

Section 403**Neighborhood Plan Districts, Established (Revised 01/18/05 Ord. 04-22)****A. *Purpose and Intent***

A special district may be established as the result of a Neighborhood Plan (NP), which has been reviewed and adopted by the Board of County Commissioners. The Neighborhood Plan Districts are mapped on the Future Land Use Map Series (FLUMS). Development regulations for a neighborhood plan are to be applied in conjunction with the requirements of the Polk County Comprehensive Plan and the development regulations contained elsewhere in this Code. The regulations contained in this Code apply unless otherwise provided for in this Chapter. Where conflict occurs between the NP district regulations and other regulations of this Code, the NP district regulations shall guide and regulate development.

B. *Applicability*

Neighborhood Plan (NP) districts established below are based upon the Neighborhood Plan (NP) policies and provisions in the Comprehensive Plan. Each NP specifies the Future Land Use Districts permitted within their boundaries, and are reflected in the Future Land Use Map Series (FLUMS). The suffix “X” in the land use district abbreviation indicates that each standard district has been modified. Permitted or conditional uses within each district, are shown on the Use Tables for each individual NP. The district description and intent is the same as those for the Standard Land Use districts in Section 203 and 204, of the Land Development Code, except as modified by the Comprehensive Plan or this Chapter. In addition, conditional uses are listed in Section 303.

C. *Linked Recreation and Open Space System*

Development in all Neighborhood Plans shall provide a linked recreation and open space system as outlined in the Polk County Comprehensive Plan. The purpose of the system is to provide appropriate linkages between on-site passive and active recreation and open space.

1. Recreation and open space shall comply with the Chapter 10 definition and Section 750, of the Land Development Code.
2. Recreation and open space linkages shall be made possible by inclusion of a pedestrian path or sidewalk and appropriate easements.

D. *Development in Established Neighborhood Plans*

Development in all Neighborhood Plans shall comply with the land use tables and requirements of this Chapter in addition to all other development standards of this Code. When a Planned Development or Conditional Use is requested, it shall be reviewed and processed in accordance with Chapters 3 and 9 of this Code.

Existing Planned Developments and Conditional Uses or applications submitted prior to the adoption of a Neighborhood Plan, shall remain in effect in accordance with Section 120 and the conditions of approval. All Level 2 Review applications received after the adoption date of the Neighborhood Plan shall meet all requirements of that Neighborhood Plan, in addition to all other Code requirements.

Section 403.01 Wahneta Neighborhood Plan (Wahneta NP)

A. *Purpose and Intent*

The Wahneta NP was created to recognize existing businesses, assist in the redevelopment of the existing residential and commercial areas, and encourage development of vacant properties to assist in the revitalization efforts for the Wahneta area. The districts and performance standards within this Chapter implement the public/private initiatives outlined in the Comprehensive Plan. In order to enhance the community identified by the residents of Wahneta and surrounding areas, a balance of redevelopment and newly residential and nonresidential uses are needed. The revitalization effort is anticipated to address the infrastructure and social needs of the community and improve the quality of life of the residents, as well as the overall image of the community.

The emphasis of the Wahneta Neighborhood Plan is to create a pedestrian-oriented community with a mix of residential and commercial uses to meet its needs. Development within the community shall be consistent with the goals of the Wahneta NP to assist in the improvement of the quality of life of residents in the area.

B. *Applicability*

This section applies to development within the Wahneta NP, the boundaries of which are shown on the FLUMS.

C. *Allowable Uses and Intensity of Development (Revised 2/3/10 – Ord. 10-007)*

1. Future Land Uses B The land use categories and uses allowable in this district are shown in Table 4, of the Wahneta NP.
2. Density and Dimensional Regulations B The allowable densities and density bonus points for the Wahneta NP shall be in accordance to Table 2.2 and Section 303, Planned Developments, of the Land Development Code, unless modified by the Table 1, Table 2, or other requirements of the Wahneta NP below:
 - a. Building height within the LCCX is permitted up to 50 feet. All other dimensional regulations of Table 2.2, of the Land Development Code, shall apply.
 - b. Within the RSX and RL-1X districts, the interior side setback shall be reduced to seven/five feet (primary/accessory structures) and the interior rear yard shall be reduced to ten/five feet (primary/accessory structures).
 - c. Residential development is prohibited within Business Park Center

(BPCX) districts, with exception of a residence for security purposes.

- d. The maximum Floor Area Ratio (FAR) is 0.70 within RMX, LCCX, NACX and OCX districts.
- e. Residential Suburban (RSX) shall allow for the following uses:
 - i. Residential developments for sites five acres or less, for vested lots prior to December 19, 2003, with a density of up to two dwelling units per acre (2 du/ac), including duplexes or single-family attached units, are permitted with a Level 2 Review, and do not require a Suburban Planned Development (SPD) approval under the following conditions:
 - (a) Subdivision review and platting in accordance with the provisions of Chapter 8, of the Land Development Code, shall apply if three or more lots are created from the original parcel, tract, or lot.
 - (b) Development shall comply with the requirements of a SPD in Section 303, and the requirements of Section 403.1 C., of the Wahneta NP, but only require a Level 2 Review.
 - (c) Three bonus points are required for up to one dwelling unit per acre and six bonus points are required for 1.1 to two dwelling units per acre. Bonus points for the development shall be consistent with Table 5, of the Wahneta NP, not the SPD bonus points in Section 303.
 - (d) The minimum lot size permitted is 10,890 square feet, one-quarter acre.
 - ii. Development of residential units for sites greater than five acres shall comply with all other requirements of Section 303, Suburban Planned Development (SPD), of the Land Development Code, except the following criteria shall apply, in addition to Bonus Points as required in the Wahneta NP:
 - (a) Forty percent (40%) developed¹ (of developable area²) within one-half mile radius for parcels containing from 0.00 to 20.00 acres;
 - (b) Forty percent (40%) developed¹ (of developable area²) within three-quarters mile radius for parcels containing

¹ Existing development is the amount of area included within parcels which contain: residential lots and/or parcels at densities of 1 DU/AC or greater, to also include subdivisions with lots of at least 1 DU/AC which have been built out at least 50%; non-residential structures, excluding agricultural related structures; roads; parks; and other similar improvements.

² Developable areas, for the purpose of this policy, excludes areas not suitable for development and/or areas where the Plan prohibits, or discourages development, e.g. ancient scrub, wetlands, floodplains, lakes, streams, rivers, and other water bodies.

- from 20.01 to 60.00 acres;
- (c) Forty percent (40%) developed¹ (of developable area²) within one mile radius for parcels containing from 60.01 to 99.99 acres;
 - (d) Sixty percent (60%) developed¹ (of developable area²) within one mile radius for parcels containing from 100.00 or more acres.
- iii Residential land divisions meeting the family homestead requirements and vested lots do not require a Suburban Planned Development (SPD) or Level 2 Review, but all other requirements of the Land Development Code shall be met.
 - iv Farm Worker Housing, Triplexes, Quads, and Multi-family units - Sanitary sewer is permitted to be extended into the RSX to meet farm working and affordable housing needs of the community.
- f. Within Residential Low (RL-X) the density and type of housing units permitted is modified as follows:
- i Triplexes and quads are permitted as a conditional use with Bonus Points and up to four dwelling units per acre.
 - ii Multi-family units are permitted as a conditional use with Bonus Points between four and six residential units per acre.
- g. Residential uses within non-residential uses in select commercial districts are permitted consistent with Table 2, of the Wahneta NP. The density for residential units shall be based on the requirements of this section. The density for residential units shall be based on the gross density of the site.
- h. Residential Infill Development meeting the criteria of Section 303, of the Land Development Code, is exempt from the Bonus Points requirements of this section.

**Table 1: Wahneta NP - Residential Development Standards
(Districts where residential development is allowed)
Gross Density (du/ac)**

Districts	Level 2 Review (Bonus Points Required)	Level 3 Review (Planned Development with Bonus Points)
RSX	up to 2 du/ac for sites # five acres ¹	up to 3 du/ac for sites > five acres ²
RL-1X	up to two (2) du/ac for sites # 10 acres ¹	1.01 to 6 du/ac for sites > 10 acres
RL-2X	up to three (3) du/ac for sites # 10 acres ¹	2.01 to 6 du/ac for sites > 10 acres

¹ Density limitation does not apply to guest homes, garage apartments, mother-in-law suites.

² A Suburban Planned Development (SPD) is required.

Districts	Level 2 Review (Bonus Points Required)	Level 3 Review (Planned Development with Bonus Points)
RL-3X ³	up to four (4) du/ac for sites # 10 acres ¹	3.01 to 6 du/ac for sites > 10 acres
RL-4X ³	up to four (4) du/ac ¹	4.01 to 6 du/ac
RMX ³	four (4) to seven (7) du/ac with centralized water and sewer up to four (4) du/ac with centralized water and no sewer, with dry-line installation required	Less than four (4) du/ac with centralized water and no sewer, with dry-line installation required 7.01 to 10 du/ac with centralized water and sewer

**Table 2: Wahneta NP - Residential Units within Non-Residential Buildings
(Districts that Allow Mixed Use Buildings along Rifle Range Road)
Gross Density (du/ac)
(Level 2 Review with Bonus Points)**

Mixed Use Districts	Dry-line installation required if centralized sewer is not available	Centralized water and sewer
CCX, CEX ¹	up to three (3) du/ac ²	3.01 to 5 du/ac
LCCX ¹	up to three (3) du/ac ²	3.01 to 5 du/ac
NACX ¹	up to four (4) du/ac	4.01 to 5 du/ac with centralized water and sewer as a Level 2 Review 5.01 to 10 du/ac as a Planned Development, Level 3 Review, with centralized water and sewer

- i. Temporary Uses are permitted in accordance with Section 207 and Table 2.3, of the Land Development Code, except as modified by Table 3, of the Wahneta NP, and the following time limitations:
 - i. Food and Produce Stands B Maximum of 90 days per year per parcel, unless operated by the property owner as part of an existing business on the property.
 - ii. Retail Stand B Maximum of 45 days per year per parcel.

³ Residential development in the Neighborhood Utility Service Area (NUSA) at a density between 3.01 and five (5) du/ac shall be required to connect to centralized water and centralized sewer if available, if not available, dry-line installation shall be required. Residential development greater than five du/ac shall be connected to centralized water and sewer in the NUSA.

¹ Residential development in the Neighborhood Utility Service Area (NUSA) at a density between 3.01 and five (5) du/ac shall be required to connect to centralized water and centralized sewer if available, if not available, dry-line installation shall be required. Residential development greater than five du/ac shall be connected to centralized water and sewer in the NUSA.

² Dry-line installation is not required in the Suburban Development Area (SDA)

3. Home occupations shall be permitted to be operated within the garage, in addition to within 25% of the home's first floor, of a single-family home where the business is operated by the property owner. The operation of the business shall not change the residential character of the unit, and all other requirements of Section 206, E., of the Land Development Code, apply.

Table 4: Wahneta Neighborhood Plan - Use Table (Allowable Uses and Districts) For revision history, please see last row of table.

	A/RRX	RSX	RL-1X	RL-2X	RL-3X	RL-4X	RMX	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X	HICX	INDX	INST-1X	INST-2X	ROSX	PRESVX
Residential Uses																				
Duplex, Two-family Attached		C2	C2	C2	C2	C2	P													
Triplex & Quad		C3	C3	C3	C2	C2	P													
Multi-family		C3	C3	C3	C3	C3	P			C2	C2									
Family Farm	C1	C1																		
Farm Worker Housing, Seasonal	C2	C2																		
Group Home, Small (6 or less residents)	C1	C1	C1	C1	C1	C1	C1													
Group Home, Large (7-14 residents)	C3	C3					C1										C1	C1		
Group Living Facility (15 or more residents)	C3	C3	C3	C3	C3	C3	C3										C2	C2		
Mobile Home Park & Subdivision	C3	C3	C4	C4	C4	C4	C4													
Mobile Homes, Individual	C1	C1	C1	C1	C1	C1	C1													
Planned Development	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3
Residential Infill Development		C2	C2	C2	C2	C2														
Rural Residential Development (RRD)	C3	C3																		
Single-family Detached Home & Subdivision	P	P	P	P	P	P	P													
Suburban Planned Development		C3																		
All Other Uses																				
Adult Day Care Center (7 or more clients)	C3	C3	C3	C3	C3	C3	C3											C2	C2	

	A/RRX	RSX	RL-1X	RL-2X	RL-3X	RL-4X	RMX	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X	HICX	INDX	INST-1X	INST-2X	ROSX	PRESVX
Agricultural Support, Off-Site	C3	C3							P	P		C3				P				
Airport	C4												C4	C4		C4	C4			
Alcohol Packaged Sales								C1	C1	C1	C1		C1	C1		C1				
Animal Farm, Intensive	P	C3																		
Assembly, Light													P	P	P	P				
Bar / Lounge / Tavern									C3	C3	C3		C1	C1		C2				
Bed and Breakfast	C3	C3	C3	C3	C3	C3	C2		C2	C2	C2									
Breeding, Boarding, and Rehabilitation Facility, Wild or Exotic	C3	C4																		
Car Wash, Full									C2	C2	C2									
Car Wash, Incidental								C2	C2	C2	C2									
Car Wash, Self-Service									C2	C2	C2									
Cemetery	C2	C3							C3	C3	C3						C2			
Childcare Center	C3	C3	C3	C3	C3	C2	C2		C2	P	P	P					P	P		
Clinics & Medical Offices								C2	P	P	C2	C2					C2	C2		
Commercial Vehicle Parking									C2	C2			C2	P	P	P				
Communication Towers, Guyed and Lattice	C2	C3											C3	C3	C2	C2	C2	C2	C3	
Communication Tower, Monopole	C2	C3								C3			C2	C2	C2	C2	C2	C2	C3	
Community Center	C3	C3	C3	C3	C3	C3	C3			C3	C3	C2					P	P	C2	
Construction Aggregate Processing																C3				
Construction Aggregate Storage																C3				
Convenience Stores, Isolated	C2	C2											C2	C2	C2	C2	C2			

	A/RRX	RSX	RL-1X	RL-2X	RL-3X	RL-4X	RMX	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X	HICX	INDX	INST-1X	INST-2X	ROSX	PRESVX	
Correctional Facility	C4																	C4			
Crematorium																P					
Cultural Facility	C3	C3	C3	C3	C3	C3	C3		P	P	P	P					P	P	C2		
Emergency Shelter, Small (6 or less residents)	C1	C1	C1	C1	C1	C1	C1														
Emergency Shelter, Medium (7-14 residents)	C3	C3					C1										C1	C1			
Emergency Shelter, Large (15 or more residents)	C3	C3	C3	C3	C3	C3	C3										C2	C2			
Event Facility	C3	C3																			
Financial Institution								C2	C2	C2	P	P	C2	C2		C2					
Financial Institution, Drive Through								C2	C2	C2	P	P	C2	C2		C2					
Flea Market (Enclosed)										C2											
Flea Market (Open)										C2											
Forestry Specialized Operation	C2															P					
Funeral Home & Related Facilities									C3	C2											
Gas Station								C2	C2	C2	C2		C2	C2		C2					
Golf Course	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C2
Government Facility	C3	C3	C3	C3	C3	C3	C3	C3	P	P	P	P	P	P	P	P	P	P	C3	C3	
Heavy Machinery Equipment Sales and Services										C2				C2							
Heliports	C2									C3			C2	C2	C2	C2	C2	C2			
Helistops	C2	C3	C3	C3	C3	C3	C3		C3	C2			C2	C2	C2	C2	C2	C2	C2		
Hospitals																	P	P			

	A/RRX	RSX	RL-1X	RL-2X	RL-3X	RL-4X	RMX	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X	HICX	INDX	INST-1X	INST-2X	ROSX	PRESVX
Hotels and Motels									C3	C2	C3		C2	C2		C2				
Institutional Camp	C3	C3															C3	C3	C3	
Kennels, Boarding and Breeding	C2	C3							C3	C3										
Lime Stabilization Facility	C3	C3							C3	C3			C3	C3	C3	C3	C3	C3		
Livestock Sale, Auction	C2									C2					C2	C2				
Lodges and Retreats, Private	C3	C3							C2	P							P	P		
Manufacturing, Explosives/ Volatile Material																C2				
Manufacturing, General										C2						C2				
Manufacturing, Light										C2			C2	C2	C2	C2				
Marinas and Related Facility	C3																			
Medical Marijuana Dispensaries								C2	C2	C2	C2	C2	C2	C2	C2	C2				
Mining, Non-phosphate	C3	C3	C4	C4	C4	C4	C4	C3	C3	C3	C3	C3	C3	C3	C3	C3	C4	C4	C4	
Motor Freight Terminal										C3				P	P	P				
Nightclub / Dance Hall									C3	C3	C3				C3	C3				
Nurseries, Retail	P	C2							C2	C2	C3									
Nurseries and Greenhouses	P	C2							C2	C2	C3									
Nursing Home							C2		C2	C2							C2	C2		
Office								C2	C2	P	C2	C2	P	P	P	P	C2	P		
Office Park										P	C2		P	P						
Outdoor Concert Venue	C3	C3																	C3	
Personal Service								C2	C2	P	C2	C2	P	P	P	P				
Printing & Publishing									C2	C2	C2	C2	P	P	P	P				
Recreation, High Intensity	C3	C3	C3	C3	C3	C3	C3										C1	C1	C1	C3

	A/RRX	RSX	RL-1X	RL-2X	RL-3X	RL-4X	RMX	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X	HICX	INDX	INST-1X	INST-2X	ROSX	PRESVX	
Recreation, Low Intensity	C2	C2	C2	C2	C2	C2	C2										C1	C1	C1	C2	
Recreation, Passive	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1	C1
Recreation & Amusement Intensive										C3					C3						
Recreation & Amusement General								C2	C2	C2	C2				C2						
Recreation, Vehicle Oriented	C3	C3	C3	C3	C3	C3	C3										C2	C2	C2		
Recreational Vehicle Park	C4	C4																			
Religious Institution	C3	C3	C3	C3	C3	C3	C3	P	P	P	P	C2					P	P			
Research & Development									C2	C2			P	P	P	P	C2	P			
Residential Treatment Facility	C4								C4	C4							C4	C4			
Restaurant, Drive-thru/Drive-in								C2	C2	C2	C2	C2	C2	C2	C2	C2					
Restaurant, Sit-down/Take-out								C2	C2	C2	C2	C2	C2	C2	C2	C2					
Retail, Less than 5,000 sq. ft.								C2	C2	C2	C2	C2	C2	C2	C2	C2					
Retail, 5,000 – 19,999 sq. ft.									C2	C2	C2	C2	C2	C2	C2	C2					
Retail, 35,000 - 64,999 sq. ft.										C2	C2		C3	C3	C3	C3					
Retail, More than 65,000 sq ft										C3	C3		C3	C3	C3	C3					
Retail, Home Sales Office									C3	C3					P	P					

	A/RRX	RSX	RL-1X	RL-2X	RL-3X	RL-4X	RMX	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X	HICX	INDX	INST-1X	INST-2X	ROSX	PRESVX
Retail, Outdoor Sales/Display									C3	C3				C2	C2	P				
Riding Academies	C1	C1	C3																C1	
Salvage Yard															C3	C3				
School, Elementary	C3	C2	C2	C2	C2	C2	C2										P	P		
School, Middle		C3	C2	C2	C2	C2	C2										P	P		
School, High		C3	C3	C3	C3	C3	C2										P	P		
School, Leisure/Special Interest	C3	C3	C3	C3	C3	C3	C3	C3	C2	C2	C2	C3	C2	C2		C3	P	P	P	
School, Technical/Vocational Trade/Training	C3							C3	C3	C3	C3	C2	C2	C2		P	P	P		
School, University/College						C3	C3			C2	C3		C2	C2		C3	P	P		
Self-storage Facility										C3	C3		C2	C2	C2	C2				
Solar Electric-Power Generation Facility	C2	C3											C2	C2	C2	C2	C2	C2		
Stable, Riding Academies	P	C3																	C3	
Studio, Production									P	P			P	P	P	P	P	P		
Transit, Commercial														P	P	P				
Transit, Facility									P	P	P		P	P	P	P				
Truck Stop										C2				C3	P	P				
Utilities, Class I	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities, Class II	C1	C1	C1	C1	C1	C1	C1	P	P	P	P	P	P	P	P	P	P	P	P	
Utilities, Class III	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C3	C2	C2	C3	C3	C3	
Vehicle Recovery Service/Agency								C2	C2					C2	C2	C2				
Vehicle Repair, Auto Body									C3	C3				C2	C2	C2				
Vehicle Service, Mechanical									C2	C2	C2			C2	C2	P				

	A/RRX	RSX	RL-1X	RL-2X	RL-3X	RL-4X	RMX	CCX	CEX	LCCX	NACX	OCX	BPC-1X	BPC-2X	HICX	INDX	INST-1X	INST-2X	RO SX	PRESVX
Vehicle Sales, Leasing									C3	C3	C3			C3	C2	C2				
Veterinary Service	P							C1	P	P	P	P			P					
Warehousing/Distribution										C2			P	P	P	P				

Revised 05/01/18 – Ord. 18-025; 4/17/18 – Ord. 18-021; 11/21/17 – Ord. 17-067; 11/21/17 – Ord. 17-066; 7/11/17 – Ord. 17-036; 01/17/17 – Ord. 17-002; 4/19/16 – Ord. 16-022; 8/5/14 – Ord. 14-045; 03/18/14 – Ord. 14-015; 12/6/11 – Ord. 11-033; 12/06/11 – ord. 11-032; 6/28/11 – Ord. 11-008; 4/21/10 – Ord. 10-016; 2/3/10 – Ord. 10-007; 12/01/09 – Ord. 09-073; 09/16/09 – Ord. 09-060; 09/02/09 – Ord. 09-055; 07/22/09 – Ord. 09-047; 11/12/08 – Ord. 08-056

Key to Table: P = Permitted Use; C = Conditional Use/Level of Review

Notes: Conditions for the uses within this table are provided in Section 303 and Section 403.01 C., of the Wahneta NP, within the Land Development Code.

Table 5: Wahneta NP - Bonus Points Available for Developments

Wahneta NP - Bonus Points Available for Developments	POINTS AWARDED
INFRASTRUCTURE	
Extending sidewalks beyond frontage to connect sidewalks on abutting properties	1 pts per 150 linear feet (up to 4 pts)
Internal sidewalks on one side of the street (local roads in residential subdivision)	2 pts per 25 dwelling units (up to 4 pts)
Internal sidewalks on both sides of the street (local roads in residential subdivisions)	4 pts per 25 dwelling units (up to 8 pts)
Internal street lighting	1 pt
Connection to centralized sewer (Non-residential/commercial uses in NUSA only)	2 pts
Connection to centralized sewer (NUSA only)	2 pts (0 - 25 units) 6pts (51 - 75 units) 4 pts (26 - 50 units) 10 pts (76+ units)
DESIGN	
Additional trees planted or preserved (At least half of the required number)	1 pt
Canopy trees in common areas (buffer areas not counted)	1 pt/500 sq ft of coverage at maturity (up to 4 pts)
Vertical development (single and mixed use developments)	2 pts per story above 1 (maximum of 4 pts)
Landscaping of all storm water ponds with Type "A" Buffer or better	2 pts
Landscape buffer (# 50% redevelopment of site)	2 pts
Sidewalks/Pedestrian designated area from off-site to building entrance	1 pt
Alternatives to driveways (Shared driveways, alley, common parking area)	
TRANSPORTATION	
Interconnectivity to abutting roads and development (Multiple access points)	2 pts
Rear or side parking lot (No front parking area)	2 pts
Internal capture (based on traffic study)	1 pt
Mass transit stop/shelter on an existing or planned route	2 pts
RECREATION	

Wahneta NP - Bonus Points Available for Developments	POINTS AWARDED
Active recreation (Includes pool, tennis/basketball/volleyball courts, tot lot, club house/recreational facility, and other active sport courts)	2 pts for each type
Passive recreation (walking paths/trails, bikeway, nature/hiking trail)	1 pt
Common space/Open space for recreational uses/Park areas (retention ponds/conservation areas do not count; in addition to open space requirements)	2 pts per 3,000 sq ft (up to 10 pts)
CONSERVATION	
Xeriscaping (at least 25% of required landscaping) Plan	2 pts
Environmental Conservation easement/tract or Restoration / Creation of wildlife habitat	1 pt per 1/5 acre (up to 10 pts)
Wildlife habitat/Native plant community buffer	2 pts per 500 linear feet (up to 6 pts)
DEVELOPMENT	
Affordable housing (based on HUD standards)	5 pts per 5% of project
Farm Working Housing	4 pts
Redevelopment of mobile home subdivision/park or dilapidated homes with conventional or modular homes meeting all current development and building code standards	5 pts (0 - 50 units) 10 pts (51 - 75 units) 15 pts (76 + units)

Table 6a: Wahneta NP - Bonus Points Awarded for Residential Developments in Residential Districts

RSX¹	RSX¹	RL-1X	RL-1X	RL-2X	RL-2X	RL-3X	RL-3X	RL-4X	RL-4X	RMX	RMX
Bonus Points	Density (du/ac)	Bonus Points	Density (du/ac)	Bonus Points	Density (du/ac)	Bonus Points	Density (du/ac)	Bonus Points	Density (du/ac)	Bonus Points	Density (du/ac)
0	0.2 (1 du/5 ac)	6 or more	0.4 (1 du/2.5 ac)	8 or more	1.0 - 1.49	8 or more	1.5 - 1.99	12 or more	1.5 - 1.99	15 or more	3.0 - 4.0
3	0.21 - 0.49	4	0.4 - 0.99	4	1.5 - 1.99	6	2.0 - 2.49	10	2.0 - 2.49	12	4.1 - 5.0
6	0.5 - 0.99	0	1.0	0	2.0	4	2.5 - 2.99	8	2.5 - 2.99	10	5.1 - 6.0
9	1.0 - 1.49	2	1.01 - 1.49	2	2.01 - 2.49	0	3.0	6	3.0 - 3.49	5	6.1 - 6.9
12	1.5 - 1.99	4	1.5 - 1.99	4	2.5 - 2.99	4	3.01 - 3.49	4	3.5 - 3.99	0	7
15	2.0 - 2.49	6	2.0 - 2.49	6	3.0 - 3.49	6	3.5 - 3.99	0	4.0	5	7.1 - 8.0
18 or more	2.5 - 3.0	8	2.5 - 2.99	8	3.5 - 3.99	8	4.0 - 4.49	4	4.01 - 4.49	10	8.1 - 9.0
		10	3.0 - 3.49	10	4.0 - 4.49	10	4.5 - 5.0	8	4.5 - 5.0	15 or more	9.1 - 10.0
		12	3.5 - 3.99	12	4.5 - 5.0	12 or more	5.1 - 6.0	12 or more	5.1 - 6.0		
		14	4.0 - 4.49	14 or more	5.1 - 6.0						
		16	4.5 - 5.0								
		18 or more	5.1 - 6.0								

¹ Parcels five acres or less can develop up to two (2) du/ac in accordance to Section 403.1, C. 2. e. (3).

Table 6b: Wahneta NP - Bonus Points Awarded for Developments in Commercial Districts

CCX, CEX Points Achieved	CCX, CEX Density du/ac	LCCX Points Achieved	LCCX Density du/ac	NACX Points Achieved	NACX Density du/ac
2	0.1 - 1.0	2	0.1 - 2.0	2	0.1 - 3.0
3	1.1 - 2.0	3	2.1 - 3.0	3	3.1 - 4.0
4	2.1 - 3.0	4	3.1 - 4.0	4	4.1 - 4.99
5	3.1 - 4.0	5 or more	4.1 - 5.0	5	5.0 - 5.99
6 or more	4.1 - 5.0			6	6.0 - 6.99
				7	7.0 - 7.99
				8	8.0 - 8.99
				9 or more	9.0 - 10.0

D. *Non-Conforming Residential Uses*

1. Single-family residential and other residential units (including rental units) that are damaged or destroyed can be replaced, provided the unit is replaced within five years of the damage or destruction of the original residential unit;
2. The original unit(s) can be replaced with any residential unit type, provided the overall density for the site remains the same as it was prior to the destruction of the unit(s) on the property;
3. A conventional/site-built or modular home may be replaced with a manufactured or mobile home, consistent with Section 303, Mobile Homes, of the Land Development Code;
4. Conventionally built or modular single-family residential units are permitted to be built within commercial and other non-residential districts if the property was created for residential purposes and is vacant;
5. Replacement residences shall comply with all setbacks of the Future Land Use district. If there are two or more districts, the district that is the majority of the site shall be utilized to determine the setbacks;
6. The replacement home shall meet all other requirements of the Land Development Code at the time of replacement.

E. *Modified Special Use and Conditional Use Requirements :*

These requirements shall be met in addition to the requirements of Section 303, of the Land Development Code:

1. Childcare Center
 - a. In the RL-3X, RL-4X, and RMX districts, the childcare center shall be required to take the characteristic of a residential unit.
 - b. Childcare centers are permitted with a Level 2 Review in the RL-3X in the Neighborhood Utility Service Area (NUSA).

2. Duplex, Two-Family Attached
 - a. Principal structure(s) shall be at least 20 feet from all property lines, except from public or private roads, in which the required setback shall be consistent with Table 2.2, of the Land Development Code.
 - b. Duplexes and Two-Family Attached units are permitted as a Level 2 Review consistent with Table 4 and all other requirements of the Wahneta NP.
 - c. In the RL-3X and RL-4X districts within the Neighborhood Utility Service Area (NUSA), a Type “A” Buffer with a six foot tall opaque fence is required if the abutting property is a non-residential district and has a residence on the site. Section 720, of the Land Development Code shall apply for other buffer requirements.
 - d. Buildings shall be limited to two stories in height.

3. Flea Market, Enclosed (Conditional Use Standards)

The following conditional use standards are considered to be more specific and shall be required in lieu of those conditional use standards for Flea Markets (Enclosed) identified in Section 303 of the Code.

- a. Hours of Operation:
 - i Hours of operation and frequency of events for enclosed flea markets shall not be regulated via this Section of the Code; however, proposed developments should be mindful of neighboring residential development.

- b. Public Safety and Nuisance Mitigation :
 - i Fire Marshal’s Office review and approval is required prior to opening.
 - ii Prior to Level 2 Review approval, the property owner must submit a copy of procedures that will be used to address clean-up and maintenance of the property.

- c. Site Design Criteria:
 - i All requests for an Enclosed Flea Market within the LCCX Land Use district of the Wahneta Neighborhood Plan shall require successful completion of a Level 2 Review.
 - ii Outdoor storage of equipment and/or accessories associated with the facility shall be prohibited unless allowed by other applicable Sections of the Code.
 - iii Opaque fencing shall be provided along the side and rear yard when adjacent to residential uses or property primarily designated for residential purposes.
 - iv Prior to Level 2 Review approval, Pedestrian/bicycle pathways shall be clearly identified on the site plan.
 - v Produce may be sold outdoors provided a temporary use permit pursuant to Section 207 is obtained.
 - vi Shared parking with adjacent non-residential districts is encouraged.

4. Flea Market, Open (Conditional Use Standards)

The following conditional use standards are considered to be more specific and shall be required in lieu of those conditional use standards for Flea Markets (Open) identified in Section 303 of the Code.

- a. Hours of Operation:
 - i Open Flea Markets shall only be allowed to operate for no more than 4 days within a week (Sunday-Saturday).
 - ii Hours of operation shall be limited from 7:00 a.m. to 8:00 p.m.; however, hours of operation on Sundays shall not exceed 6:00 p.m.
- b. Public Safety and Nuisance Mitigation :
 - i The applicant shall provide an operation management plan that details:
 - (a) Hours of Operation;
 - (b) Traffic circulation procedures during hours of operation;
 - (c) Facility public safety measures;
 - (d) Procedures for Clean-up after close of business; and

- (e) Adherence to Polk County Ordinance 2014-030 (Noise Ordinance). Outdoor public announcement (PA) systems shall be prohibited.
 - ii Operation management plans may be modified and documented via a Level 1 Review before the Development Review Committee.
- c. Site Design Criteria:
 - i All requests for an Open Flea Market within the LCCX Land Use district of the Wahneta Neighborhood Plan shall require successful completion of a Level 2 Review.
 - ii The applicant shall provide an architectural rendering of the proposed development (as part of the Level 2 Review process) that exhibits a uniform design of the stall areas. Pedestrian pathways shall be clearly identified on the site plan. The County's Land Development Director (or his/her designee) shall make a determination as to whether the proposed rendering is consistent with the vision and character of the Wahneta Neighborhood Plan.
 - iii All temporary structures (visible from all adjacent roads) shall be removed from open areas at close of business day.
 - iv Metal tent canopies with removable tarps shall not be permitted as permanent structures.
 - v Outdoor storage of equipment and/or accessories associated with the facility shall be prohibited unless allowed by other applicable Sections of the Code.
 - vi Outdoor lighting shall not be intrusive to neighboring residential properties and shall be oriented in a manner that is shielded from neighboring residential properties.
 - vii A maximum of 50% of the required parking spaces may be grass or other pervious material. All other parking shall be paved. Shared parking with adjacent non-residential districts is encouraged.
 - viii Under no circumstances shall parking be permitted within adjacent right-of-way.
 - ix Opaque fencing shall be provided when adjacent to uses or property primarily designated for residential purposes.
- 5. Group Living Facilities (Congregate, Group Home, and Family Care) B Group living facilities shall meet the requirements of Section 303, of the Land Development Code, in addition to the following:

- a. Signage, where allowed, shall be limited to one solid based sign consistent with Table 7.16, of the Land Development Code. Other signs exempted from permits are allowed on the property consistent with Section 760, D., of the Land Development Code.
 - b. A Type “A” Buffer with a six foot tall opaque fence is required for property abutting a non-residential district with a single-family home developed on the site. All other buffers shall be consistent with Section 720, of the Land Development Code.
6. Multi-family
- a. In the LCCX and NACX districts, the following shall be required:
 - i Multi-family units shall be limited to 20% of the total acreage of the Activity Center proposed for residential development;
 - ii All buildings, except accessory structures, shall be at least 50 feet from all property lines, except from the right-of-way or front yard, consistent with Table 2.2;
 - iii All other requirements of Section 303, Multi-family Units, of the Land Development Code shall be met.
 - b. In the RSX district, the following shall be required:
 - i A Suburban Planned Development (SPD) with bonus points;
 - ii All buildings, except accessory structures, shall be at least 50 feet from all property lines, except from the right-of-way or front yard setback, consistent with Table 2.2, of the Land Development Code;
 - iii All other requirements of Section 303, Multi-family Developments, of the Land Development Code shall be met.
7. Nurseries, Retail; Nurseries and Greenhouses
- a. The loading and unloading area shall be located at least 50 feet from all property lines abutting residential districts.
 - b. A six foot fence and/or landscape buffer in accordance with Section 720, of the Land Development Code, shall be provided.
 - c. No outdoor lighting shall be permitted to illuminate items sold at the nursery in the A/RRX and RSX districts; lighting in other districts shall not create off-site impacts.
 - d. The retail portion of a nursery shall meet the following requirements:

- i Retail areas shall be limited to 25% of the nursery when in the A/RRX and RSX districts;
 - ii The retail area and loading area shall be designated on a site plan;
 - iii The retail area shall be at least 50 feet from all property lines, except from the right-of-way or front yard setback, consistent with Table 2.2, of the Land Development Code.
 - e. An overall site plan shall be submitted by the nursery owner to Development Services, as a Level 2 Review, to determine the consistency with the Wahneta NP.
8. Triplex or Quad B The following shall be required in addition to Section 303, of the Land Development Code:
- a. The principal structure(s) shall be at least 20 feet from all property lines, except from the right-of-way or front yard setback, consistent with Table 2.2, of the Land Development Code.
 - b. Only one entrance is permitted as access, unless the applicant can demonstrate that multiple entrances will improve pedestrian and vehicular safety.
 - c. In the RL-3X and RL-4X districts within the Neighborhood Utility Service Area (NUSA), a Type “A” Buffer with a six foot high opaque fence is required for developments abutting non-residential districts with a single-family home on the site. Section 720, of the Land Development Code shall apply for other buffer requirements.
9. Building height shall be limited to two stories.

F. *Development Design Standards and Requirements*

- 1. Underground utilities B All non-residential, commercial, and residential development with three dwelling units per acre or higher shall utilize underground utilities within the development. Above ground utilities are permitted as needed by the utility service provider(s) in order to meet the regional demands of providing the service(s). Lots of record are exempt from this requirement.
- 2. Density bonus points shall be provided in accordance to Table 5, 6a, and 6b of the Wahneta NP.
- 3. Outdoor storage
 - a. Outdoor storage shall be screened from off-site view with a six foot fence and/or a buffer in accordance to Section 720 or Section 303, of the Land

Development Code, whichever is more restrictive.

- b. Where outdoor storage of cars, recreational vehicles, and boats is permitted, it shall be to the rear of the building line, except for vehicle sales and leasing and development within the Industrial (INDX) or Business Park Center (BPC-2X) districts.
4. **Open Space B** Open Space shall be provided in accordance to Section 750 and Chapter 10, of the Land Development Code. All wet retention/detention ponds may be counted as open space if landscaped to resemble a natural feature. Wet retention/detention ponds shall be required to have a three to six foot tall fence around the perimeter of the ponds. A vinyl coated chain link fence is permitted for this purpose.
 5. **Signs**
 - a. Off-Premise signs shall be prohibited in all Future Land Use Districts within the Wahneta Neighborhood Plan area except for High Impact Commercial (HICX) and Industrial (INDX) south of Peace Creek along Rifle Range Road (CR 655) and State Road 60. Temporary real estate signs advertising the availability of commercial space and special events are permitted per Section 760, of the Land Development Code.
 - b. All other signs shall be permitted in accordance with Section 760, of the Land Development Code.
 6. **Credits for Existing Trees B** For residential developments, existing trees, including citrus trees, can be counted toward the buffer requirement per Section 721 and Table 7, of the Land Development Code and Wahneta NP. In non-residential uses, up to 50 percent of the citrus trees can be counted toward the understory trees provided to meet the buffer requirement consistent with Section 721 and Table 7, of the Land Development Code and the Wahneta NP.
 7. **Tree Planting B** The minimum number of trees to be planted or preserved, in addition to buffering and landscaping requirements, are listed in Table 7, of the Wahneta NP.

**Table 7: Wahneta NP - Number of Trees to Plant or Preserve for Development
REVISED 4/21/10 – Ord. 10-016**

Future Land Use	Minimum Trees Required
A/RRX, RSX, RLX, RMX	8 trees per developable acre
CCX, CEX, OCX	2 trees per developable acre
LCCX, NACX, INSTX	4 trees per developable acre
BPCX, INDX, HICX	6 trees per developable acre

8. Installation of street and security lighting shall be encouraged for new residential

and commercial development by the establishment of Street Lighting districts and by including street lighting on a Level 2 Review site plan.

- 9. Parking space requirements for non-residential and commercial development may be reduced by up to 60% of the required parking spaces in Section 708, of the Land Development Code; however, the applicant shall provide a parking space reduction plan to demonstrate how the proposed development and site plan will promote a pedestrian-oriented community based on the following criteria:

Table 8: Parking Space Reduction Criteria

Method for Reduced Parking	Reduction Permitted
Access from two or more roads with pedestrian access to the site	15%
Sidewalk in place within two miles of the development	15%
Distance from residential districts	
within 1/4 mile	15%
within 2 mile	10%
Market area for development	
one mile	15%
two miles	10%
Transit route and bus stop	
within 1/4 mile	15%
within 2 mile	10%
Other methods to demonstrate reduction in parking will not adversely impact traffic circulation and encourage pedestrian transit	15% each

G. Environmental Areas of Concern

- 1. Peace Creek Corridor
 - a. Recreation amenity areas, trails, and other passive recreation activities are permitted adjacent to or within the Peace Creek Corridor.
 - b. New development or redevelopment along the corridor shall include a 50 foot setback, as measured from the centerline of the Peace Creek and designated as a conservation easement or tract.
 - c. Buildings and accessory structures, not related to recreation, shall be located outside the 50 foot setback from the centerline of the Peace Creek.
- 2. Wahneta Farms Drainage Canal
 - a. Recreation amenity areas, trails, and other passive recreation activities are permitted adjacent to the Wahneta Farms Drainage Canal.
 - b. New development or redevelopment along the corridor shall include a 50

foot setback, as measured from the centerline of the Wahneta Farms Drainage Canal, and designated as a conservation easement or tract.

- c. Buildings and accessory structures, not related to recreation, shall be located outside the 50 foot setback from the centerline of the Wahneta Farms Drainage Canal.
3. Lake Gwyn Area B Recreation amenities areas, trails, other passive recreation activities, and other restoration or natural resource preservation efforts are permitted adjacent to or within the Lake Gwyn area designated as Preservation (PRESVX).
 4. Wildlife Refuge
 - a. A 25 foot wide Type C Buffer shall be required of all development abutting the Wildlife Refuge, located between Lake McCleod and Gerber Dairy Road and between District Line Road and Gerber Dairy Road along Cutrone Road. Individual single-family or existing development with Level 2 Review approval, prior to July 15, 2004, are exempt from this requirement.
 - b. Stormwater retention/detention areas shall be located along the Wildlife Refuge where feasible. If the stormwater retention/detention areas are not 25 feet in width, the remainder of the area shall include the plantings required by a Type C Buffer to provide a separation from the proposed development from the Wildlife Refuge.
 - c. No development shall occur within the Wildlife Refuge without the consent from the U.S. Department of Interior or acting agent.

H. *Multi-Modal Transportation Issues*

1. New developments that are along existing and proposed bus routes, shall be required to designate a bus stop area that can accommodate a bus shelter; the bus stop location shall be reviewed by the bus service provider(s) in the area to determine if it meets the needs for the bus route(s). Prior to Level 2 Review approval, the applicant shall be required to provide a letter from the bus service provider indicating their acceptance of the location or that the stop is not necessary.
2. Transportation improvements shall be consistent with the County=s requirements in Chapter 8, the 2025 Transportation Plan, and the Wahneta Neighborhood Plan.
3. All access and subdivision of land shall comply with the following:
 - a. All access to collector and local roads shall be consistent with this Section and Chapter 8, of the Land Development Code;

- b. Access to collector roads shall be consistent with Chapter 8, of the Land Development Code. Gerber Dairy Road shall be considered a collector road for the portion within the Wahnetta NP and development accessing it shall meet the collector road requirements of Chapter 8, of the Land Development Code;
 - c. The required road frontage may be reduced if access is gained through a joint or shared access, a side road, or other internal road;
 - d. Where access is shared by more than one user, an easement shall be designated on the site plan at Level 2 Review and any required plat and be recorded as part of the deed. A completed access agreement shall be provided prior to any Level 2 Review approval;
 - e. Stub-outs and other design features, which make it visually apparent that the abutting properties may be tied in to provide cross-access, shall be constructed at the time of development;
 - f. If a site is developed prior to an abutting undeveloped property, it shall be designed to ensure that its parking, access, and circulation may be connected to a unified system at a later date; and
 - g. If a site abuts an existing developed property, it shall be so designed to connect to the abutting parking, access, and circulation unless the Planning Director and County Engineer determines this to be impractical.
4. Pedestrian Access B Sidewalks shall be required to be constructed for all development, consistent with Section 707, of the Land Development Code, and the following:
- a. Within one mile of an Activity Center.
 - b. Within the Neighborhood Utility Service Area (NUSA).
 - c. Collector roads, arterial roads, and Gerber Dairy Road shall have sidewalks on both sides of the road.
 - d. Existing development may provide a striped, designated walkway on asphalt in lieu of a sidewalk on the property if the sidewalk interferes with the vehicular circulation and presents a hazard to pedestrians, as determined by the County Engineer, Planning Director, Transportation Planning Organization Manager, or their designees.

I. *Neighborhood Utility Service Area (NUSA)*

Development within the NUSA can develop with or without connecting to centralized sewer in accordance to Policy 2.134-E4 of the Comprehensive Plan and Table 1 and 2

within Section 403.01, Wahneta NP, of the Land Development Code.

J. *Commercial Vehicle Parking Exemptions*

1. Residential Suburban (RSX) B Only one commercial vehicle and trailer, owned and operated by the resident of the home, is permitted on properties that are five acres or more without a special exception, provided all other requirements of Section 216, of the Land Development Code, are met.
2. All other commercial vehicle parking shall be consistent with Section 216, of the Land Development Code.

K. *Definitions*

1. Quad - Residential units with four units per building and no greater than two stories high.
2. Triplex - Residential units with three units per building and no greater than two stories high.
3. Multi-family - Residential units with more than four units per building.