

ORDINANCE NO. 2022-07

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 16, ARTICLE III, DISTRICT REGULATIONS, DIVISION 11, COMMERCIAL INTENSIVE, SECTION 16-499(30) AND ARTICLE VIII, OFF-STREET PARKING AND LOADING REGULATIONS, SECTION 16-1336 AND SECTION 16-1338 TO ADD STAND ALONE CAR WASH FACILITY AND ALLOW FOR THE USE AS A SPECIAL EXCEPTION IN THE COMMERCIAL INTENSIVE (CI) ZONING DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Dwayne Dickerson of Dunay, Miskel and Backman, LLP, agent for Vybe Acquisitions, LLC. has submitted a request for a zoning text amendment to revise Chapter 16, Article I (In General), Section 16-1 (Definitions); Article III (District Regulations), Division 11 (Commercial Intensive); and Article VIII (Off-Street Parking and Loading Regulations); and

WHEREAS, it has been determined, in accordance with the Land Development Staff Report and Recommendation, "Exhibit A" dated March 2, 2022 (attached), that certain amendments to the City's zoning regulations are appropriate; and

WHEREAS, the Planning and Zoning Board of Appeals, on March 10, 2022, held a duly advertised public hearing and recommended approval of ZTA-07-04 and adoption of Ordinance 2022-07 as presented by staff; and

WHEREAS, the City Council of Greenacres has held two (2) duly advertised public hearings to review this request; and

WHEREAS, the City Council of Greenacres finds that it is in the best interests of the citizens of the City of Greenacres that the provisions of Chapter 16, Article I, III, and VIII of the City's Zoning Code be amended; and

WHEREAS, the City Council deems approval of this Ordinance to be in the best interest of the residents and citizens of the City of Greenacres.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
GREENACRES, FLORIDA, THAT:**

SECTION 1. Chapter 16, Article III, Division 11 is hereby amended as follows:

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[Sections 16-496 thru 16-498 to remain unchanged and are omitted for brevity]

Sec. 16-499. Special Exceptions.

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

(30) Stand-alone car wash facility:

- a. There shall be a minimum distance of ~~one thousand five hundred (1,500)~~ 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. ~~A stand-alone car wash facility shall only be located adjacent to an existing gas station or full service fuel station and, to the maximum extent possible, a vehicular cross connection shall be provided to the gas station.~~
- b. ~~e.~~ Stand-alone car wash facilities shall be limited to ~~county collector, urban minor arterial and urban principle arterial roadway systems.~~
- c. ~~d.~~ Outdoor storage is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- d. ~~e.~~ Outdoor display of merchandise is prohibited. All merchandise, parts and supplies shall be located within a completely enclosed building.
- e. ~~f.~~ Hours of operation shall be limited through conditions of approval to promote compatibility with surrounding uses.
- f. ~~g.~~ A stand-alone car wash facility shall have staff on site at all times during the hours of operation.
- g. ~~h.~~ 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. ~~i.~~ Exterior loudspeakers or paging equipment are prohibited.
- i. ~~j.~~ 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.

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- ~~j.~~ ~~k.~~ 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.~~ ~~l.~~ 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.
- ~~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.

SECTION 2. Chapter 16, Article VIII is hereby amended as follows:

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[Sections 16-1331 thru 16-1335 to remain unchanged and are omitted for brevity]

Sec. 16-1336. Parking and loading requirement. Table 16-1336(B)

The following use is to be added between “Business offices & services” and “Child care center/preschool”. All other text to remain as-is and is omitted for brevity.]

TABLE 16-1336(B) PARKING SPACES; NON-RESIDENTIAL		
Use	Minimum parking requirements	Loading
Business offices & services	1 space per 200 sq. ft. of GFA	B
Car wash facility, stand alone	1 space per 200 sq. ft. of GFA devoted to offices, display area, customer waiting areas, break room and restrooms, plus 1 space per 1,000 sq. ft. of GFA devoted to other areas within enclosed building. In addition, 2 spaces per service/detail lane.; <u>spaces provided to serve self-service vacuum stations may be utilized to satisfy the minimum parking requirement detailed herein.</u>	B
Child care center/preschool	1 space per 200 sq. ft. of GFA & 2 drop off zone spaces	N/A

[Sections 16-1337 is omitted for brevity]

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Sec. 16-1338. - Queuing requirements.

Requirements for drive-thru establishments are as follows:

- (1) Each queuing lane must be clearly designed and constructed so as not to conflict or interfere with ingress or egress from the site or with other traffic using the site. A queuing lane shall not share circulation with an access aisle.
- (2) ~~The minimum width of a bypass lane shall be ten (10) feet.~~ Bypass lanes shall be provided as follows:
 - a. Drive thru uses, excluding automated stand-alone car wash facilities, shall provide a continuous bypass lane with a minimum width of ten (10) feet, as illustrated in Figure 161338.
 - b. Automated stand-alone car wash facilities shall provide a point of bypass with a minimum width of ten (10) feet between the pay station and automated car wash tunnel.

- (3) Each queuing space shall be a minimum of ten (10) feet in width and twenty (20) feet in depth.
- (4) The minimum number of queuing spaces, including the vehicle being served, shall be provided in accordance with Table 16-1338 and Figure 16-1338.

[Sections 16-1339 thru 16-1340 to remain unchanged and are omitted for brevity]

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SECTION 3. Repeal of Conflicting Ordinances.

All Ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 4. Severability

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 5. Inclusion in Code

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-

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lettered to accomplish such intention, and that the word “Ordinance” may be changed to “Section”, “Article” or another word.

Section 6. Effective Date.

The provisions of this Ordinance shall become effective five (5) days after it is adopted.

(Remaining page is intentionally left blank)

Passed on the first reading this 18th day of April, 2022.

PASSED AND ADOPTED on the second reading this DD day of Month, 202Y.

Joel Flores, Mayor

Attest:

Quintella Moorer, City Clerk

John Tharp, Deputy Mayor

Peter Noble, Council Member, *District II*

Judith Dugo, Council Member, *District III*

Suzy Diaz, Council Member, *District IV*

Paula Bousquet, Council Member, *District V*

Approved as to Form and Legal Sufficiency:

Glen J. Torcivia, City Attorney