High shall be evaluated based on the general criteria listed in Policy 2.119-A2.</p> <p>POLICY 2.120-E4: DEVELOPMENT CRITERIA - Residential development may contain a variety of housing types as defined by the Land Development Code and shall be permitted at a density of up to 15 DU/AC. Multi-family structures may contain non-residential uses to provide support retail and personal services for the residents. Additionally, educational facilities are permitted in accordance with policies of this Plan.</p>	<p>The current site is designated as Residential Low 2 but is partially undeveloped. This would not be out of context for the surrounding development as it directly accesses a Minor Arterial Road in State Road 540 (Winter Lake Road). A church to the south, a mosque to the east, and an assisted living facility to the west are abutting uses with low density residential to the north.</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**

<b>Urban Sprawl Criteria: The following criteria are the primary indicators of urban sprawl per Florida Statutes</b>	
<b>Urban Sprawl Criteria</b>	<b>Sections where referenced in this report</b>
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-2 Permitted and Conditional Uses
- Exhibit 7      RH Permitted and Conditional Uses

Applicant's submitted documents and ordinance as separate files



# LOCATION MAP



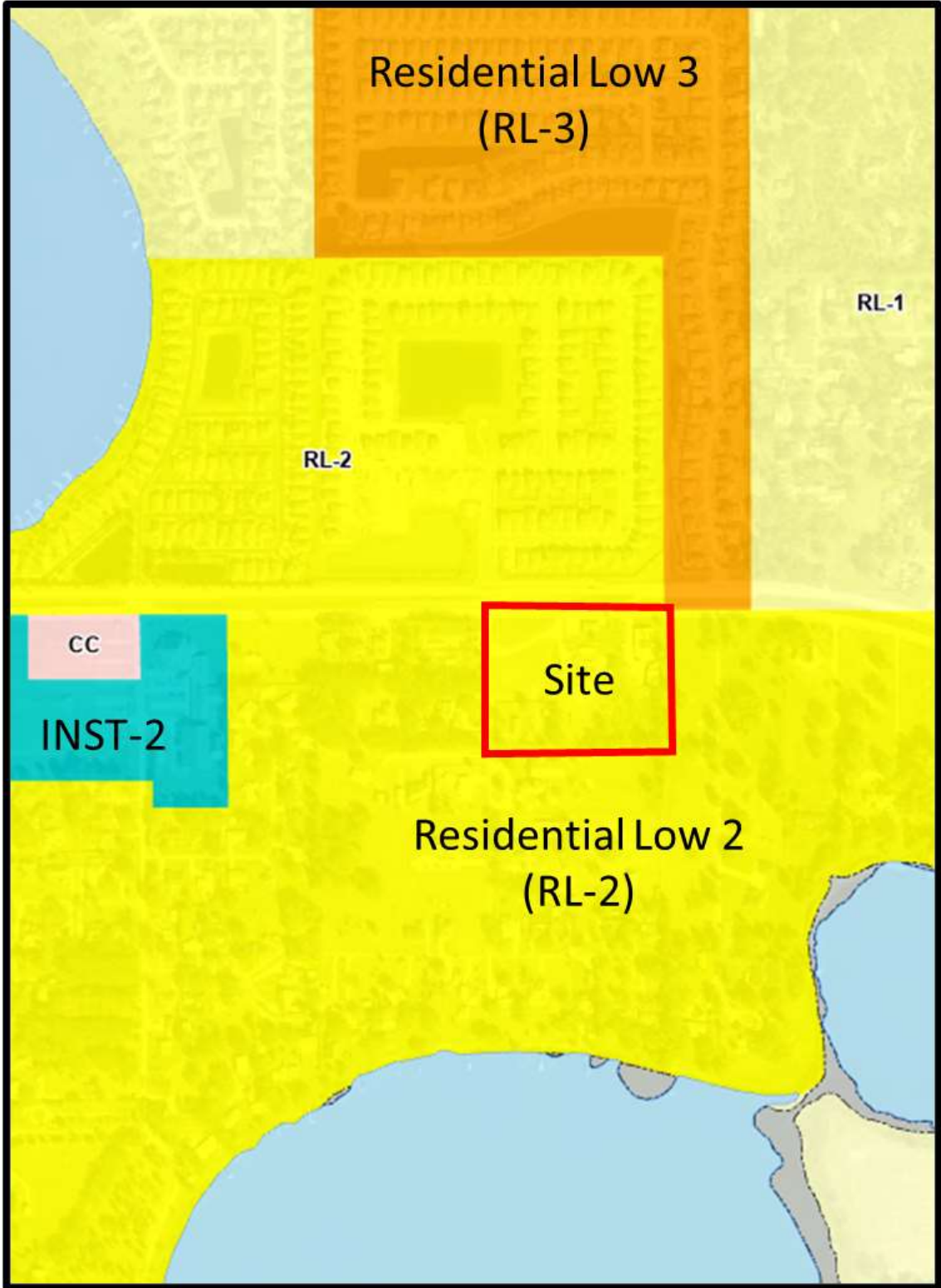


# 2023 AERIAL PHOTO CONTEXT



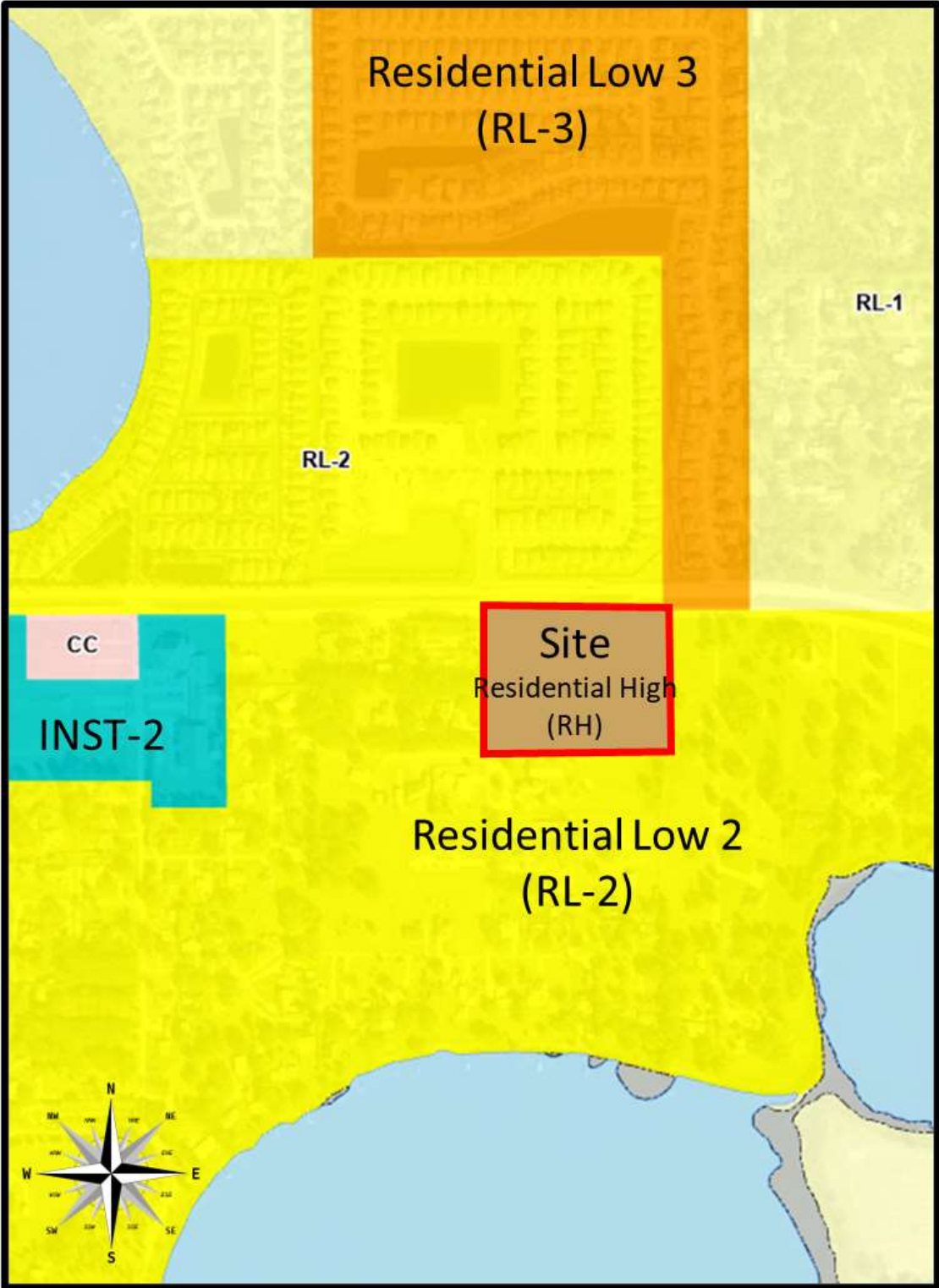


# 2023 AERIAL PHOTO CLOSE UP



**CURRENT FLUM**  
**Residential Low 2 (RL-2)**





# PROPOSED FLUM Residential High (RH)

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

**Residential Low 2**

**PERMITTED AND CONDITIONAL USES**

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

## Residential High (RH)

# PERMITTED AND CONDITIONAL USES