

**POLK COUNTY  
DEVELOPMENT REVIEW COMMITTEE  
STAFF REPORT**

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| <b>DRC Date:</b> February 19, 2026              | <b>Level of Review:</b> 4   |
| <b>PC Dates:</b> March 4, 2026<br>April 1, 2026 | <b>Type:</b> LDC Text Amendment   |
| <b>BoCC</b> May 5, 2026                         | <b>Case Numbers:</b> LDCT-2026-1  |
| <b>Dates:</b> May 19, 2026                      | <b>Case Name:</b> Wahneta Main Street Overlay (MSC) LDC<br>Text Amendment |
| <b>Applicant:</b> Polk BoCC                     | <b>Case Planner:</b> Mark J. Bennett                                      |

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|----------------------------------|--|
| <b>Request:</b>                  | This is a County-initiated request for an LDC text amendment to add a Section 403.01.L. to establish the Main Street Corridor (MSC) Overlay, plus reinstate Table 3, Wahneta Neighborhood Plan Temporary Uses Modifications. |
| <b>Location:</b>                 | Wahneta Neighborhood Plan, Rifle Range Road  |
| <b>Property Owner:</b>           | n/a  |
| <b>Parcel Size (Number):</b>     | n/a  |
| <b>Development Area:</b>         | Neighborhood Utility Service Area (NUSA), Suburban Development Area (SDA)  |
| <b>Nearest Municipality:</b>     | Winter Haven   |
| <b>DRC Recommendation:</b>       | Approval   |
| <b>Planning Commission Vote:</b> | Approval (7:0)   |

**Among the changes to Section 403.01, Wahneta Neighborhood Plan, are:**

- Establish the Main Street Corridor (MSC) Overlay
- Reinstate Table 3, Wahneta Neighborhood Plan Temporary Uses Modifications

**Summary:**

This is a County-initiated request to add Section 403.01.L. to establish the Main Street Corridor (MSC) Overlay, plus reinstate Table 3, Wahneta Neighborhood Plan Temporary Uses Modifications.

On November 5, 2024, the Board of County Commissioners approved a Comprehensive Plan text Amendment (LDCPAL-2024-2) to establish the Wahneta Main Street Commercial (MSC) Overlay District. This amendment, which was initiated by the County and the request of area property owners, added new policies, plus mapped the Overlay on the Future Land Use Map. The purpose and intent of these changes is to promote the redevelopment of properties along Rifle Range Road and provide a focal point for non-residential activities in Wahneta by allowing for a “main street” of non-residential development, thereby implementing the Basic Principles identified in the Wahneta Neighborhood Plan.

As part of the Comprehensive Plan policy that established the Overlay, there is a requirement that land development regulations be created to implement this policy. This proposed amendment to the Land Development Code contains the proposed regulations. These regulations address items such as allowed uses, right-of-way setbacks, Compatibility Zones, signage, and parking. These proposed regulations were developed with input from the Wahneta community, based on a public workshop that was held on April 10, 2025.

## Findings of Fact

- *LDCT-2026-1 is a County-initiated request for a Land Development Code (LDC) text amendment to add a Section 403.01.L. to establish the Main Street Corridor (MSC) Overlay, plus reinstate Table 3, Wahneta Neighborhood Plan Temporary Uses Modifications.*
- *On November 5, 2024, The Board of County Commissioners approved a Comprehensive Plan Amendment (LDCPAL-2024-2) to establish the Wahneta Main Street Commercial (MSC) Overlay District.*
- *LDCPAL-2024-2 consisted of adding new policies to Section 2.124-A of the Wahneta Neighborhood Plan and mapping the Overlay on the Future Land Use Map.*
- *Included with the proposed text amendment are regulations that address allowed uses, conditional use standards, review/approval requirements, right-of-way requirements, compatibility zones, signage, and parking.*
- *The proposed regulations were developed with input from the Wahneta Community, based on a public workshop that was held on April 10, 2025.*
- *Table 3, Wahneta Neighborhood Plan Temporary Uses Modifications, was inadvertently removed from the Land Development Code.*
- *Table 3 regulates the location of Temporary Uses such as Food and Retail Stands, Produce Stands, Meeting Places, and Special Events.*

### Development Review Committee Recommendation:

The Land Development Division, based on the Findings of Fact, finds that the proposed text change request is **CONSISTENT** with the Polk County Land Development Code and the Polk County Comprehensive Plan. Staff recommends **APPROVAL** of LDCT-2026-1.

### Planning Commission Recommendation:

On March 4, 2026, The Planning Commission continued the case until April 1, 2026. The reason for the request was to allow staff to conduct additional research regarding distances and building structure, plus additional criteria for granting a variance from the 50-foot Compatibility Zone requirement in Section 220 of the Land Development Code.

On April 1, 2026, The Planning Commission recommended approval of this request (7:0 Approval).

### Analysis:

On November 5, 2024, The Board of County Commissioners approved a Comprehensive Plan text Amendment to establish the Wahneta Main Street Commercial (MSC) Overlay District. This amendment, which was initiated by the County and the request of area property owners, added new policies, plus mapped the Overlay on the Future Land Use Map. The purpose and intent of these changes is to promote the redevelopment of properties along Rifle Range Road and provide a focal

point for non-residential activities in Wahneta by allowing for a “main street” of non-residential development, thereby implementing the Basic Principles identified in the Wahneta Neighborhood Plan.

As part of the new policy that established the Overlay, there is a requirement that land development regulations be created to implement this provision. This proposed amendment to the Land Development Code contains the proposed regulations.

After adoption of the text amendment, the next step in the process was to obtain community input on the proposed regulations. On April 10, 2025, a community meeting was held at the Guadalupe Mission Catholic Church on Bomber Road in Wahneta that was conducted by the Central Florida Regional Planning Council (CFRPC) and Land Development Division staff.

Listed below is the summary of the meeting, included as part of the Summary document prepared by the CFRPC staff and included with this report:

*“The April 10, 2025, Wahneta community meeting provided a valuable platform for residents, business owners, and stakeholders to share ideas and concerns about the future of the area. Overall, community members are eager to see new businesses and revitalization efforts that enhance the character and economic vitality of Wahneta. There is a desire for adaptable development regulations (such as setbacks, compatibility zones, and parking) to better accommodate site-specific needs and encourage reinvestment. The community showed a clear preference for simplified regulations to encourage investment and revitalization within the Wahneta Main Street Commercial (MSC) Overlay.*

*A major theme raised was the condition of Rifle Range Road, which many felt is currently inadequate for the volume of traffic and unsafe for pedestrians and cyclists. As the area grows, residents want to see infrastructure improvements but expressed concern about the potential impact on nearby businesses if road widening is pursued.*

*The meeting reflected a community that is eager for positive change but also mindful of the need for balanced, context-sensitive planning that protects local character and ensures accessibility for all.”*

Based on this input, the proposed ordinance was created, and includes the following provisions:

1. Allowed Uses – the Overlay contains a list of allowed uses. These allowed uses are in addition to the list of permitted and conditional uses already listed in Table 4: Wahneta Neighborhood Plan - Use Table (Allowable Uses and Districts) for the underlying Future Land Use Districts.
2. Conditional Use Standards – This section outlines the following:
  - Level of Review (C1 or C2)
  - Additional Requirements
  - Exemption of certain use-specific development requirements contained in either Section 303 Conditional Use Standards and/or other provisions of the Wahneta Neighborhood Plan.
3. Review/Approval Process – Outlines the process for uses listed in the Section L1. that are not already listed in Table 4 within the NACX and LCCX Land Use Districts.
4. Right-of-Way Setbacks – This section allows for reductions in the right-of-way setback to promote flexibility in site design and promote a more urban, walkable community.

5. Compatibility Zone – A reduction in the required Compatibility Zone is provided for (up to 25 feet), subject to approval as a variance by the Land Use Hearing Officer.
6. Signage - Within the Overlay, Pole-mounted Free-standing Signs would be prohibited, with only Ground-mounted Free-standing and Monument Signage allowed.
7. Parking - No food truck parking shall be allowed in parking lots that receive the 60% reduction per Section 403.01. F.9. unless additional spaces are included for the food truck and related parking.

At the March 4, 2026, Planning Commission meeting, there was discussion about insurance industry requirements for distances between structures. There was also discussion about the need for specific standards for considering variance requests from Section 220 (Compatibility Standards) of the Land Development Code. In response, the proposed ordinance has been revised to provide criteria for use by the Land Use Hearing Officer to consider in determining whether to grant a variance (see below).

5. Compatibility Zone:

b. A reduction of the Compatibility Zone from the required from 50 feet to a maximum of 25 feet may be allowed, subject to approval as a variance by the Land Use Hearing Officer. In order to authorize this variance, the Land Use Hearing Officer shall consider the following factors in addition to those in Section 931:

- 1) Whether the dimensions of the subject parcel(s) prevent the reasonable use of the land;
- 2) Whether the location of the buildings on the proposed site plan would adversely impact existing buildings to the north and south of the site;
- 3) Whether granting the variance would adversely impact adjoining residentially designated and used properties; and
- 4) Whether the intensity of the requested use would adversely impact adjoining properties.

### **Benefit-Cost Analysis of the Amendment**

*Who does it help?*

This amendment directly benefits landowners of residential and institutional properties that are in the Main Street Corridor Overlay. By allowing certain types of neighborhood commercial and office uses, there will be increased opportunities available for property to be developed or redeveloped, thereby promoting development activity and potentially new businesses in Wahneta. The proposed regulations are also intended to provide a greater flexibility in site design than typically permitted in other areas of the County.

*Who does it hurt?*

There is the potential for existing residents living next to the Overlay to deal with impacts caused by new activity along the Corridor. However, because the new regulations still require that the compatibility provisions in Section 220 of the Land Development Code must still be met, the potential for any adverse impacts should be minimized.

*What is the cost?*

Any new development/redevelopment within the Overlay will be restricted to only ground-mounted free-standing and monument signage. This requirement may result in additional cost. Also, any site that has already obtained the 60% parking space allowed in Wahneta but subsequently wants to contain a food truck must then provide additional parking to account for the food truck use.

### **Limits of the Proposed Ordinance**

The proposed ordinance is limited to amending the County's Land Development Code to implement the requirements found in Section 2.134-A, Wahneta Neighborhood Plan, by:

Policy 2.134-A4 Main Street Commercial Overlay, by:

- Adding Policy 2.134-A4, Main Street Commercial Overlay.
- Reinstating Table 3, Wahneta Neighborhood Plan Temporary Uses Modifications.

### **Consistency with the Comprehensive Plan**

#### *POLICY 2.134-A4: MAIN STREET COMMERCIAL OVERLAY*

*A. Purpose And Intent - The purpose of the Wahneta Main Street Commercial (MSC) Overlay is to promote the redevelopment of properties along Rifle Range Road and provide a focal point for non-residential activities in Wahneta for a Mainstreet of non-residential development. The intent of the Overlay is to specifically allow for the implementation of the following Vision Basic Principles as identified in the Wahneta Neighborhood Plan and as revised below:*

- *Allow for a changing development environment based on pending impacts of the Thompson Nursery Road expansion.*
- *Work with the residents of Wahneta to develop an updated community strategy to encourage beautification and further define a sense of place based on the expected impacts of the Thompson Nursery Road expansion.*
- *Allow greater flexibility for the development of small businesses and community service providers to meet the changing needs of the community through a conditional use process in residential land use designations.*
- *Encourage the development of diverse employment opportunities to attract businesses that will enable the community to become self-sufficient and enhance the quality of life of the residents that is unique to Wahneta.*
- *Develop multi-modal transportation design and development standards for pedestrians, bicycles, trails, bus service, and vehicles. These standards will enable the community to encourage a more pedestrian-oriented community, particularly along the Rifle Range Road and Bomber Road corridor, while allowing for economic development that will enhance and compliment the community's workforce and residents' diverse heritages.*

*B. Designation and Mapping – The Main Street Commercial (MSC) Overlay shall only be allowed in the Wahneta Neighborhood Plan. The MSC Overlay includes the non-residential future land use*

*designations along Rifle Range Road and selected residential areas to allow for a transition to non-residential uses, such as neighborhood commercial, office, and neighborhood-oriented institutional. Any Future Land Use designation mapping changes in the Overlay shall require a Comprehensive Plan Amendment.*

*C. Overlay Locational Criteria:*

*1. Frontage and Depth Requirements - Properties in the MSC Overlay must be of the same depth as the adjoining non-residential future land use designations. The intent of this provision is to ensure that non-residential uses are not extended into residentially designated areas further away from Rifle Range Road.*

*2. Expansion Criteria – Any extension of the MSC Overlay along Rifle Range Road shall be prohibited until such time as a holistic review of the Wahneta Neighborhood Plan is completed. Infilling of the MSC Overlay shall be limited to a depth which corresponds to the typical depth of existing development within the general area of the infill development.*

*D. Allowed Conditional Use – The following uses may be allowed in the Residential and Institutional Future Land Use designations in the MSC Overlay per the review requirements and development standards of the Land Development Code:*

*1. Residential - Multi-family*

*2. Non-Residential - Non-residential uses may include, but are not limited to, grocery stores, personal service shops, restaurants, specialized and general retail, medical and professional offices, cultural facilities, community centers, churches, schools, community-oriented policing substations, and day care centers.*

*E. Development Criteria – Development or redevelopment within the MSC Overlay shall conform to the review requirements and development standards of the Land Development Code and be subject to the following density and intensity standards*

*:*

*1. The maximum floor area ratio shall not exceed 0.35 for non-residential development.*

*2. Residential development shall not exceed 10.00 dwelling units per acre.*

*F. Current Future Land Use Designations – The MSC Overlay does not divest any current Future Land Use designation the rights provided it in the Comprehensive Plan and the Land Development Code or the Wahneta Neighborhood Plan. This provision is included to preserve the ability for property owners to utilize their previously allowed uses to preserve their property rights.*

*G. Land Development Code - Polk County shall implement the provisions of this policy by creating flexible development regulations to incentivize development and redevelopment in the MSC.*

The ordinance implements Section 2.134-A - Wahneta Neighborhood Plan Policy 2.134-A4: Main Street Commercial Overlay, specifically Policy 2.134-A4.G: Main Street Commercial Overlay – Land Development Code, by creating flexible development regulations to incentive development and redevelopment in the Corridor.

**Comments from Other Agencies:** Wahneta Commercial Overlay Meeting Summary, prepared by the Central Florida Regional Planning Council.

**Draft Ordinance:** Under separate attachment

Exhibit 1 – Section 220, Compatibility Standards

Exhibit 2 – Compatibility Standards Diagrams

**Section 220 Compatibility Standards (Revised 05/15/18; Ord. 18-031; 5/15/02 - Ord. 02-22; 2/11/02 - Ord. 02-04)**

The provisions of this Section shall apply to all non-residential development within 50 feet of an existing residence or property designated as Agricultural/Residential Rural (A/RR), Residential Suburban (RS), Residential-Low (RL-1, RL-2, RL-3, RL-4), Residential-Medium (RM), Residential High (RH) or Rural Cluster Center-Residential (RCC-R) by the Future Land Use Map Series. Only the portion of the development within the 50-foot compatibility area shall be subject to the requirements of this Section.

**A. Signage**

Signage shall be attached to the building or shall be limited to signs of 24 square feet in area and ten feet in height. Internal illuminated signs shall be prohibited.

**B. Lighting**

Exterior lighting shall be designed to minimize light trespass from non-residential structures and parking facilities onto adjacent residential properties and into rights-of-way except at the vehicular entrances into developments. Electrical reflectors, spotlights, floodlights, and other sources of illumination may be used to illuminate buildings, landscaping, signs, parking and loading areas, on any property provided they are equipped with proper lenses or other devices concentrating the illumination upon the building, landscaping, signs, parking and loading areas, on any property, and preventing any bright, direct illumination upon adjacent property or any public right-of-way. Lighting fixtures shall be recessed or designed with shields which prevent direct view of the light sources from adjacent property boundaries.

A lighting plan shall be required for all non-residential development proposing light fixtures within 50 feet of existing residential properties or residential districts. The plan shall clearly demonstrate that there will be no increase in ambient lighting into existing residential properties and residential districts.

The lighting plan shall include the following elements:

1. No light source shall be located closer than 15 feet from any property line, excluding public rights-of-way.
2. Mounting heights for exterior lights shall not exceed 30 feet in height within a parking lot and 15 feet within adjacent non-vehicular pedestrian areas.
3. Maximum maintained illumination levels measured at finished grade on an adjoining residential property of the project in question shall average no more than 0.5 foot-candles (fc) at the property line and shall not exceed 0.1 fc at 10 feet beyond the property line.
4. Potentially adverse effects of parking area lighting or of other light sources from the property on which the non-residential use is to be located shall be eliminated or prevented so that lights do not illuminate adjacent residential property or shine into any residential window per the standards of Section 220.E.

**C. Buildings**

Non-residential buildings shall not be located within the 50-foot compatibility area.

**D. Prohibited Uses/Activities**

The following are prohibited within the 50-foot compatibility area:

1. Dumpsters, except temporary construction dumpsters.
2. Outdoor sales, storage, or display.

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## Section 220, Compatibility Standards

3. Air conditioning units greater than five tons. If said unit has a capacity of less than five tons, the unit shall be located to reduce off-site impacts.
4. Loading facilities/structures.
5. Drive-thru facilities.
6. Grease Traps
7. Wastewater lift stations.
8. Gasoline pump islands

**E. Additional Screening and Buffering for Parking Areas**

When vehicle parking is located within 50 feet of a residential structure or platted residential lots with a lot depth of less than 200 feet, the parking area shall require a minimum setback of 15 feet and additional landscaping with specific types of plantings required to minimize noise, light and visual effects upon neighboring residential properties. The following shall be applied in addition to the standard buffer required:

1. For noise reduction: evergreen plantings shall be required with thick foliage covering from ground level to a minimum of 12 feet in height at maturity and spaced to provide overlapping branches within two years after planting.
2. For minimizing ambient light: well foliated, non-deciduous canopy trees spaced to provide overlapping branches within five (5) years after planting and a hedge row to reach 100% opacity above 4 feet within three (3) years to block vehicle lights.
3. For visual effects: decorative plantings, that seasonally flower, staggered between buildings and property line(s) at eight trees per 100 linear feet.

**F. Commercial Vehicles**

Along drive aisles and where commercial vehicles may park or travel within 50 feet of a residential property line there shall be a wall or sound reducing opaque fence of at least eight (8) feet in height or greater. Where there are grade separations in which the drive aisles, parking, loading occur that are lower than the residential properties, wall height may be adjusted.

**G. Linear Commercial Corridor and Commercial Enclave**

In addition to the other requirements of this section, these requirements shall apply to all new development and redevelopment of LCC and CE properties:

1. New development or redevelopment of non-residential uses within a Linear Commercial Corridor and Commercial Enclave shall be limited to the intensities of uses at the same or less intensity as adjacent existing uses.

**H. Large Loading/Unloading Areas and Accessory Truck Parking Areas**

For docking facilities and areas where loading and unloading of goods and materials is conducted that have four (4) or more bay door openings and any associated truck or trailer parking areas abutting residential<sup>1</sup> property, the following shall be required for minimizing vehicular lights and noise reduction:

1. Fencing - An 8-foot opaque fence, limited to solid PVC fences, solid wooden fences, or solid masonry walls shall be required setback 30 feet from any residential<sup>1</sup> property line.
2. Additional Buffering - The required buffer plantings in Section 720 of this code shall be required on the outside side of the fence (as required in section H.1 above) between the fence and the

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property line. The plantings shall include evergreen plantings with thick foliage covering from ground level to a minimum of 12 feet in height at maturity and spaced to provide overlapping branches within two years after planting. Existing native mature vegetation shall be incorporated into the landscape Buffer where possible.

3. Building setback - The setback shall be a minimum of 100 feet from residential<sup>1</sup> property lines for the buildings with loading and unloading bays.
4. Truck Parking - No commercial vehicle or trailer shall be parked within the 50 feet of the residential<sup>1</sup> property lines.

<sup>1</sup> Residential Property is property designated as Agricultural/Residential Rural (A/RR), Residential Suburban (RS), Residential-Low (RL-1, RL-2, RL-3, RL-4), Residential-Medium (RM), Residential High (RH), or Rural Cluster Center- Residential (RCC-R) Future Land Use districts and non-residential districts with an existing residence within 200 feet of the abutting property line.

(Ord. No. 2021-015, § 2, 3-16-2021; Ord. No. 2025-008, § 2, 2-4-2025)

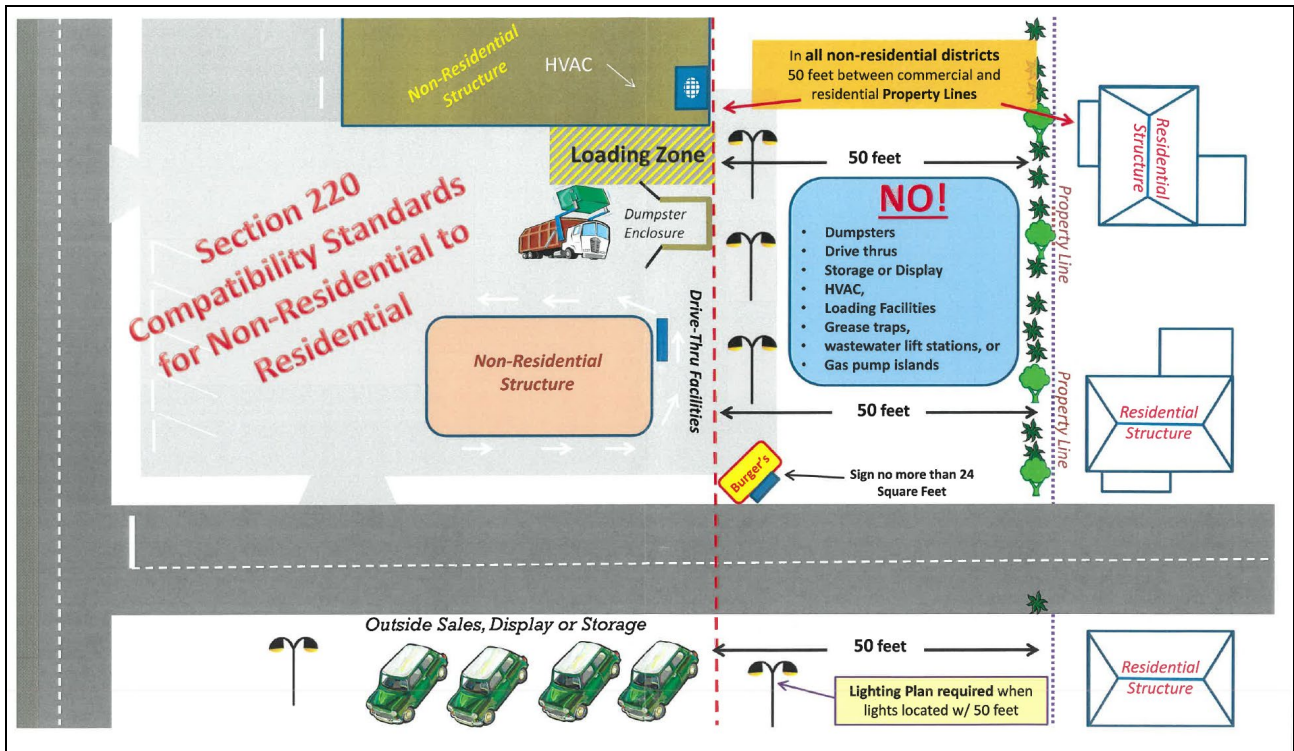
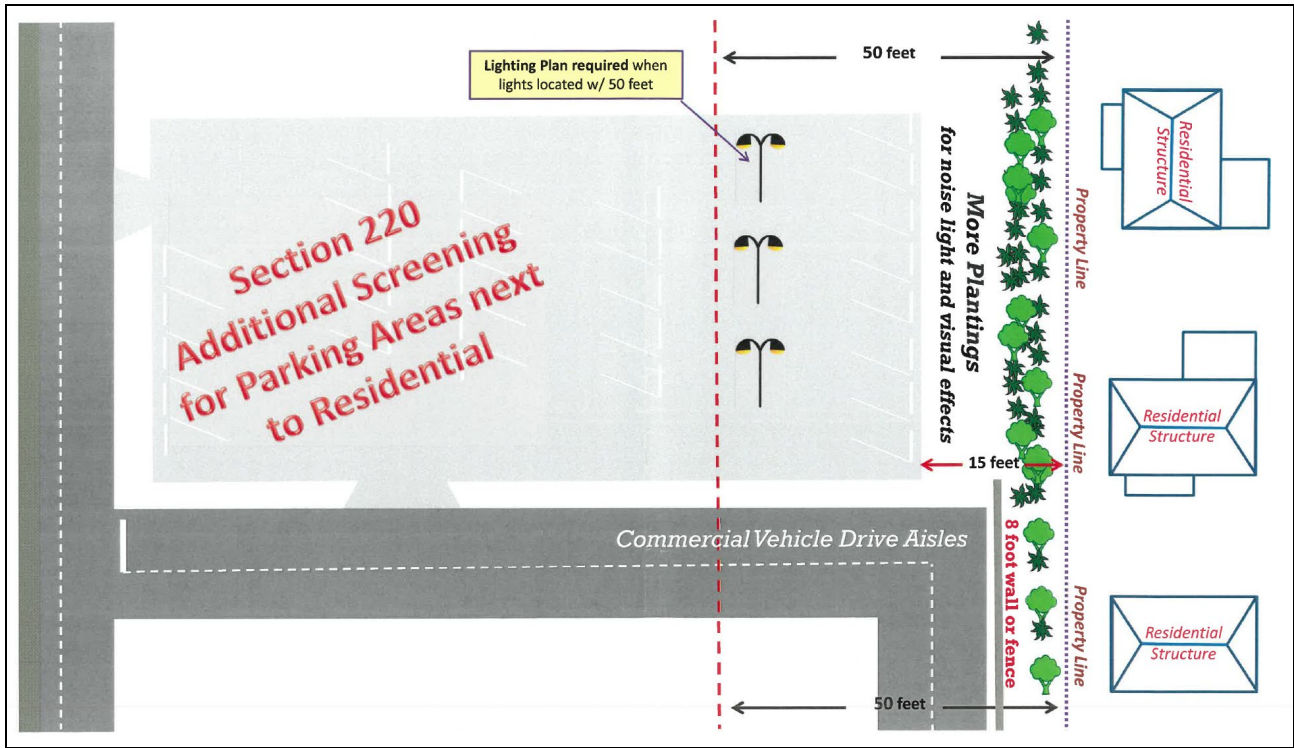
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## Section 220, Compatibility Standards



## Compatibility Standards Diagrams