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Narrative & Justification Statement Land Development Code Text Amendment

Mixed-Use @ US192 & Town Center Blvd
(Parcel ID No. 26-25-01-000000-013050)

Description of Project/Request:

The property owner, Punam, LLC, is proposing a Land Development Code Text Amendment to amend Section 401.03, Table 4.8 Use Table for U.S. 27 Selected Area Plan Land Use District, to allow Vehicle Service, Mechanical use in RACX. Punam, LLC, owns the property and desires to build a 1,625 SF oil change on parcel 26-25-01-000000-013050. The property is zoned RACX (Regional Activity Center – North US 27 Selected Area Plan). The oil-change use is classified as “Vehicle Service, Mechanical” in Polk County. The use is not permitted within RACX.

We request to amend Chapter 4, Special Districts, of the Polk County Land Development Code, Polk Ordinance No. 00-09, as amended, in the following manner (also see attached Strike Through & Underline full code section):

Section 401.03 -North US 27 Selected Area Plan

Table 4.8 Use Table for U.S. 27 Selected Area Plan Land Use District (For revision history, please see last row of table. Newer ordinances appear table.)

Green Swamp ACSC Districts Outlined in shaded in grey	TCX	RACX	PIX	OCX	RHX	RMX	RL-1X	RL-2X	RL-3X	RL-4X	INSTX	NACX	TCX	RACX	PIX	NACX	RHX	RMX	RL-1X	RL-2X
Vehicle Service, Mechanical	C3											P	C3	P		P				

The proposed allowance of Vehicle Service, Mechanical uses within the Regional Activity Center – X (RACX) district is consistent with the intent, function, and scale of development envisioned for regional activity centers and represents a logical extension of uses already permitted within lower-intensity activity center classifications such as Neighborhood Activity Center – X (NACX).

Polk County’s activity centers are structured as a hierarchy, where:

- **NACX** serves neighborhood-scale commercial needs, and
- **RACX** accommodates **higher-intensity, regionally oriented commercial uses**

Given this hierarchy, RACX is intended to allow **a broader and more intensive range of commercial activities** than NACX. Allowing Vehicle Service, Mechanical uses in NACX—but not RACX—creates an inconsistency whereby:

- A **lower-intensity district** permits a use
- While a **higher-intensity district** prohibits it

This is counter to standard land-use planning principles, in which higher-tier districts typically allow all uses permitted in lower-tier districts, plus additional uses.

Justification Statements:

Pursuant to the Polk County Land Development Code, the County shall be guided by the following review criteria when rendering a decision on an application for Level IV (4) Review. The applicant's land planning and civil engineering consultant offers the following findings in support of this application:

1. The compatibility of non-residential uses near or adjacent to residential land uses or vacant land designated as residential.
 - | *The property is compatible with the surrounding properties. The property fronts US-192, and the properties to the east and west are designated RACX. The property to the south is an FDOT drainage pond that provides over 400 feet of natural buffer from the commercial property to the residential uses.*
2. The compatibility of proposed residential uses in proximity to existing residential densities of a significantly different density.
 - | *Not Applicable, the request is a commercial use.*
3. Where there are specific characteristics of the proposal which may result in potential adverse off-site impacts. Site characteristics such as a dumpster, driveway, drive-through window, or buffer will be reviewed to determine compatibility and possible mitigation of impacts not deemed compatible.
 - | The site is designated for Regional Commercial uses, which includes more intense uses than NACX designation, the request to add "Vehicle Service, Mechanical" as a permitted use to Section 401.03, Table 4.8 Use Table for U.S. 27 Selected Area Plan Land Use District. The proposed change is not anticipated to generate any adverse related impacts. If potential adverse off-site impacts are determined to be present, the development will be properly mitigated in accordance with the Code and will not pose any problems to adjacent neighbors nor transient users.
 - | With respect to compatibility, RACX is specifically designed to accommodate auto-oriented and high-intensity commercial uses located along major transportation corridors and within large-scale commercial nodes. Vehicle Service, Mechanical uses are inherently consistent with these characteristics, as they:
 - Rely on high traffic volumes and vehicular access
 - Operate within similar intensity ranges as other RACX-permitted uses
 - Are typically integrated into commercial centers with appropriate internal circulation and buffering
4. The effects of noise, vibration, air pollution, glare, and odor may adversely impact the use of adjacent properties shall be reviewed and, where appropriate, conditions for mitigation imposed.
 - | All parts of the perspective development will be properly buffered as prescribed by the Land Development Code. The purpose of buffers as defined by the code are to minimize the adverse impact of on-site activities and to surrounding less intense land uses.
 - | Additionally, RACX districts generally provide greater separation from sensitive residential uses and allow for enhanced site design measures (e.g., increased setbacks, screening, and buffering), which further mitigate potential impacts such as noise, visual effects, and operational activity.
5. Whether the requested development meets the minimum development standards as stated in this Code, and other County development regulations; and to provide for compatibility; and
 - | The proposed amendment to allow Vehicle Service, Mechanical uses within the RACX (Regional Activity Center – X) district will continue to meet the minimum development standards of the Polk County Land Development Code and associated County regulations, while also maintaining and enhancing compatibility with surrounding uses.

- | The RACX district is intended to accommodate high-intensity, regionally oriented commercial development, and all uses within this district remain subject to the applicable standards of the Code, including but not limited to:
 - Dimensional requirements (setbacks, height, lot coverage)
 - Landscaping and buffering standards
 - Access management and circulation requirements
 - Parking, loading, and operational criteria
 - Supplemental use regulations and site plan review
 - | The addition of Vehicle Service, Mechanical as a permitted use does not alter or waive any of these requirements. Rather, any such development will be required to demonstrate full compliance with all applicable Code provisions during site plan review and permitting, thereby ensuring adherence to minimum development standards.
6. The development plan and impacts are outlined in an Impact Assessment Statement which mitigates any impacts of the project and is prepared pursuant to LDC Section 910.
- | *Not Applicable.*

Should you have questions, please contact Evan Futch at (386) 214-6533 or by email at efutch@mcadamsco.com.

Respectfully,



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