

ZTA-22-17 (Ordinance 2022-35)
Exhibit "A"
Date: September 26, 2022

Revised: 11/10/2022
12/08/2022



DEVELOPMENT REVIEW COMMITTEE REPORT AND RECOMMENDATION

Subject/Agenda Item:

Ordinance 2022-35: ZTA-22-17 – Stand Alone Car Wash

First Reading: A privately initiated Zoning Text Amendment from Schmidt Nichols, agent for Mint Eco Car Wash Acquisition Co., LLC for changes to the existing code requirements to allow outside car detailing at Stand-Alone Car Washes in the Commercial Intensive (CI) zoning district.

☒ Recommendation to APPROVE

☐ Recommendation to DENY

☐ Quasi-Judicial

☒ Legislative

☒ Public Hearing

Originating Department:

Planning & Engineering

Project Manager

Caryn Gardner-Young, AICP

Reviewed By:

Interim Director of Development and Neighborhood Services

Denise Malone

Approved By:

City Manager

Andrea McCue

Public Notice:

☒ Required

☐ Not Required

PC Dates:

Papers LWH

Mailing:

☐ Required

☒ Not Required

Notice Distance: _____

Attachments:

- Ordinance 2022-35

City Council Action:

☐ Approval

☐ Approve with conditions

☐ Denial

☐ Continued to: _____

I. Executive Summary

A privately initiated request to amend the City's Zoning Code to revise the established criteria for a standalone car wash to allow outside car detailing activities which the current regulations prohibit. The previously approved zoning text amendments were regulating express car washes which typically have a wash tunnel and vacuums only or the patron exits the site. The applicant is requesting the proposed changes to address full-service car washes which typically go over and above an express car wash by providing the highest level of customer service including comprehensive car detailing.

The applicant has submitted concurrent applications for a Zoning Map Change (from CG to CI), Special Exception, and Site Plan Approval for a Stand-Alone Car Wash located at 4840 Lake Worth Road. Should this proposed zoning text amendment be adopted, the proposed activities in the Site Plan would be permitted by special exception.

II. Background

On September 15, 2008, the City Council adopted Ordinance 2008-02 which provided for three (3) changes to the Zoning Code: provided a definition of "Stand Alone Car Wash Facility", incorporated Stand-Alone Car Wash Facilities into the Commercial Intensive (CI) zoning district as a Special Exception use, and provided for off-street parking and loading requirements for this use. Before the amendment, car washes were only approved as accessory uses to existing full-service fuel stations and car dealerships, not as a standalone use. The amendment allowed for a car wash to develop on a property provided it was located adjacent to an existing or planned full-service fuel station and provided cross access easements to the gas station. The City Council concurrently approved a Stand-Alone car wash as a special exception, Sparkles, submitted by the same applicant that was to be developed at 4605 Melaleuca Lane, adjacent to an existing Texaco gas station. The car wash was never developed, and the approvals expired on September 15, 2010.

The city earlier this year received an application to amend the code to allow for a stand-alone car wash use as a special exception within the Commercial Intensive (CI) zoning district that is not required to be co-located adjacent to a full-service fuel station or gas station. The proposed language increased the distance requirement between car wash facilities from 1,500 feet to 3,000 feet, prohibited exterior detailing and waxing, and required a landscape buffer for accessory equipment in the parking area of the site. These zoning amendments were approved by the City Council through Ordinance 2022-07. A concurrent application for approval of a stand-alone car wash at 6200 Lake Worth Road is pending.

III. Proposed Zoning Code Amendments:

The following Zoning Code regulations are impacted by the proposed Zoning Text Amendments. Text shown in ~~striketrough~~ is to be deleted. Text shown in underline (proposed by applicant) and double underline (proposed by staff) is to be added:

ARTICLE III. DISTRICT REGULATIONS

DIVISION 11. COMMERCIAL INTENSIVE (CI)

Sec. 16-499. Special Exceptions.

The following are special exceptions, subject to the provisions of section 16-474 et seq. in the Commercial Intensive (CI) district:

[(1) thru (29) and (31) Omitted for Brevity]

(30) Stand-alone car wash facility:

- a. There shall be a minimum distance of three thousand (3,000) feet shortest airline measurement between the nearest points of any two (2) parcels of land, located within city limits, occupied or to be occupied for stand-alone car wash facilities.
- b. Stand-alone car wash facilities shall be limited to urban principle arterial roadway systems.
- c. Outdoor storage is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- d. Outdoor display of merchandise is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- e. Hours of operation shall be limited through conditions of approval to promote compatibility with surrounding uses.
- f. A stand-alone car wash facility shall have staff on site at all times during the hours of operation.
- g. Off-street loading space(s) which are provided for the delivery of materials, merchandise, or any similar accessory or product, shall be in accordance with section 16-1336. In those instances where a loading zone is not required per section 16-1336, a Loading Zone Management Plan shall be submitted and approved by the city prior to site plan approval.
- h. Exterior loudspeakers or paging equipment are prohibited.
- i. All stand-alone car wash facilities must comply with the following architectural standards:
 - i. Exterior building material shall be stucco or a similar material presenting a high-quality appearance.
 - ii. Buildings shall be designed to have the same architectural style and decorative elements on all sides.
 - iii. The colors of the building and accessory structures shall be compatible with the general character of the area.
 - iv. Elevations showing architectural details and colors shall be submitted as part of both the site and development plan and special exception applications.
- j. To protect landscape buffers and prevent unplanned access, a raised curb of at least six (6) inches in height shall be erected along all street property lines except for driveways.

- k. The car wash equipment shall use a ninety (90) percent water recycling system, utilizing one hundred (100) percent of the waste water.
- l. All washing facilities and equipment shall be within an enclosed building except that vacuuming facilities and air pumps may be located outside the building, subject to a limitation allowing operation of the exterior vacuum facilities and air pumps only during the hours of operation permitted for the stand-alone car wash facility under Section 16-499(30)e of this code.
- m. Exterior detailing and waxing shall be prohibited when abutting residentially zoned properties unless screened from view at the adjoining property line. If screening is not already required by other portions of this code, screening shall consist of a six (6) foot wall, which shall be compatible with the proposed or existing architectural features on-site. The screening shall also include a continuous hedge maintained at a minimum height of six (6) feet located on the outside of the wall within the required landscape buffer unless an alternative landscape plan has been as approved by the development and neighborhood services director or his /her designee. Property lines adjacent to rights-of-way, commercial, or public institution zoned properties shall be upgraded to include a hedge maintained at a minimum of six (6) feet in height unless an alternative landscape plan has been as approved by the development and neighborhood services director or his/her designee.
- n. Special landscape treatment shall be considered to mitigate the visual impact of exterior vacuum equipment on any adjacent right-of-way.
- o. If the opening of the car wash facility faces the adjacent right-of-way, then the opening shall be screened from view of the adjacent right-of-way to the greatest extent possible so that pass-by traffic cannot view the mechanical washing equipment inside the building.

IV. Staff Analysis:

The proposed amendment was submitted by an applicant that also has submitted a concurrent development application for a stand-alone car wash in the city. The proposed amendments will allow for car detailing at a stand-alone car wash which is presently prohibited. Car detailing is an advanced version of a regular car wash. It is a more thorough process that goes beyond what a car wash can accomplish. A car detailing service focuses not only on deep cleaning, but also on light cosmetic paint restoration and high-tech protective coatings. The applicant is addressing the impacts of such operations by providing a landscape hedge abutting any residential properties. Given that there is a market demand for this use within the city, and it is already allowed, the proposed amendments are acceptable.

Development Review Committee Comments:

The petition was reviewed by the Development Review Committee on September 9, 2022, and recommended for approval.

Planning, GIS and Engineering Division:	No objections
Building Division:	No objections
Fire Rescue Department:	No objections
Public Works Department:	No objections

V. Zoning Text Amendment Criteria:

A. *The need and justification for these changes:*

The principal intent of the proposed text amendment to the Zoning Code is to allow for car detailing at stand-alone car wash facilities. Given that there is a market demand for this use within the city, the applicant is addressing the impacts of the service, and stand-alone car washes are already allowed, the proposed amendment is acceptable.

B. *The relationship of the proposed amendments to the purpose and objectives of the City's Comprehensive Plan, and whether the proposed change will further the purposes of the City's Zoning Code regulations and other City codes, regulations and actions designed to implement the Comprehensive Plan.*

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan, specifically, Goal 1 of the Future Land Use Element. This states that it shall be the goal of the City of Greenacres to achieve a high-quality living environment by ensuring that the character and location of land use maximizes the potential for economic benefit and the enjoyment of natural and man-made resources by the citizenry while respecting the integrity of the natural environment by minimizing the threat to health, safety and welfare posed by incompatible land use and environmental degradation. Furthermore, the proposed amendments is consistent with Objective 1 Policy b) of the Future Land Use Element that states that higher intensities and densities of development shall be located within spheres of activity and along major corridors where public facilities are available (such as Commercial Intensive zoned properties).

Overall, the proposed zoning text amendment will enhance economic opportunities while ensuring that appropriate regulations are incorporated to ensure the health, safety, and welfare of the residents of the City, thus assuring consistency with both the Comprehensive Plan and the Zoning Code.

VI. Staff Recommendation:

Approval of ZTA-22-17 through the adoption of Ordinance 2022-35.

**PLANNING AND ZONING BOARD OF APPEALS
RECOMMENDATION – November 10, 2022**

The Planning and Zoning Board of Appeals meeting was cancelled due to impacts from Hurricane Nicole.

**PLANNING AND ZONING BOARD OF APPEALS
RECOMMENDATION – December 8, 2022**

The Planning and Zoning Board of Appeals on a motion made by Board Member Edmundson and seconded by Board Member Litowsky, voting four (4) to zero (0), *recommended approval* of Zoning Text Amendment ZTA-22-17, as presented by staff.

CITY COUNCIL ACTION First Reading – December 19, 2022

CITY COUNCIL ACTION Adoption Hearing – February 6, 2022
