

# LDCT-2025-16

## Heavy Machinery Equipment Sales and Services LDC Text Amendment

### Agenda Item 3

DRC Recommendation: **Approval**

**Legal Ad Published 6/23 – No Response.**

**BoCC Dates: 9/2 & 9/16**

**DRC Recommends Approval**

**Request:**

This is 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 Industrial-X (INDX) land use District.

***- SECTION 2: Chapter 4, Section 403.01.C, Table 4: Wahneta Neighborhood Plan – Use Table***

	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X	HICX	INDX	INST-1X	INST-2X
Heavy Machinery Equipment Sales and Services			C2				C2		<u>C2</u>		

- Heavy Machinery Equipment Sales and Services are allowed in other districts in the County outside of an SAP (LCC, HIC, BPC-2, IND, and PM).***
- Permitted use in the following Selected Area Plans: North US 27 SAP; US Highway 98 SAP; North Ridge SAP; and , is allowed as a conditional use in the Southeast Polk SAP.***
- Consistent with the Land Development Code and Comprehensive Plan.***
- Consistent with the Vision Basic Principles in the Wahneta Neighborhood Plan.***



# **Industrial (IND) Land Use District**

## **The Purpose:**

- “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:**

- “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...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.”

## **Heavy Machinery Equipment Sales and Services:**

- “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.”

# **Industrial (IND) Land Use District**

## **Findings:**

- *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 Retail, Home Sales Offsite 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*
- *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.”*

## *Section 401.08, Table 401.08.01*

	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X	HICX	INDX	INST-1X	INST-2X
Heavy Machinery Equipment Sales and Services			C2				C2		<u>C2</u>		

### **\*\*\*The Proposal:**

- *This 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 (INDX) land use will give consistency with purpose and characteristics of the Industrial district and implement principles No. 9 & 10 of the Wahneta Neighborhood Plan.*
- *Allowing relatively intensive uses in less restrictive districts.*
- *Require the imposition of development criteria in order to ensure that they are not harmful to the health, safety, and welfare of residents, surrounding uses and surrounding properties.*



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### *Staff Recommends Approval*

- *Consistent with the Land Development Code and Comprehensive Plan*
- *Heavy Machinery Equipment Sales and Services are allowed in other districts in the County outside of an SAP (LCC, HIC, BPC-2, IND, and PM).*
- *Permitted use in the following Selected Area Plans: North US 27 SAP; US Highway 98 SAP; North Ridge SAP; and , is allowed as a conditional use in the Southeast Polk SAP.*
- *Consistent with the Vision Basic Principles in the Wahneta Neighborhood Plan.*
  - *“Allow for greater flexibility for the development of small businesses and community service providers to meet the diverse needs of the community.”*

