

POLK COUNTY DEVELOPMENT REVIEW COMMITTEE STAFF REPORT

DRC Date:	June 6, 2025	Level of Review:	Level 4 Review
PC Date:	August 6, 2025	Type:	LDC Text Amendment
BoCC Date:	September 2, 2025	Case Numbers:	LDCT-2025-16
	September 16, 2025	Case Name:	Heavy Machinery Equipment Sales and Services Text Amendment
Applicant:	Peterson & Myers PA, Shelton Rice	Case Planner:	Kyle Rogus

Request:	An applicant-initiated LDC Text Amendment to Chapter 4, Section 403.01.C, Table 4: Wahneta Neighborhood Plan – Use Table to add “Heavy Machinery Equipment Sales and Services” as a conditional use in the Industrial-X (IND-X) land use district.
DRC Recommendation:	Approval
Planning Commission Vote:	7-0 Approval

Summary:

This Land Development Code (LDC) text amendment is to allow “Heavy Machinery Equipment Sales and Services” within the Industrial-X (IND-X) land use districts. Currently, “Heavy Machinery Equipment Sales and Services” is a permitted use in the IND district elsewhere in the County, however is not permitted in the IND-X district in the Wahneta Neighborhood Plan. “Heavy Machinery Equipment Sales and Services” is defined in Chapter 10 of the LDC as, “Establishments primarily engaged in the retail sale, leasing and service of new or used trucks (greater than 2 ton load capacity) and heavy machinery and equipment. This includes any warranty repair work and other repair service conducted as an accessory use that may require outdoor storage, or have the potential for greater nuisance to adjacent properties due to noise, light, glare, or odor than light repair uses. Heavy machinery equipment includes, but is not limited to earth movers, cranes and similar size vehicles, machinery and equipment.”

Allowing “Heavy Machinery Equipment Sales and Services” as a conditional use will better support the Vision Basic Principles and Objectives established for the Wahneta Neighborhood Plan in the Polk County Comprehensive Plan by creating opportunities for small businesses and new employment opportunities. Facilities providing “Heavy Machinery Equipment Sales and Services” within an IND-X land use district in the Wahneta Neighborhood Plan will now require a Level 2 Review and approval subject to special conditions.

Relevant Sections, Policies, and/or Regulations to Consider:

Comprehensive Plan Section 2.113 Industrial

LDC Section 204 Standard Land Use Districts

LDC Section 205 Use Table for Standard Land Use Districts

LDC Section 403.01 Use Table for Wahneta Neighborhood Plan – Use Table

LDC Section 905 Level 2 Review

Findings of Fact

- *This is an applicant-initiated request for a Land Development Code (LDC) Text Amendment to Chapter 4, Section 403.01.C, Table 4: Wahneta Neighborhood Plan – Use Table, to add “Heavy Machinery Equipment Sales and Services” as a conditional use in Industrial-X (IND-X) land use district.*
- *“Heavy Machinery Equipment Sales and Services” is defined in Chapter 10 of the LDC as, “Establishments primarily engaged in the retail sale, leasing and service of new or used trucks (greater than 2 ton load capacity) and heavy machinery and equipment. This includes any warranty repair work and other repair service conducted as an accessory use that may require outdoor storage, or have the potential for greater nuisance to adjacent properties due to noise, light, glare, or odor than light repair uses. Heavy machinery equipment includes, but is not limited to earth movers, cranes and similar size vehicles, machinery and equipment.”*
- *Chapter 2, Section 204.C6 states, “The purpose of the IND district is to provide areas for general manufacturing, processing, and distribution of goods. General commercial uses necessary to support the industrial area are also permitted.”*
- *Comprehensive Plan Policy 2.113-A1 states, “Industrial lands are characterized by facilities for the processing, fabrication, manufacturing, recycling, and distribution of goods, and may contain any use also found within a Business-Park Center. However, land use activities that operate externally to enclosed structures may be permitted within an Industrial Future Land Use designation. Industrial districts are also the appropriate location for land use activities that produce significant amount of noise, odor, vibration, dust, and lighting on and off-site that do not produce a physical product.”*
- *Comprehensive Plan Section 2.101A goal is “To achieve an economically viable, efficient, safe, and quality-living environment through balanced and compact growth, while encouraging the efficient use of land, community infrastructure and protecting and managing the community's natural resources by showing the proposed distribution, location, and extent of future land uses by type, density, and intensity; while providing essential services in a cost effective manner.”*
- *Comprehensive Plan Policy 2.101A-A2 states, “Maintain a set of specific and detailed Land Development Regulations, which implement and provide consistency with the goals, objective, and policies of the Polk County Comprehensive Plan.”*

- *Comprehensive Plan Section 2.134-A Vision Basic Principles No. 9 of the Wahneta Neighborhood Plan states, “Allow for greater flexibility for the development of small businesses and community service providers to meet the diverse needs of the community.”*
- *Comprehensive Plan Section 2.134-A Vision Basic Principles No. 10 of the Wahneta Neighborhood Plan states, “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.”*
- *Table 2.1 of the LDC outlines permissible uses within standard land use districts. Table 403.01.C outlines the permissible and conditional uses for each land use district within the Wahneta Neighborhood Plan. “Heavy Machinery Equipment Sales and Services” is a use in both tables.*
- *Table 2.1 allows “Heavy Machinery Equipment Sales and Services” within the following standard land use districts:*
 - *Linear Commercial Corridor (LCC) as a C2 Conditional Use (CU)*
 - *High-Impact Commercial Center (HIC) as a P*
 - *Business Park Center-2 (BPC-2) as a C2 CU*
 - *Industrial (IND) as a P*
 - *Phosphate Mining (PM) as a C2 CU*
- *Table 403.01.C allows “Heavy Machinery Equipment Sales and Services” within the following standard land use districts:*
 - *Linear Commercial Corridor-X (LCCX) as a C2 Conditional Use (CU)*
 - *Business Park Center-2X (BPC-2X) as a C2 CU*
- *Comprehensive Plan Policy 2.113-A4 states, “Development within an Industrial area shall conform to the following criteria:*
 - a. *Permitted uses include facilities for the processing, fabrication, manufacturing, recycling, bulk material storage, and distribution of goods, disposal yards, and limited retail commercial in accordance with Policy 2.113-A4.b. Other non-residential uses that produce significant amounts of noise, odor, vibration, dust, and lighting on and off-site may be permitted within an industrial district through conditional approval. Permitted uses also include any use found within a Business-Park Center.*

- b. *Retail commercial uses within an industrial area shall be sized for the purpose of serving just the employees of, and visitors to, the industrial area, and shall be limited to a scale appropriate for that purpose. The maximum floor area ratio for commercial uses within an industrial area shall not exceed 0.25.*
- c. *Industrial sites shall be designed to provide for:*
 - 1. *adequate parking to meet the demands of the use; and*
 - 2. *buffering where the effects of lighting, noise, odors, and other such factors would adversely affect adjacent land uses. Parking lots, loading areas, dumpsters, utilities and air conditioning units, signage, etc., are examples of facilities which may require special buffering provisions.*
- d. *The maximum floor area ratio for non-commercial uses within an Industrial area shall not exceed 0.75 in the TSDA, 0.65 in the UGA, 0.50 in the SDA, and 0.50 in the RDA, unless developed as a Planned Development.*
- e. *Retail sale of goods manufactured on the site of a business located within an Industrial area is allowed provided the operation is incidental and subordinate to the manufacturing activity conducted on site and does not exceed eight percent (8%) of the total floor area or 15,000 square feet, whichever is the lesser.*
- f. *Where centralized water or wastewater services are not available, the maximum impervious surface ratio shall be reduced to afford better protection and function of well and septic tank systems and as required if within a Nutrient Restoration Plan Overlay.*
- g. *Planned Developments within the Industrial district may be permitted a maximum floor area ratio up to 1.5 for innovative and attractive employment centers. Intensity increases shall be reserved for those uses that provide substantial economic income opportunities for the County and its residents. Intensity increases shall only be granted to parcels within the TSDA and UGA. The Land Development Code shall establish development standards and criteria for Planned Developments within the Industrial district.*
- h. *Industrial districts shall be separated from existing schools and developed residential areas through physical separation, screening, buffering, or a combination thereof, consistent with the standards in the County's Land Development Code.*
- i. *Workforce housing for unaccompanied workers in barrack, dormitory, or apartment units under specific design parameters listed in the Land Development Code not to exceed an intensity of thirty-two (32) workers per acre or the limitations established by the Department of Health for water and wastewater usage, whichever allowed intensity is the lesser.”*

- *According to Table 403.01.C of the LDC, “Heavy Machinery Equipment Sales and Services” is not a permitted use in IND land use districts.*

The Land Development Division, based on the information provided with the proposed text amendment application, 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-2025-16**.

Analysis:

Outside the Wahneta Neighborhood Plan, “Heavy Machinery Equipment Sales and Services” is a permissible use within the standard Industrial (IND) land use district and aligns with the intent of the district, which is “the appropriate location for land use activities that produce significant amount of noise, odor, vibration, dust, and lighting on and off-site that do not produce a physical product.” “Heavy Machinery Equipment Sales and Services” which is defined as “establishments...[that] have the potential for greater nuisance to adjacent properties due to noise, light, glare, or odor than light repair uses.”

By introducing “Heavy Machinery Equipment Sales and Services” as a conditional use in the IND-X district, the Wahneta Neighborhood Plan will achieve consistency with the uses and policies that are typical of industrial districts, as well as the vision and policies contemplated for the Wahneta Neighborhood Plan. Ultimately, this amendment will alleviate inconsistency created by allowing relatively intensive uses in less restrictive districts. “Heavy Machinery Equipment Sales and Services” are a permitted use in IND-X district in the following Selected Area Plans: North US 27 SAP; US Highway 98 SAP; North Ridge SAP; and, is allowed as a Level 2 Conditional Use in the Southeast Polk Selected Area Plan.

Two of the Vision Basic Principles in the Wahneta Neighborhood Plan are 1: to allow for greater flexibility for the development of small businesses and community service providers to meet the diverse needs of the community and 2: to 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. Allowing Heavy Machinery Equipment Sales and Services as a conditional use will better support the Vision Basic Principles and Objectives established for the Wahneta Neighborhood Plan in the Polk County Comprehensive Plan. Expanding the uses permitted in the IND-X creates opportunities for small businesses to utilize existing IND-X districts for uses that are currently lacking in the Wahneta Neighborhood. Furthermore, this change will attract new businesses and expand service offerings in the area. Finally, broadening uses in the IND-X district will create new employment opportunities within the Wahneta Neighborhood Plan.

Limits of the Proposed Ordinance

The effects of this amendment are restricted to “Heavy Machinery Equipment Sales and Services” in IND-X districts in the Wahneta Neighborhood Plan.

Consistency with the Comprehensive Plan & Land Development Code

The request is consistent with the Comprehensive Plan and the Land Development Code. No use is being proposed within a land use designation for which it was not intended. This is a policy change pertaining to the permitted uses in IND-X districts in the Wahneta Neighborhood Plan.

Comments from Other Agencies: None

Draft Ordinance: Under separate attachment