

**POLK COUNTY
DEVELOPMENT REVIEW COMMITTEE
CASE OVERVIEW**

DRC Date: August 25, 2016	Level of Review: Level 4 Review
PC Date: November 2, 2016	Type: LDC Text Amendment
BoCC Date: TBA	Case Numbers: LDC 16T-14 /DMS 58868
Applicant: Mark Bennett, Ridge Professional Group, Inc.	Case Planner: Thado N. Hays, Senior Planner

Request:	Applicant initiated request to amend Land Development Code language in the Wahneta Neighborhood Plan (Section 403.01; Table 4) which would allow Flea markets (open and enclosed) as a conditional use (C2) within the Linear Commercial Corridor-X (LCCX) land use district only. The amendment also proposes conditions for Flea Markets within Section 403.01.E (Conditional Use Requirements) of the LDC.
Location:	N/A
Property Owner:	N/A
Parcel Size (Number):	N/A
Land Use District:	Linear Commercial Corridor-X (LCCX)
Development Area/Overlays:	Utility Enclave Area (UEA); Wahneta Neighborhood Plan; Gateway Selected Area Plan (SAP)
Nearest Municipality/County:	City of Bartow, City of Winter Haven, and City of Lake Wales.
DRC Recommendation:	Pending
Planning Commission Vote:	Pending Hearing
Public Comment:	Pending Hearing



RIDGE PROFESSIONAL GROUP, INC.
LAND DEVELOPMENT DESIGN AND PERMITTING SERVICES

4425 U.S. Highway 92 East, Lakeland FL 33801-9688 • Phone (863) 669-0108 • www.RPG-ENG.com

NARRATIVE - LAND DEVELOPMENT CODE TEXT CHANGE

**Flea Markets (Open and Enclosed) in the Wahneta Neighborhood Plan
Linear Commercial Corridor X (LCCX) Land Use District**

The purpose of this narrative is to explain the requested text change. We are seeking a change in the Polk County Land Development Code, Wahneta Neighborhood Plan, to allow Flea Markets (Open and Enclosed) as a C2/Level 2 use in the Linear Commercial Corridor Land Use District.

The Wahneta Community is unique in that commercial activities are all focused on one corridor (Rifle Range Road). In addition to vehicular traffic, there are numerous bicyclists and pedestrians that traverse this roadway. The recent construction of a sidewalk along the east side of Rifle Range Road will further promote pedestrian activity.

The character of the area is such that there are numerous uses and activities, such as outdoor display and sales, food vendors, roadside stands, etc. located along Rifle Range Road. Allowing for flea markets along this corridor will allow for the continuation of these types of uses, plus allow for greater marketing/promotion for individual vendors. From a public safety perspective, establishing flea markets will allow for safer vehicular access by allowing for controlled access for vehicles exiting/entering Rifle Range Road.

SUGGESTED DEVELOPMENT STANDARDS:

Listed below are suggested development standards that are applicable to the Wahneta community:

In addition to the applicable district regulations in Table 2.2, the following standards shall apply:

1. At a minimum, fifty percent of the required parking spaces may be grass or other pervious material. All other parking shall be paved.
2. A six foot fence and/or landscape buffer in accordance with Section 720 of the Land Development Code shall be provided between a flea market and all abutting residential districts.
3. All access points shall be located on Rifle Range Road.
4. The building, loading area, or outdoor storage shall be located at least 25 feet to any lot line which abuts a residential district.
5. All permanent and temporary sales structures shall be at a minimum of 25 feet from any side or rear lot line.
6. Lighting and noise shall not create any off-site impacts, and shall be directed away from residential areas.

July 23, 2016
NARRATIVE - LDC TEXT CHANGE
Flea Markets - Wahneta Neighborhood Plan
RPG No.: 16.037
Page 2

COMPARISON OF OTHER GOVERNMENT REGULATIONS:

At the request of County Planning staff, included with this report is an analysis of how other local governments regulate flea markets. Because Wahneta contains characteristics similar to a small city, this survey contains information from smaller cities in Polk County.

Auburndale – Not specifically listed

Bartow – Flea Markets are a special exception use in the Community Commercial (C-2) and the Highway Commercial (C-3) zoning districts. They are a permitted use in the Industrial (I-1 & I-2) Zoning districts. Not specifically defined.

Davenport – Allowed as a conditional use in the Commercial General (C-3) and Commercial High-Intensity (C-4) zoning districts. Flea Markets are defined as: *A temporary sale of arts and crafts or rummage or similar items, not operating more than three times a year; and limited to once every four months for two days, with no permanent structures erected and operating in daylight hours only. If a permanent facility is built, whether to be used on a part-time or full-time basis, the facility must be approved by the Administrative Official by submittal of a site development plan, and must show parking and restroom facilities to be provided.*

Dundee - Flea Markets are regulated as either Indoor or Outdoor. Indoor Flea Markets are a permitted use in the General Retail Commercial (CC), Highway Commercial (CH) and Service Commercial (CS), and Industrial (IL) Zoning Districts. Outdoor Flea Markets are a special exception use in the General Retail Commercial (CC), Highway Commercial (CH) zoning districts, and require a Site Development Plan in the Service Commercial (CS), and Industrial Zoning Districts. Flea Markets are defined as: *Buildings and/or open areas in which sales areas or stalls are set aside or rented, and which are intended for use by two or more individuals or by educational, religious, or charitable organizations to sell new or used merchandise and a variety of articles such as those which are either homemade, homegrown, handcrafted, old, obsolete, or antique.*

Eagle Lake – Not specifically listed

Fort Meade – Flea Markets are a special exception use (requires Planning Board approval) in the Industrial Park (M-2) zoning district. Not specifically defined.

Frostproof – Flea Markets and Farmer's Markets are listed as a conditional use in the Commercial General (CG) zoning district, and a permitted use in the Industrial-1 (I-1) zoning district. A Flea Market is defined as: *An assembly of vendors, whether professional or nonprofessional, that offers for sale, trade or barter any goods, regardless whether they are new, used, antique or handmade; and where offered for sale in open air areas, buildings or temporary structures.*

Haines City – Not specifically listed as a permitted use. Specifically prohibited in the Commerce Park (CP), Industrial Park (IP), Business Park (BP), and Business-Park Modified (BP-M) zoning district. No definition provided.



July 23, 2016
NARRATIVE - LDC TEXT CHANGE
Flea Markets - Wahneta Neighborhood Plan
RPG No.: 16.037
Page 3

Lake Alfred – Flea Markets require a Site Development Plan (Planning Board Approval) in the General Commercial C-3 and Industrial M-1 districts, and a conditional use (City Commission approval) in the Industrial I-1 and I-2 zoning districts. No definition provided.

Lake Hamilton – Flea Markets are a Conditional Use Level 3 (requires Town Council approval), in the Agriculture (AG), Highway Commercial (C-1), and Industrial (M-1) zoning districts. No definition provided.

Lake Wales – not specifically listed

Mulberry – Flea Markets are a special exception use (requires City Commission approval) in the Industrial-Light (I-L) and the Industrial-Heavy (I-H) zoning district. Not specifically defined.

Polk City - Not specifically listed as a use. Flea Markets are defined as *A temporary sale of arts and crafts or rummage or similar items, not operating more than two days per month, with no permanent structures erected and operating in daylight hours only.*

