



January 10, 2024

Chris Daly
Landdaly, LLC
776 N. 9th Street
Lake Wales, FL, 33626
Phone: 863-287-5410
landdaly@verizon.net

Via Email:

**RE: Proposed Future Land Use map amendment and Rezoning for Crooked Lake RV Resort
(Agency Review Comments #1)**

List of Documents Provided for Review:

- Comprehensive Plan Amendment/Assignment of Zoning District application (revised 11/16/2023)
- Master Development Plan (12/9/2021)

Dear Mr. Daly:

The City of Frostproof has reviewed your application submittal for a Future Land Use (FLU) map amendment and rezoning of four (4) parcels of land (PID#s: 28-31-07-000000-011010; 28-31-07-000000-013000; 28-31-06-959000-000700; 28-31-06-959000-000701) comprising +/-46.32 acres, generally located at the southwest corner of the intersection of Cody Villa Road and Wes Mann Road, in the City of Frostproof.

The request is to amend the Future Land Use from City Agriculture to City Mobile Home Park and the zoning from City unassigned (County Agricultural/Rural-Residential) to City PUD, Planned Unit Development.

The proposed FLU map amendment and rezoning have been requested for consideration to establish a Recreational Vehicle (RV) Park serving 141 RV sites, including a proposed 3,000 square-foot clubhouse/amenity area, common lakefront recreation area and outdoor storage area for use by RV residents.

On Thursday, November 16, 2023, the City of Frostproof held a pre-application meeting at the City Frostproof, with representatives from state and local agencies to discuss the proposed FLU map amendment, rezoning and development proposal. A copy of the participant sign-in sheet is attached for reference. Following this meeting, a request was sent to all participating agencies on November 22, 2023 for official review comments.

Please see the following comments to be addressed in preparation for public hearings to consider the proposed FLU map amendment and PUD zoning request:

Planning and Zoning – Central Florida Regional Planning Council (Jeff M. Schmucker):

1. Provide a certified boundary survey of the development tract, in accordance with Section 10.02.01.E. of the City’s Land Development Code.
2. On the Master Development Plan please show required RV lot setback requirements reflecting the following, consistent with requirements of Section 6.10.00 and Table 5.02.01 of the City’s Land Development Code:
 - a. Minimum front setback of 20 feet from interior access roads.
 - b. Minimum side setback of 15 feet, with a minimum of 6 feet on one side.
 - c. Minimum side setback, corner lot of 15 feet.
 - d. Minimum rear setback of 10 feet.
3. Per Section 10.02.01.Q. of the City’s Land Development Code, please indicate any phase lines, if the RV Park is anticipated to be developed in phases.
4. Identify all natural features within the development tract, in accordance with Section 10.02.01.H. of the City’s Land Development Code. Please reflect this information on the Master Development Plan and provide additional information, as necessary, in written form.
5. Proposed RV sites 120 through 127 are shown as encroaching on a FEMA designated special flood hazard zone (Zone A). Please provide additional documentation identifying the extents of this flood zone.
6. Please provide a note on the Master Development Plan, referencing Section 9.01.10.06 of the City’s Land Development Code, pertaining to the temporary placement of RVs within flood hazard areas, as applicable.
7. A +/-3.75 acre stormwater management area is reflected on the Master Development Plan within an area potentially identified as a geologically sensitive area, which may also contain natural wetlands habitat. Please delineate any wetland and environmentally sensitive areas as determined by appropriate regulating agencies, in accordance with Sections 10.02.01.I. and 10.02.01.J. of the City’s Land Development Code.
8. Provide dimensions of interior access roads on the Master Development and indicate one- and two-way movements depicted by arrows.
9. Consistent with requirements for mobile home parks, in accordance with Sections 6.10.00.M. and 6.10.00.N. of the City’s Land development Code, RV Parks in the in the City of Frostproof are required to connect to central water and sewer or via an approved water and/or wastewater system approved by the City. The location of the project **is not** within an area where central water and sewer are available. Additional review and consideration will be required based on comments from applicable regulating agencies and approval by the City Council.
10. Please note the subject property is located within the Okeechobee Basin Management Action Plan. Requirements of HB 1379 apply. Please see the attached HB 1379 Frequently Asked Questions.
11. Goals, objectives and policies of the City’s Comprehensive Plan shall be met, including but not limited to the following:

FUTURE LAND USE ELEMENT:

GOAL 2: LAND DEVELOPMENT REGULATION AND PERMITTING

REGULATE LAND USE AND DEVELOPMENT APPROVAL IN SUPPORT OF A DESIRABLE LAND USE PATTERN, BASED ON THE AVAILABILITY OF PUBLIC FACILITIES, PROTECTION OF NATURAL RESOURCES, AND ENERGY EFFICIENCY.

OBJECTIVE 4: NO NEW DEVELOPMENT SHALL BE BUILT AND OCCUPIED WITHOUT PUBLIC FACILITIES HAVING ADEQUATE CAPACITY.

Policy 4.1: Within the City limits, new developments shall be permitted only when central water is available or will be provided concurrent with the impacts of development.

Policy 4.2: The City shall require developers to provide for sanitary sewer facilities, potable water extensions and storm drainage systems to serve their development.

GOAL 3: CREATE A REGULATORY SYSTEM, WHICH SUPPORTS THE DESIRED LAND USE PATTERN

OBJECTIVE 6: ALL DEVELOPMENT ORDERS SHALL CONSIDER AND PROTECT ALL UNIQUE NATURAL RESOURCES AND HISTORICAL RESOURCES LISTED ON THE INVENTORY. AN INVENTORY OF EXISTING UNIQUE NATURAL RESOURCES AND HISTORICAL RESOURCES SHALL BE MAINTAINED AND ANY CHANGES TO THE INVENTORY SHALL BE NOTED.

Policy 6.3: The developer/owner of any site shall be responsible for the on-site management of stormwater runoff in a manner so that post-development runoff rates, volumes and pollutant loads do not exceed pre-development conditions by meeting the following standards:

A. Water Quality: Peak post-development runoff rates shall not exceed peak pre-development runoff rates.

B. Water Quality: Stormwater treatment shall be required for all new development, redevelopment and when expansion occurs, existing developed areas. The stormwater treatment system or systems can be site-specific, serve sub-areas of the City, or be a system to serve the entire City. Regardless of the area served, the stormwater treatment systems must provide a level of treatment which meets the requirements of Chapter 40D, Florida Administrative Code (FAC) and the SWFWMD Basis of Review for ERP Applications in order to meet the receiving water quality standards of Rule 62-302 FAC. Stormwater discharge facilities shall be designed so as to not lower

the receiving water quality or degrade the receiving water body below the minimum conditions necessary to maintain their classifications as established in Chapter 62-302 FAC. It is intended that all standards in these citations are to apply to all development and redevelopment, and that any exemptions or exceptions in these citations, including project size thresholds, do not apply for concurrency determinations.

(Also provided in Policies 1.4 and 7.2 of the Infrastructure Element)

INFRASTRUCTURE ELEMENT:

GOAL 1: THE CITY OF FROSTPROOF SHALL PROVIDE NEEDED PUBLIC SERVICES INCLUDING SANITARY SEWER, POTABLE WATER, STORMWATER DRAINAGE AND SOLID WASTE DISPOSAL TO MEET CURRENT AND ANTICIPATED NEEDS AND WILL PROTECT THE NATURAL GROUNDWATER AQUIFER RECHARGE AREAS.

OBJECTIVE 1: CONCURRENCY / LEVEL OF SERVICE / PERMITTING ALL DEVELOPMENT ORDERS SHALL MEET CONCURRENCY, PUBLIC FACILITY, AND OTHER UTILITY REQUIREMENTS.

Policy 1.6: Issuance of development orders or permits will be conditioned upon demonstration of compliance with applicable federal, state and county permit requirements for on-site wastewater treatment systems and meeting new soils survey analysis for areas served by septic tanks.

Policy 1.7: The City will coordinate with appropriate county and state agencies and amend local ordinances to require that issuance of permits for new or replacement of septic tanks is conditioned upon compliance with current regulatory requirements and water quality standards. Existing septic tanks shall be phased out through mandatory hook-ups that are required within 365 days of notification that sewer is available.

OBJECTIVE 7: FROSTPROOF SHALL ENFORCE ITS STORMWATER MANAGEMENT PROGRAM AND TO PROTECT NATURAL GROUNDWATER RECHARGE AND DRAINAGE FEATURES INCLUDING THE ATTAINMENT AND MAINTENANCE OF STATE WATER QUALITY STANDARDS OF THE LAKE REEDY AND LAKE CLINCH AND THE MAINTENANCE OF THE CAPACITY FOR STORAGE AND CONVEYANCE OF FLOODWATERS WITHIN FLOOD PRONE AREAS.

Policy 7.3: The City will enforce land development regulations that require an average 25' wide upland buffer zone be established around identified wetland vegetative communities and along Lake Clinch, Lake Reedy and Lake Ida. Septic tanks and drain fields shall be placed in front yards on

all lakefront properties and be placed no closer than 50' to the established mean high-water elevation of the adjoining lake. The locating of septic tanks within the 100-year flood prone area, except as replacements, shall be prohibited.

Policy 7.9: The City will coordinate its development regulations and regulatory processes with those county, state and federal agencies who have regulatory authority so as to standardize rules, procedures and monitoring mechanisms intended for the protection and utilization of natural groundwater aquifer recharge areas, such areas shall be identified by the rules in Florida Statutes and FAC including but not limited to, the following:

C. The City shall enforce development regulations that will promote the protection of the Florida Aquifer from direct pollution through sinkholes, other natural features and deep-injection wells.

Florida Department of Health – Polk County (Matthew A. Nickerson):

The well and water system serving this park would have to be permitted as a public water system. It would be classified as a Community Water System. Permitting for well construction or re-classification of any existing wells would be done through the [Southwest Florida] Water Management District. Permitting for the construction of the water plant, distribution system will be done by our office as we permit and regulated Public Water Systems in Polk County for the Department of Environmental Protection (DEP) through an interagency agreement. I would be the main point of contact for the permitting for the Drinking Water System.

Septic System can be used for this project provided the total sewage flow does not exceed 10,000 gallon per day (gpd) for the entire facility. This was recently clarified by the OSTDS program office in Tallahassee DEP. Conversations with Landdaly, LLC suggested that they are willing to change the overall plan for the park to ensure the total estimated sewage flow is at 10,000 gpd or less. The septic system would also have to meet all other regulations including setbacks from the public supply well and surface water. I do not believe that this would be an issue. Permitting for the septic systems would be through our office.

Florida Department of Environmental Protection – SW District (Erica Peck):

The FDEP is in agreement with the Department of Health's assessment that the project, as proposed, will be permitted by their office (attached). If the flows for the wastewater system ends up exceeding 10,000 gallons per day, it will fall to the FDEP Southwest District office to review and permit. If a formal variance is requested by the applicant due to the flows to the septic system exceeding the 10,000 gallons per day for the entire facility, the FDEP will review the information and provide feedback regarding the variance request at that time.

City Engineer – CivilSurv Design Group, Inc. (Mark J. Frederick and Craig R. Fuller):

1. Please identify the existing Future Land Use and Zoning designations of the proposed project and abutting properties, per 10.01.03.B.
2. Please address conceptual lighting, per 10.01.03.I.
3. Please show the right of way dedications, per Polk County requirements, on the Master Development Plan. Please show dedicated right of way on the north and south sides of Cody Villa Road. Please show the perimeter landscape buffering from the dedicated right of way line.
4. Please clarify the buffering/screening on the north side of Cody Villa Road for the Common Area and Outdoor Storage.
5. Please clarify the proposed surface material for the Outdoor Storage area on the Master Development Plan.
6. Please clarify the proposed site circulation plan. Please identify which roads are proposed as 1-way and/or 2-way.
7. Please show the floodplain associated with Crooked Lake on the Master Development Plan.
8. Please identify the area for garbage collection on site and at the clubhouse.
9. Please provide information to demonstrate adequate parking is provided at the clubhouse.
10. Please address the following regarding the wastewater system:
 - a. The applicant needs to select the proposed technology and the +/- layout. It should be designed with future connection in mind, at their cost, and should anticipate connections.
 - b. Low pressure sewer is preferred for this type of system but distance is an obvious concern.
 - c. Media and thickness is of high concern for removal of nutrients as the systems must have an advanced-type of OSTDS and soils are rather loose/sandy.
 - d. Backup reliability will be a concern with items such as dosing tanks.
 - e. Present layout appears to be above OSTDS limits (10,000 for single site, in accordance with attached) and doesn't consider demands for offices, buildings, etc.
 - f. It must be noted that this cannot be MH park in the future as flows are >3X limits for systems.
 - g. Confirm setback requirements from well, and consider levels of dissolved organic carbon (TOC) and hydrogen sulfide as that could create issues for a community system.
11. This engineering review was limited to a conceptual plan review. Additional comments may be generated upon review of the revised application package and as detailed engineering progresses.

Southwest Florida Water Management District:

Additional comments may be generated upon review of the revised application package.

Polk County Roads and Drainage Division (Phil J. Irven):

1. 40 feet of R/W will be required to be dedicated along Wes Mann Road.
2. 30 feet of R/W will be required to be dedicated along Cody Villa Rd and Minute Mann Road.
3. Wes Mann Road must be improved to Polk County Road standards.
4. A pedestrian crossing should be considered on Cody Villa Road between the primary RV site and the proposed recreation (common) resort area on south side of Code Villa Road.
5. There may be a need to vacate a portion of R/W on the south side of the primary RV site (review any recorded plats/other documentation). Review Davis Road extension on south side of project area. Does this run through the project site? Will need to review Polk County Plans.
6. Five-foot (5') sidewalks will be required on Cody Villa Road and Wes Mann Road – per Polk County. Review roadway classifications of surrounding roadways network.
7. Intersection improvements at Wes Mann Road and Cody Villa Road, including turn lane improvements may be warranted.
8. Coordination required with Polk Transportation Planning Organization (TPO) on requirements for traffic impact study.
9. Will also require coordination with FDOT.
10. Polk County Roads and Drainage Division will defer additional comments when the County receives more concrete traffic counts and will coordinate the County Engineer's office.

Polk County Transportation Planning Organization (Ryan Kordek):

The daily trips generated by the proposed RV Park will not require a review by the Polk TPO, as the daily trip rate is well under the threshold (proposed projects that generate more than 750 daily trips) required for a major traffic study and review by the TPO. However, a minor traffic study is required due to the project generating more than 50 daily trips and as a result the applicant will need to complete a minor traffic study application.

A Level 2 site plan will need to accompany the minor traffic study application upon submittal to the County which is then reviewed by the Land Development Division. You'll find the Minor Traffic Study Application attached to this e-mail along with the TPO's latest Roadway Network Database. Additional questions can be directed to Lorenzo Thomas with the TPO staff at (863) 534-6551.

City Utilities/Public Works:

Additional comments may be generated upon review of the revised application package.

Fire Official:


Additional comments may be generated upon review of the revised application package.

Please review and provide response to the City of Frostproof. Additional comments may be generated upon review of the revised application package.

The CFRPC assists the City of Frostproof through a Planning Advisory Services agreement with the City.

If you have any questions, please contact me by email at: jschmucker@cfrpc.org, or by phone at (863) 534-7130, ext.112, cellular at: (754)264-3396, or by contacting the City at: (863) 635-7854.

Sincerely,



Jeff M. Schmucker, AICP
Planning Director

Cc: Nicole McDowell, City Manager/City Clerk, City of Frostproof
Brian Hunter, Applicant Engineer of Record, Hunter Engineering
Stephen Thompson, Hunter Engineering/Daly Project
Josh Turner, Utilities Director, City of Frostproof
Jerry Riner, Fire Official, City of Frostproof
Mark J. Frederick, City Engineer, CivilSurv Design Group, Inc.
Craig R. Fuller, City Engineer, CivilSurv Design Group, Inc.
Matthew A. Nickerson, Florida Department of Health, Polk County
Ralph Meder, Florida Department of Health
Erica Peck, Florida Department of Environmental Protection, SW District
Maurice Barker, Florida Department of Environmental Protection
Eb Roeder, Florida Department of Environmental Protection
Shannon Herbon, Florida Department of Environmental Protection
Diana Turner, Florida Department of Environmental Protection
Richard Musgrove, Florida Department of Environmental Protection
Cindy Rodriguez, Southwest Florida Water Management District
Phil J. Irvn, Road and Drainage Coordinator, Polk County Roads & Drainage
Jay Jarvis, Polk County Roads & Drainage
Steve McQuaig, Polk County Land Development
Greg Hentschel, Polk County
Ben Ziskal, County Manager, Polk County
Tabitha Biehl, Natural Resources, Polk County
Ryan Kordek, Polk Transportation Planning Organization
Jennifer Codo-Salisbury, Executive Director, CFRPC

ATTACHMENTS: Conceptual PUD Master Development Plan (December 9, 2021)
Polk County Minor Traffic Study Application, including Table 1 (Minor Traffic Study)
Polk County TPO Roadway Network Database
HB 1379 FAQ
Pre-application Meeting Participant Sign-in Sheet (November 16, 2023)

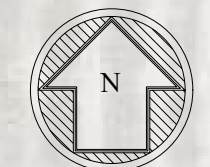
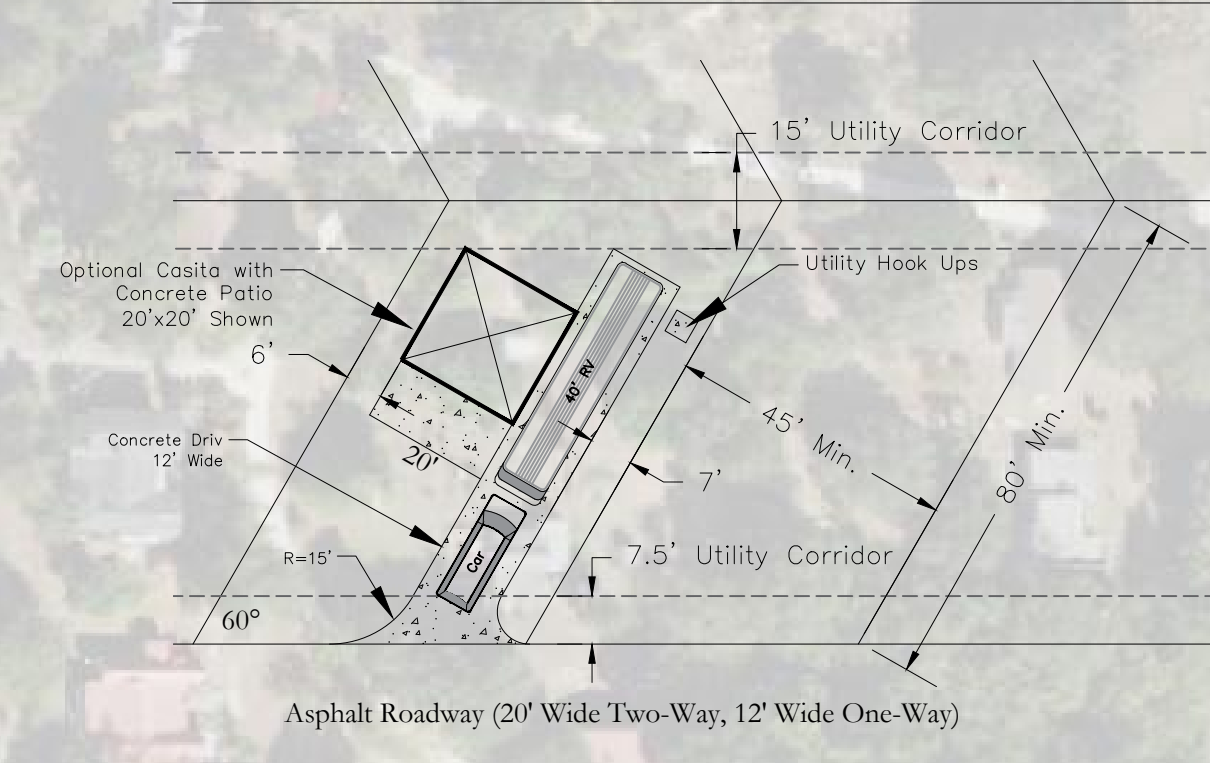
General Project Data

Total Acres Owned	68.97 Ac.
RV Development Total	46.32 Ac.
Open Space	21.11 Acres - 45.6% of Total Project
Estimated Project Population	284 (2 per RV & 2 per Caretaker)
Water Supply	Private Onsite Well
Estimated Water Demand	10,575 gpd for RVs
Sewer	Onsite Septic Systems
Estimated Sewer Demand	10,575 gpd for RVs
Electric, Cable, Phone, Data	Underground from Local Providers
Traffic	
Project Peak Hour Trips	25 Peak Hr. Trips
Peak Hr. Capacity of SR 17	1,792
Current Level of Service (SR 17)	B
Predominant Soil Type	Candler Fine Sand
Distance to Public Services	
Babson Park Vol. Fire Dept.	3 Miles
Polk County EMS Lake Wales	12 Miles
PC Sheriff's Office - Frostproof	5 Miles
Babson Park Elementary School	3 Miles
Frostproof Middle/High Schools	4 Miles
PC Lake Reedy Fire Department	5 Miles

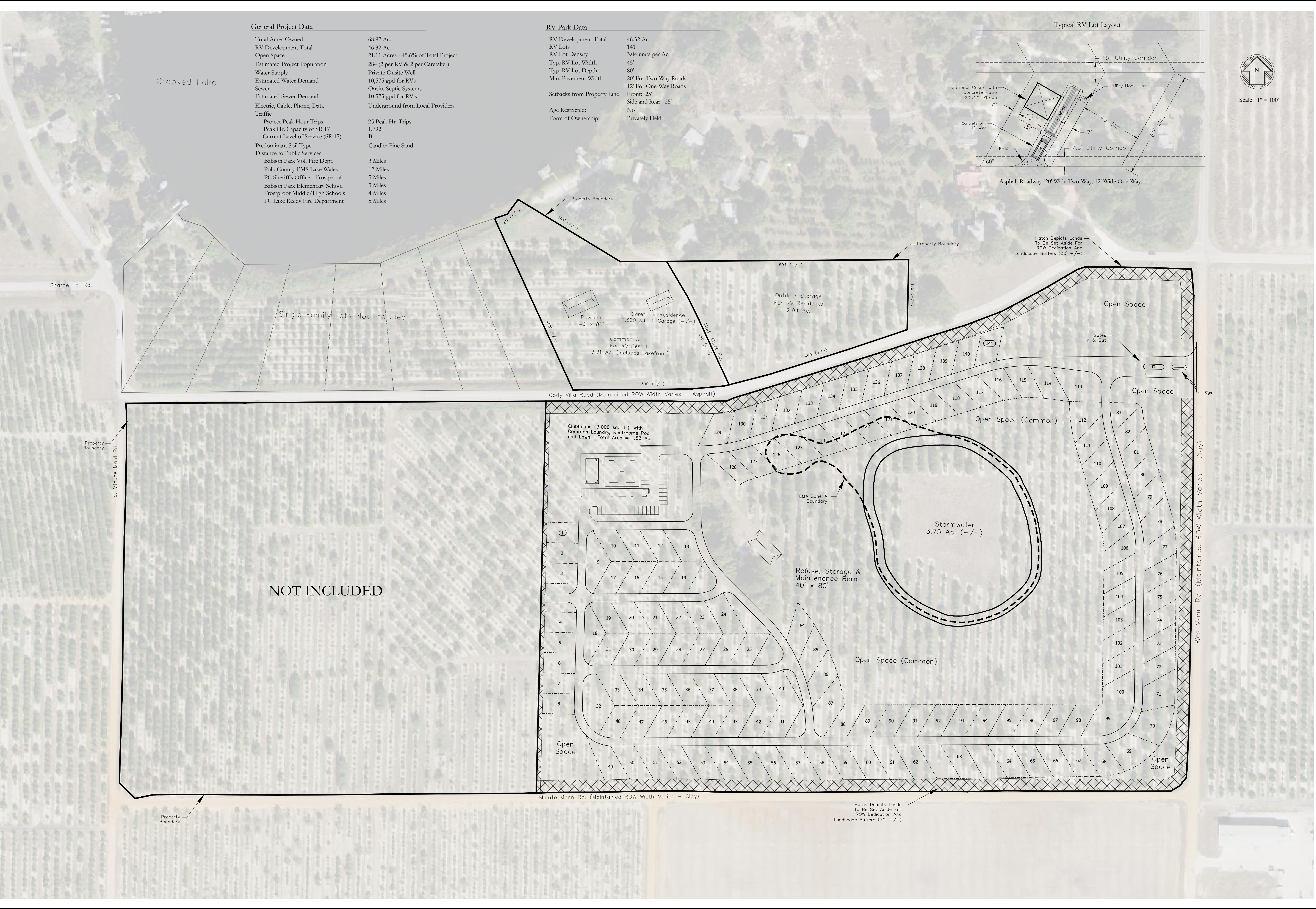
RV Park Data

RV Development Total	46.32 Ac.
RV Lots	141
RV Lot Density	3.04 units per Ac.
Typ. RV Lot Width	45'
Typ. RV Lot Depth	80'
Min. Pavement Width	20' For Two-Way Roads 12' For One-Way Roads
Setbacks from Property Line	Front: 25' Side and Rear: 25'
Age Restricted:	No
Form of Ownership:	Privately Held

Typical RV Lot Layout



Scale: 1" = 100'



Date: December 9, 2021

Project No.:

Prepared By
HUNTER ENGINEERING, INC.
Certificate of Authorization #RS 914
Telephone: 863-676-7770
Frostproof: 863-965-0181

4900 Dundee Road
Winter Haven, FL 33884

Prepared For
Landdaly, LLC

Telephone: 863-287-5410

776 N. 9th Street
Lake Wales, FL 33853

Master Development Plan
For The

Crooked Lake RV Resort
Frostproof, Florida



**TRAFFIC CONCURRENCY
MINOR TRAFFIC REVIEW
FEE \$50.00**

**Office of Planning and Development
Land Development Division**
330 W. Church St.
P.O. Box 9005, Drawer GM03
Bartow, FL 33831-9005
(863) 534-6449
FAX (863) 534-5908

This procedure should be followed when applying for a Final or Preliminary Concurrency Determination. These trips can then be assigned to the "Directly Accessed Segment" on the "Concurrency Determination Network." *(Note: The requirements for the completion of a Minor Traffic Review can be found in Appendix C of the Polk County Land Development Code, "Traffic Impact Study Methodology and Procedures.")*

Project Name: _____ **Project Number:** _____

1. Developments generating more than 50 and less than or equal to 750 average daily trips will be required to submit a Minor Traffic Review with any application for a Final or Preliminary Concurrency Determination.
2. Submit a copy of the completed Minor Traffic Review to the Land Development Division (or upload in ePlan if applicable) with any application for a Concurrency Determination.
3. Complete the following information (for help filling out this form refer to the Institute of Transportation (ITE) Manual or Table 1 "Polk County Traffic Impact Study," attached below):

A. Provide a description and location of the project:

Identify the Directly Accessed Segment from the proposed project onto the Concurrency Determination Network. *(NOTE: Road segments on the Concurrency Determination Network can be obtained from the Polk County Roadway Network Database. The Directly Accessed Segment is the first road on the Concurrency Determination Network which is accessed by a vehicle leaving the project site.)*

Link #	(E,W,N,S)	Road Segment Name including the From Road to the To Road
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B. Identify each land use category and number of units by using the ITE or Column B of Table 1 below

Land Use Category: _____

Number of Units : _____

C. Estimate of the number of daily and peak hour trips generated (use ITE or Table 1) by multiplying the number of units from above, times the daily trip rate and peak hour trip rate,

Number of units (above) _____ X daily trip rate (ITE or Table 1, Column D) _____
= 0.00 daily trips

Number of units (above) _____ X peak hour trip rate (ITE or Table 1, Column E) _____
= 0.00 peak hour trips

D. Indicate the Peak Hour Directional Capacity number of the Directly Accessed Segment and percent of capacity consumed by the project traffic. (See Polk County Transportation Planning Organization's (TPO's) Roadway Network Database.)

Peak Hour Directional Capacity of the Directly Accessed Segment _____

To calculate the percent of capacity consumed by the project traffic, divide the number of peak hour trips by the answer above.

peak hour trips (Step 3.C. above) 0.00 ÷ peak hour directional capacity Directly Accessed Segment _____ = _____ X 100 = 0.00 percent (%) consumed

E. Determine the number of net external peak hour trips that will impact each Directly Accessed Segment for both the peak and off-peak directions (e.g. after internal capture and/or adjacent street capture is considered).

- Each road segment consists of two (2) directional links, i.e. east and west, or north and south. The direction factor is the percentage (%) of the total traffic traveling a given direction during the peak hour. Identify the direction factor which accompanies each directional link. (Note: To locate the Direction Factor (D-Factor) see (TPO's) Roadway Network Database.)

_____	_____	_____
Link #	(E,W,N,S)	D - Factor
_____	_____	_____
Link #	(E,W,N,S)	D - Factor

To locate the Direction Factor (D-Factor), see TPO's Roadway network Database.
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2. Steps to Determine Peak Hour Trips by Direction:

- a) Multiply the number of peak hour trips times the "Percent New Trips" factor (ITE or Table 1, Column F)

$$\underline{0.00} \text{ peak hour trips (Step 3.C.)} \times \text{"Percent New Trips" factor} \underline{\hspace{2cm}}$$

$$= \underline{0.00} \text{ peak hour trips ("new trips")}$$

- b) Identify the greater of the two: the number of vehicle trips entering or exiting the site during the peak hour. For the land use category identified under Step 3.A., identify the percentage (%) of trips entering and exiting the site during the peak hour (ITE or Table 1, Column G). Multiply the higher percentage (%) times the number of peak hour trips calculated under Step 3.E.2.a. (Always round this number up to the next whole number.)

(%) of trips entering the site: 0%

(%) of trips exiting the site: 0%

greater percentage 0% X 0.00 peak hour trips

(Step 3.E.2) = 0 peak hour trips (round up)

- c.) Identify the peak hour trips the project will add to each directional link on the Directly Accessed Segment.

Multiply the number of peak hour trips obtained from Step 3.E.2.b. times the direction factors identified under Step 3.E.1 for each directional link on a segment. These are the peak hour trips for both the peak and off-peak direction. (Round these numbers to the nearest whole number. Peak and off-peak trips should equal the total trips.) These trips can be assigned to each link on the Directly Accessed Segment.

$$\underline{\hspace{2cm}} \quad \underline{\hspace{2cm}} \quad \text{:} \quad \underline{\hspace{2cm}}$$

Link # (E,W,N,S) D - Factor

(Step 3.E.1) X 0 peak hour trips

(Step 3.E.2.b.) = 0 peak hour trips (round to nearest whole number)

$$\underline{\hspace{2cm}} \quad \underline{\hspace{2cm}} \quad \text{:} \quad \underline{\hspace{2cm}}$$

Link # (E,W,N,S) D - Factor

(Step 3.E.1) X 0 peak hour trips

(Step 3.e.2.b.) = 0 peak hour trips (round to nearest whole number)

4. The impact of project traffic on the first Directly Accessed Segment on the Concurrency Determination Network shall be evaluated relative to its adopted level of service. Additional impacted segments may be added by the Land Development Division when it would be in the best interest of Polk County to do so in order to maintain the adopted level of service standards. Based upon this information, a determination shall be made by the Land Development Division whether or not the road facilities are adequate to maintain adopted service levels upon build-out of the proposed development. A Certificate of Concurrency may then be issued according to the procedures identified in the Polk County Land Development Code.
5. If the information submitted pursuant to Chapter 7, Section 703 of the Polk County Land Development Code indicates the level of service will fall below the adopted standard, then the applicant may undertake a more detailed evaluation of future roadway operating conditions to demonstrate acceptable operating conditions (see Appendix C, Section R. Segment Analysis), or the applicant may propose roadway improvements to restore acceptable conditions.
6. The appeals process for a Minor Traffic Review shall be governed by the procedure set forth in the Polk County Land Development Code.

Approval of this application does not waive any other applicable provisions of the Polk County Land Development Code, the Polk County Comprehensive Plan, the Polk County Utility Code which are not part of the request for this application, nor does approval waive any applicable Florida Statutes, Florida Building Code, Florida Fire Prevention Code, or any other applicable laws, rules, or ordinances, whether federal, state or local. The applicant has the obligation and responsibility to be informed of and be in compliance with all applicable laws, rules, codes and ordinances.

I, _____ (print name), the owner of the property which is the subject of this application, or the authorized representative of owner of the property which is the subject of this application, hereby authorize representatives of Polk County to enter onto the property which is the subject of this application to perform any inspections or site visits necessary for reviewing this application. I understand that representatives of Polk County are not authorized to enter any structures dwellings which may be on the property.

Property owner, or property owner's authorized representative.

Date

TABLE 1: FOR MINOR TRAFFIC STUDY

ITE TRIP GEN (11TH EDITION) / LAND USE CATEGORY	ITE CODE	VARIABLE	DAILY TRIP RATE WITH PASS BY REDUCTION	PM PEAK HOUR TRIP RATE	PERCENT NEW TRIPS	PERCENT ENTERING / EXITING
ASSISTED LIVING - Residential living that provide either routine general protective oversight or assistance with activities necessary for independent living to mentally or physically limited persons. Assisted care bridges the gap between independent living and nursing homes.	254	beds	2.60	0.24	89%	38% / 62%
AUTOMOBILE PARTS AND SERVICE CENTER - Sells automobile parts for maintenance and repair including tires, batteries, oil and spark plugs. Provides onsite services for various automobiles. i.e. Goodyear	943	1,000 sq. ft.	16.60	2.06	76%	39% / 61%
AUTOMOBILE PARTS SALES	843	1,000 sq. ft.	31.11	4.90	76%	48% / 52%
AUTOMOBILE SALES	841	1,000 sq. ft.	27.06	3.75	76%	47% / 53%
BUSINESS PARK - Group of flex-type or incubator one or two story buildings served by a common road.	770	1,000 sq. ft.	12.44	1.22	92%	26% / 74%
CAMPGROUND / RECREATIONAL VEHICLE PARKS	416	site/space	0.41	0.27	100%	65% / 35%
CHURCH	560	1,000 sq. ft.	7.60	0.49	89%	44% / 56%
CLINIC - Provides limited diagnostic and outpatient care	630	1,000 sq. ft.	37.60	3.69	89%	30% / 70%
COFFEE/DONUT SHOP WITH DRIVE THROUGH WINDOW	937	1,000 sq. ft.	266.78	38.99	76%	50% / 50%
CONGREGATE CARE FACILITY - Provides central amenities such as dining, housekeeping, transportation and organized social/recreational activities with limited medical services such as nursing and dental	253	dwelling unit	2.21	0.18	89%	49% / 51%
CONVENIENCE MARKET WITH GASOLINE PUMPS - i.e. Wawa, RaceTrac	945	1,000 sq. ft.	212.23	48.48	76%	50% / 50%
COUNTY PARK	411	acre	0.78	0.11	89%	55% / 45%
DAY CARE CENTER	565	1,000 sq. ft.	47.62	11.12	89%	47% / 53%

TABLE 1: FOR MINOR TRAFFIC STUDY

ITE TRIP GEN (11TH EDITION) / LAND USE CATEGORY	ITE CODE	VARIABLE	DAILY TRIP RATE WITH PASS BY REDUCTION	PM PEAK HOUR TRIP RATE	PERCENT NEW TRIPS	PERCENT ENTERING / EXITING
DRIVE IN BANK	912	1,000 sq. ft.	65.23	21.01	76%	50% / 50%
ELECTRONICS SUPERSTORE	863	1,000 sq. ft.	24.63	4.25	76%	50% / 50%
ELEMENTARY SCHOOL	520	student	2.27	0.16	89%	46% / 54%
FAST FOOD RESTAURANT WITH DRIVE THROUGH WINDOW	934	1,000 sq. ft.	233.74	33.03	76%	52% / 48%
FAST FOOD RESTAURANT WITHOUT DRIVE THROUGH WINDOW	933	1,000 sq. ft.	225.24	33.21	76%	50% / 50%
FREE STANDING DISCOUNT STORE - i.e. Dollar Store, Family Dollar	815	1,000 sq. ft.	44.72	4.86	76%	50% / 50%
FREE STANDING DISCOUNT SUPERSTORE - Same as ITE 815 except this store has a full service grocery department i.e. Dollar General Markets	813	1,000 sq. ft.	35.87	4.33	76%	49% / 51%
FURNITURE STORE	890	1,000 sq. ft.	2.97	0.52	76%	47% / 53%
GASOLINE / SERVICE STATION - Primary business is for fueling of motor vehicles and may have ancillary facilities for servicing and repairing motor vehicles.	944	fueling position	99.77	13.91	76%	50% / 50%
GENERAL LIGHT INDUSTRIAL - Includes activities other than manufacturing and typically have minimal office space. i.e. printing, material testing and assembly of data processing equipment	110	1,000 sq. ft.	4.87	0.65	92%	14% / 86%
GENERAL OFFICE BUILDING - Multiple tenants within one building	710	1,000 sq. ft.	10.84	1.44	92%	17% / 83%
GOLF COURSE	430	hole	30.38	2.91	76%	53% / 47%
GOVERNMENT OFFICE COMPLEX - Group of buildings for a variety of functions of a city, county, state, federal, or other governmental unit	733	1,000 sq. ft.	22.59	1.71	89%	25% / 75%
HARDWARE / PAINT STORE	816	1,000 sq. ft.	5.98	2.98	76%	46% / 54%

TABLE 1: FOR MINOR TRAFFIC STUDY

ITE TRIP GEN (11TH EDITION) / LAND USE CATEGORY	ITE CODE	VARIABLE	DAILY TRIP RATE WITH PASS BY REDUCTION	PM PEAK HOUR TRIP RATE	PERCENT NEW TRIPS	PERCENT ENTERING / EXITING
HEALTH/FITNESS CLUB	492	1,000 sq. ft.	3.92	3.45	76%	57% / 43%
HIGH CUBE WAREHOUSE / DISTRIBUTION CENTER	154	1,000 sq. ft.	1.40	0.10	92%	28% / 72%
HIGH SCHOOL	530	student	1.94	0.14	89%	48% / 52%
HIGH TURNOVER (SIT DOWN) RESTAURANT - Sit down, full service eating with stay approximately one hour. Belongs to a restaurant chain. i.e. Olive Garden	932	1,000 sq. ft.	61.11	9.05	76%	61% / 39%
HOME IMPROVEMENT SUPERSTORE	862	1,000 sq. ft.	17.83	2.29	76%	49% / 51%
HOSPITAL	610	1,000 sq. ft.	10.77	0.86	89%	35% / 65%
HOTEL - Provides supporting facilities such as restaurants, meeting and banquet rooms or convention facilities	310	room	7.99	0.59	76%	51% / 49%
JUNIOR / COMMUNITY COLLEGE	540	student	1.15	0.11	89%	56% / 44%
MANUFACTURING	140	1,000 sq. ft.	4.75	0.74	92%	31% / 69%
MEDICAL-DENTAL OFFICE BUILDING	720	1,000 sq. ft.	34.80	3.46	92%	28% / 72%
MIDDLE SCHOOL / PUBLIC K-8 SCHOOL	522	student	2.10	0.15	89%	48% / 52%
MINI-WAREHOUSE	151	1,000 sq. ft.	1.45	0.15	92%	47% / 53%
MOBILE HOME PARK	240	space	7.12	0.58	100%	62% / 38%
MOTEL - Provides a restaurant and no meeting spaces.	320	room	3.35	0.36	76%	54% / 46%
MOVIE THEATER	445	1,000 sq. ft.	78.09	6.17	76%	94% / 6%
MULTIFAMILY HOUSING (LOW-RISE) - One or two levels (floors)	220	dwelling unit	6.74	0.51	100%	63% / 37%
MULTIFAMILY HOUSING (MID-RISE) - Between three and ten levels (floors)	221	dwelling unit	4.54	0.39	100%	61% / 39%
MULTIFAMILY HOUSING (HIGH-RISE) - More than ten levels (floors)	222	dwelling unit	4.54	0.32	100%	56% / 44%
NURSING HOME	620	1,000 sq. ft.	3.06	0.14	89%	33% / 67%
OFFICE PARK - Group of office buildings and support	750	1,000 sq. ft.	11.07	1.30	92%	14% / 86%

TABLE 1: FOR MINOR TRAFFIC STUDY

ITE TRIP GEN (11TH EDITION) / LAND USE CATEGORY	ITE CODE	VARIABLE	DAILY TRIP RATE WITH PASS BY REDUCTION	PM PEAK HOUR TRIP RATE	PERCENT NEW TRIPS	PERCENT ENTERING / EXITING
services						
PARK AND RIDE LOT WITH BUS SERVICE	90	parking space	3.88	0.55	89%	25% / 75%
PHARMACY/DRUGSTORE WITH DRIVE THROUGH WINDOW	881	1,000 sq. ft.	55.29	10.25	76%	50% / 50%
QUALITY RESTAURANT - Full service eating establishments with typical duration of stay of at least one hour. They do not serve breakfast and most do not serve lunch. Requires reservation and is not part of a chain.	931	1,000 sq. ft.	46.96	7.80	76%	67% / 33%
QUICK LUBRICATION VEHICLE SHOP - Primary use is to perform oil change service. Automobile repair service is not provided. i.e. Jiffy Lube	941	servicing positions	40.00	4.85	76%	56% / 44%
RECREATIONAL HOMES - These homes are located in a resort containing local services and complete recreational facilities. i.e. Short Term Rentals	260	dwelling unit	3.55	0.29	89%	46% / 54%
RESEARCH AND DEVELOPMENT CENTER - Include facilities or groups of facilities devoted almost exclusively to research and development	760	1,000 sq. ft.	11.08	0.98	92%	16% / 84%
RESORT HOTEL - Provides supporting facilities such as restaurants, meeting and banquet rooms or convention facilities, tennis courts, beach access, golf courses and pool play areas. This facility caters to tourist and vacation industry	330	room	0.50	0.41	76%	43% / 57%
SELF SERVICE CAR WASH	947	wash stall	108.00	5.54	76%	51% / 49%
SENIOR ADULT HOUSING - ATTACHED	252	dwelling unit	3.24	0.25	100%	56% / 44%
SENIOR ADULT HOUSING - DETACHED	251	dwelling unit	4.31	0.30	100%	61% / 39%

TABLE 1: FOR MINOR TRAFFIC STUDY

ITE TRIP GEN (11TH EDITION) / LAND USE CATEGORY	ITE CODE	VARIABLE	DAILY TRIP RATE WITH PASS BY REDUCTION	PM PEAK HOUR TRIP RATE	PERCENT NEW TRIPS	PERCENT ENTERING / EXITING
SHOPPING CENTER - Integrated group of commercial owned and managed as a unit. i.e. malls including out parcels with shared access	820	1,000 sq. ft.	24.43	3.40	76%	48% / 52%
SINGLE FAMILY DETACHED HOUSING	ITE 210/ Local Data	dwelling unit	7.81	1.00	100%	63% / 37%
SINGLE TENANT OFFICE BUILDING	715	1,000 sq. ft.	13.07	1.76	92%	15% / 85%
SOCCER COMPLEX - Outdoor facilities that are used for non-professional soccer games	488	field	71.33	16.43	76%	66% / 34%
SUPERMARKET - Free standing retail stores selling a complete assortment of food, food preparation i.e. Publix	850	1,000 sq. ft.	60.06	8.95	76%	50% / 50%
SYNAGOGUE	561	1,000 sq. ft.	7.83	2.92	89%	57% / 43%
TIRE STORE	848	1,000 sq. ft.	19.94	3.75	76%	43% / 57%
TRUCK STOP - Provide refueling, food and other services to motorists and truck drivers. These facilities contain convenience stores, showers, restaurants and on-site truck parking.	950	fueling position	224.00	15.42	76%	53% / 47%
UNIVERSITY / COLLEGE	550	student	1.56	0.15	89%	32% / 68%
VARIETY STORE - i.e. Dollar Tree	814	1,000 sq. ft.	42.02	6.70	76%	51% / 49%
WAREHOUSING	150	1,000 sq. ft.	1.71	0.18	92%	28% / 72%



Polk Transportation
Planning Organization



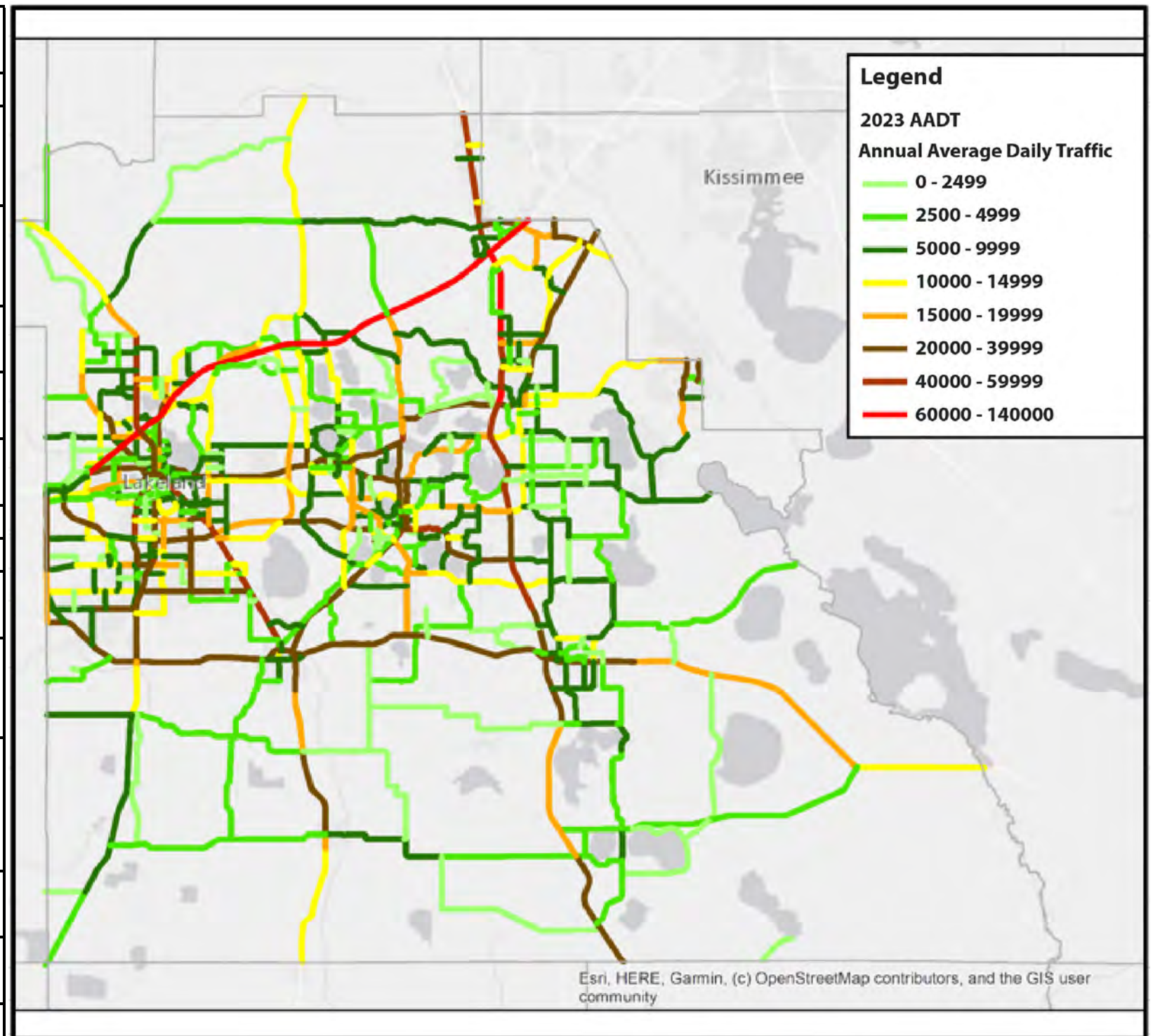
EFFECTIVE DATE: October 13, 2023

2023

**ROADWAY
NETWORK
DATABASE**

DATABASE TERMINOLOGY

Link	The identification number of each link in the CMS
Segment / From / To	The name and limits of each link
Laneage and Type	The number of lanes for the segment and indication of Divided/Undivided/One-way facility
Capacity Group	Code that references a generalized service volume from FDOT's Level of Service handbook
Segment Length	The length of the given link or segment in miles
Functional Classification	Classification of roadway based on function, i.e., arterials serve through traffic
AADT	Current year Annual Average Daily Traffic - Two way traffic
D-Factor	Directional Factor
K-Factor	Planning Analysis Hour Factor
Peak Hour Level of Service	The existing peak hour level of service
Directional Capacity	Maximum number of vehicles that can pass through a road segment at the adopted level of service standard
Transitioning, Transit Supportive Development Area or Transit Corridors and Centers Overlay	Level of Service standard based on Highway Standards and existing or planned transit
Highway LOS Standard	Minimum Level of Service Standard for County and State Roads
Projected Peak Hour Level of Service in Five	Peak hour level of service in five years - Deficient links have a red color box
Multimodal Factors	Summary of sidewalk, bicycle facilities, and transit routes and stops present on the RND



* The Polk County Roadway Network Database contains level of service (LOS) estimates that are based on generalized service volumes. These estimates are subject to verification and change based on more detailed analyses.

* The Roadway Network Database references the minimum acceptable LOS standards for the listed roadway segments. Staff makes a continued effort to ensure the listed standards are correct. Please note; however, that local government comprehensive plans are the definitive source for these standards. Please refer to Section 3.202 of the Polk County Comprehensive Plan or other applicable comprehensive plans.

* The aerial photograph on the document's cover depicts downtown Lake Wales. It was captured on February 23, 2021, by Julia Davis of the Polk TPO staff.

Link	Road Segment	From	To	Roadway Characteristics				Estimated Traffic Characteristics				Peak Hour / Peak Season						Historical Crash Data 2018 - 2022		Multimodal Factors						
				Laneage Lane Type	Capacity Group	Segment Length	Functional Classification	2023 Annual Avg. Daily Traffic	AADT Growth Rate (%)	100th Highest Hour D- Factor	100th Highest Hour K- Factor	Two-Hour Average Volume	Level of Service	Direc- tional Capacity	LOS Standard		Volume to Capacity Ratio	Volume-to- Capacity Ratio in Five Years	Projected LOS in Five Years	Total Crashes	Crash Rate	Presence	Sidewalk		Bicycle Facility	
															Multi- Modal	High- Way							Presence	Coverage	Presence	Coverage
8050E	WALT LOOP ROAD	CR 582 (SOCRUM LOOP ROAD)	OLD POLK CITY ROAD	2U	L02	1.4	URBAN COLLECTOR	11,100	2.0	0.490	0.0900	490	C	790	TRANSITIONING	D	0.62	0.68	C	48	1.716	NO	PARTIAL	0.49	NONE	0.00
8050W	WALT LOOP ROAD	CR 582 (SOCRUM LOOP ROAD)	OLD POLK CITY ROAD	2U	L02	1.4	URBAN COLLECTOR	11,100	2.0	0.510	0.0900	509	C	790	TRANSITIONING	D	0.64	0.71	C	48	1.716	NO	PARTIAL	0.49	NONE	0.00
8051N	WALT WILLIAMS ROAD	WALT LOOP ROAD	OLD POLK CITY ROAD	2U	L02	3.0	URBAN COLLECTOR	5,500	2.0	0.490	0.0900	243	C	790	TRANSITIONING	D	0.31	0.34	C	2	0.067	NO	PARTIAL	0.38	NONE	0.00
8051S	WALT WILLIAMS ROAD	WALT LOOP ROAD	OLD POLK CITY ROAD	2U	L02	3.0	URBAN COLLECTOR	5,500	2.0	0.510	0.0900	252	C	790	TRANSITIONING	D	0.32	0.35	C	2	0.067	NO	PARTIAL	0.38	NONE	0.00
8052N	WARING ROAD	OLD MEDULLA ROAD	SR 570 (POLK PARKWAY)	2U	L02	1.1	URBAN COLLECTOR	10,900	2.0	0.490	0.0900	481	C	790	TSDA	D	0.61	0.67	C	43	1.901	YES	PARTIAL	0.52	PARTIAL	1.00
8052S	WARING ROAD	OLD MEDULLA ROAD	SR 570 (POLK PARKWAY)	2U	L02	1.1	URBAN COLLECTOR	10,900	2.0	0.510	0.0900	500	C	790	TSDA	D	0.63	0.70	C	43	1.901	YES	PARTIAL	0.52	PARTIAL	1.00
8400N	WARING ROAD	PIPKIN ROAD WEST	OLD MEDULLA ROAD	2U	L02	1.1	URBAN COLLECTOR	9,600	2.0	0.490	0.0900	423	C	790	TSDA	D	0.54	0.59	C	0	0.000	NO	PARTIAL	0.15	PARTIAL	1.00
8400S	WARING ROAD	PIPKIN ROAD WEST	OLD MEDULLA ROAD	2U	L02	1.1	URBAN COLLECTOR	9,600	2.0	0.510	0.0900	441	C	790	TSDA	D	0.56	0.61	C	0	0.000	NO	PARTIAL	0.15	PARTIAL	1.00
8334E	WATER TANK ROAD	SR 17 (SCENIC HIGHWAY)	DETOUR ROAD	2U	L02	0.5	URBAN COLLECTOR	500	2.0	0.490	0.0750	17	C	790	TCCO	E	0.02	0.02	C	0	0.000	NO	NONE	0.00	NONE	0.00
8334W	WATER TANK ROAD	SR 17 (SCENIC HIGHWAY)	DETOUR ROAD	2U	L02	0.5	URBAN COLLECTOR	500	2.0	0.510	0.0750	18	C	790	TCCO	E	0.02	0.03	C	0	0.000	NO	NONE	0.00	NONE	0.00
8335E	WATER TANK ROAD	DETOUR ROAD	BICE GROVE ROAD	2U	L02	2.0	URBAN COLLECTOR	500	2.0	0.490	0.0900	22	C	750	OTHER	C	0.03	0.03	C	0	0.000	NO	NONE	0.00	NONE	0.00
8335W	WATER TANK ROAD	DETOUR ROAD	BICE GROVE ROAD	2U	L02	2.0	URBAN COLLECTOR	500	2.0	0.510	0.0900	23	C	750	OTHER	C	0.03	0.03	C	0	0.000	NO	NONE	0.00	NONE	0.00
8336E	WATER TANK ROAD	BICE GROVE ROAD	TYNER ROAD	2U	N02	1.0	URBAN COLLECTOR	200	2.0	0.490	0.0900	9	C	640	OTHER	C	0.01	0.02	C	0	0.000	NO	NONE	0.00	NONE	0.00
8336W	WATER TANK ROAD	BICE GROVE ROAD	TYNER ROAD	2U	N02	1.0	URBAN COLLECTOR	200	2.0	0.510	0.0900	9	C	640	OTHER	C	0.01	0.02	C	0	0.000	NO	NONE	0.00	NONE	0.00
4174E	WAVERLY RD	US 27	SR 17 (SCENIC HIGHWAY)	2U	H02	2.3	URBAN COLLECTOR	5,300	2.0	0.490	0.0750	185	B	730	MULTI-MODAL	D	0.25	0.28	B	1	0.046	YES	PARTIAL	0.01	PARTIAL	0.14
4174W	WAVERLY RD	US 27	SR 17 (SCENIC HIGHWAY)	2U	H02	2.3	URBAN COLLECTOR	5,300	2.0	0.510	0.0750	193	B	730	MULTI-MODAL	D	0.26	0.29	B	1	0.046	YES	PARTIAL	0.01	PARTIAL	0.14
8405E	WEST EDGEWOOD DRIVE	SR 563	SR 37 (S FLORIDA AVE)	2U	C02	1.1	URBAN COLLECTOR	10,600	2.0	0.490	0.0900	467	D	750	TSDA	D	0.62	0.69	D	85	3.976	YES	PARTIAL	0.46	FULL	2.00
8405W	WEST EDGEWOOD DRIVE	SR 563	SR 37 (S FLORIDA AVE)	2U	C02	1.1	URBAN COLLECTOR	10,600	2.0	0.510	0.0900	487	D	750	TSDA	D	0.65	0.71	D	85	3.976	YES	PARTIAL	0.46	FULL	2.00
8111N	WEST LAKE ELOISE DRIVE	ELOISE LOOP ROAD	SHELL ROAD	2U	L02	1.0	URBAN COLLECTOR	3,800	2.0	0.490	0.0900	168	C	790	TRANSITIONING	D	0.21	0.23	C	0	0.000	NO	NONE	0.00	NONE	0.00
8111S	WEST LAKE ELOISE DRIVE	ELOISE LOOP ROAD	SHELL ROAD	2U	L02	1.0	URBAN COLLECTOR	3,800	2.0	0.510	0.0900	174	C	790	TRANSITIONING	D	0.22	0.24	C	0	0.000	NO	NONE	0.00	NONE	0.00
8425N	WESTSIDE BLVD	CR 54 (RONALD REAGAN PARKWAY)	OSCEOLA COUNTY LINE	2U	B02	0.1	URBAN COLLECTOR	5,400	2.0	0.490	0.0900	238	C	880	TSDA	D	0.27	0.30	C	4	3.338	NO	PARTIAL	0.89	NONE	0.00
8425S	WESTSIDE BLVD	CR 54 (RONALD REAGAN PARKWAY)	OSCEOLA COUNTY LINE	2U	B02	0.1	URBAN COLLECTOR	5,400	2.0	0.510	0.0900	248	C	880	TSDA	D	0.28	0.31	C	4	3.338	NO	PARTIAL	0.89	NONE	0.00
8448N	WILSON AVENUE	STATE ROAD 60 (VAN FLEET DRIVE)	OLD BARTOW EAGLE LAKE ROAD	2U	C02	0.4	URBAN COLLECTOR	9,400	2.0	0.490	0.0750	328	C	800	TCCO	E	0.41	0.45	C	34	4.953	YES	PARTIAL	0.78	NONE	0.00
8448S	WILSON AVENUE	STATE ROAD 60 (VAN FLEET DRIVE)	OLD BARTOW EAGLE LAKE ROAD	2U	C02	0.4	URBAN COLLECTOR	9,400	2.0	0.510	0.0750	342	C	800	TCCO	E	0.43	0.47	D	34	4.953	YES	PARTIAL	0.78	NONE	0.00
8098N	YARBOROUGH LANE	CR 540A	CR 540 (CLUBHOUSE ROAD)	2U	L02	1.0	URBAN COLLECTOR	4,100	2.0	0.490	0.0750	143	C	790	TCCO	E	0.18	0.20	C	1	0.133	NO	PARTIAL	0.91	NONE	0.00
8098S	YARBOROUGH LANE	CR 540A	CR 540 (CLUBHOUSE ROAD)	2U	L02	1.0	URBAN COLLECTOR	4,100	2.0	0.510	0.0750	149	C	790	TCCO	E	0.19	0.21	C	1	0.133	NO	PARTIAL	0.91	NONE	0.00
8053N	YATES ROAD	EWELL ROAD	PIPKIN ROAD W	2U	L02	1.5	URBAN COLLECTOR	5,900	2.0	0.490	0.0750	206	C	790	TCCO	E	0.26	0.29	C	4	0.246	NO	PARTIAL	0.34	NONE	0.00
8053S	YATES ROAD	EWELL ROAD	PIPKIN ROAD W	2U	L02	1.5	URBAN COLLECTOR	5,900	2.0	0.510	0.0750	214	C	790	TCCO	E	0.27	0.30	C	4	0.246	NO	PARTIAL	0.34	NONE	0.00

Frequently Asked Questions (FAQs) House Bill (HB) 1379 Requirements for Enhanced Nutrient-Reducing Systems

Introduction

During the 2023 legislative session, the Florida Legislature passed House Bill (HB) 1379, [Laws of Florida Chapter No. 2023-169](#). This law describes areas where enhanced nutrient-reducing onsite sewage treatment and disposal systems (ENR-OSTDS) are now required instead of conventional septic systems.

This guidance document is intended to help the public answer routine ENR questions. If questions are asked that are not included in this guidance, please refer to the contacts in the last question.

Who does HB 1379 apply to? Will HB 1379 impact me?

People who are required to apply for a new septic system (OSTDS) permit serving a property in specific regions of the state ("impacted areas") will be affected by this legislation.

Specifically, people applying for a **new system construction permit for an OSTDS (aka "septic system") on a lot of one acre or less and within an "impacted area" will not be allowed to install a conventional septic system (septic tank and drainfield)**. Instead, they must install a special system referred to as an enhanced nutrient-reducing onsite sewage treatment and disposal system (ENR-OSTDS). This requirement became effective on July 1, 2023.

How do I know whether my property is in an "impacted area"?

To determine if the property is within the "impacted area", see the [BMAPs and Alternative Restoration Plans - OSTDS Requirements](#) mapping tool.

How do I know if I need a new system construction permit?

If you need to install a septic system where a system has never been installed before, you will need a new system construction permit. The rule also requires a new system construction permit in other situations. See Memorandum [DCEH 19-004](#) for other situations where new system construction standards are required.

What is an ENR-OSTDS?

An ENR-OSTDS is an advanced system that reduces nitrogen better than a conventional septic system. ENR-OSTDS meet an overall 65% nitrogen-reducing standard.

There are three types of ENR-OSTDS: NSF 245 aerobic treatment units; nitrogen-reducing performance-based treatment system (nitrogen-reducing PBTS), and Inground nitrogen-reducing biofilters (INRBs). For more information on these systems, please see [Enhanced Nitrogen-Reducing OSTDS to Meet Requirements of HB 1379](#).

Why is reducing nitrogen important?

Nitrogen is a pollutant that can cause environmental and drinking water concerns. Discharge from onsite sewage treatment and disposal systems is one of many sources of nitrogen into the groundwater of Florida. The installation of enhanced nutrient-reducing systems can lower the impact that OSTDS have on the state's ground and surface waters.

For more information, please visit the Division of Environmental Assessment and Restoration, [Water Quality Restoration Program](#) website or email the program at BMAPPprogram@floridadep.gov.

Do additional requirements apply to the Indian River Lagoon area?

Yes. Permits for septic systems serving residential and commercial properties that are located within the Indian River Lagoon Protection Program (the Banana River Lagoon, Central Indian River Lagoon and North Indian River Lagoon) have additional requirements. Starting January 1, 2024, all new systems on all lot sizes installed within these areas must install an ENR OSTDS when sewer is not available. By July 1, 2030, all systems located within the River Lagoon Protection Program must connect to centralized sewer or install an ENR-OSTDS or other wastewater treatment system that meets 65% nitrogen reduction. Please use the [BMAPs and Alternative Restoration Plans - OSTDS Requirements](#) mapping tool to find areas impacted by the Indian River Lagoon Protection Program.

Why do I have to do this?

During the 2023 legislative session, the Florida Legislature passed House Bill 1379, Laws of Florida Chapter No. 2023-169, which describes the areas in the state that require enhanced nutrient reducing OSTDS. This comprehensive environmental protection legislation covers a variety of environmental areas and supports the goals of Executive Order 23-06. It also builds on Florida's historic investments and accomplishments over the last four years in advancing the protection of our environmental resources. The Onsite Sewage Program is required to implement the components of the law within the program jurisdiction. Other regulatory components will be managed by agencies with jurisdiction over those other programs.

Can I be exempt from this law? Can a variance be granted?

Once an application has been denied for not meeting the requirements, what are the options? The usual (Chapter 381, section 381.0065(4)(h) F.S.) variance process for septic systems is not available for the ENR-OSTDS requirement. However, a person who is impacted by the ENR-OSTDS treatment requirements may petition for an **administrative hearing** filed under Sections 120.569 and 120.57, F.S., this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the request for a variance or waiver.

When do I have to comply with the new law by?

Applications for new septic systems on lots one acre or less and in an impacted area must comply with the enhanced nutrient-reducing system requirements unless they were received by the county health department prior to **July 1, 2023** and have been determined complete (except for the site evaluation).

In addition, within the Indian River Lagoon Protection Program, starting **January 1, 2024** new systems applicants must install an ENR OSTDS **on all property sizes**. By **July 1, 2030**, all systems in that area must connect to centralized sewer or install an ENR OSTDS or other wastewater treatment system that meets 65% nitrogen reduction.

Is financial assistance available?

The Department of Environmental Protection (DEP) provides financial assistance to local governments (county, city, utilities) for water quality improvements. DEP recommends that the individual homeowners and businesses contact their local government for specific septic upgrade incentive programs to assist with upgrades to enhanced nitrogen reducing systems or septic to sewer conversions.

Who should I contact to ask more specific questions?

- General questions can be emailed to the Onsite Sewage Program at the Department of Environmental Protection at OSTDS_Feedback@floridadep.gov.
- Questions about a specific site or property should be directed to the applicable [County Health Department](#) Onsite Sewage Treatment and Disposal program.
- Specific questions regarding the interactive GIS maps with enhanced nitrogen-reduction and basin management action plan layers should be directed to the Division of Environmental Assessment and Restoration, Water Quality Restoration Program at 850-245-8460 or emailing them at BMAPPprogram@floridadep.gov.
- All other questions can be directed to the DEP Onsite Sewage Program at 850-245-4070.

Proposed RV Park on Cody Villa Road
 City of Frostproof Pre-Application Meeting
Sign-In Sheet

Frostproof City Hall
November 16, 2023 10:00 AM

Name	Organization	Email Address
PAUL IRVEN	Polk County Roads & Drainage	ph.irven@polk-county.net
STEVE MCQUAIG	Polk County LAND DEVELOPMENT	stevemcquaign@polk-county.net
Greg Hentschel	Polk County	greghentschel@polk-county.net
Stephen Thompson	Hunter Eng / Daly Project	stephengthompson@AUL.com
Chris Daly	LandDaly, LLC	LandDaly@verizon.net
Bryan Hunter	Hunter Engineering	bryanh@hunterengineeringinc.com
Matthew A Nickerson	Florida Department of Health in Polk	Matthew.Nickerson@FLhealth.gov

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Proposed RV Park on Cody Villa Road
City of Frostproof Pre-Application Meeting
Sign-In Sheet

Frostproof City Hall
November 16, 2023 10:00 AM

Name	Organization	Email Address
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Nicole McDowell	City of Frostproof	NMcDowell@cityofFrostproof.com
Jacqueline Barja	City of Frostproof	clerk@cityofFrostproof.com
OW Phone: Craig	Civil Serv	
Shannon	FDER	
JEFF SCHMUCKER	CFRPC	JSCHMUCKER@CFRPC.ORG

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