



LAND DEVELOPMENT STAFF REPORT AND RECOMMENDATION

Subject/Agenda Item:

Ordinance 2022-07: ZTA-22-01 – Stand Alone Car Wash

First Reading: A privately initiated Zoning Text Amendment from Dwayne Dickerson of Dunay, Miskel and Backman, LLP., agent for Vybe Acquisitions, LLC. for changes to the existing code requirements for a Stand-Alone Car Wash in the Commercial Intensive (CI) zoning district and related supplementary regulations for the use.

Recommendation to APPROVE

Recommendation to DENY

Quasi-Judicial

Legislative

Public Hearing

Originating Department: Planning & Engineering Project Manager _____ Kara Ferris	Reviewed By: Director of Planning & Engineering _____ Kara L. Irwin-Ferris, AICP
Approved By: City Manager _____ Andrea McCue	Public Notice: <input checked="" type="checkbox"/> Required <input type="checkbox"/> Not Required PC Dates: 12/2/2021, 4/24/22 Papers LWH Mailing: <input type="checkbox"/> Required <input checked="" type="checkbox"/> Not Required Notice Distance: _____

Attachments: <ul style="list-style-type: none">• Ordinance 2022-07	City Council Action: <input type="checkbox"/> Approval <input type="checkbox"/> Approve with conditions <input type="checkbox"/> Denial <input type="checkbox"/> Continued to: _____
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I. Executive Summary

A privately initiated request to amend the City's Zoning Code to revise the established criteria for a Stand-Alone Car Wash. The applicant plans to propose stricter regulations for the use while removing the requirement for the use to be located adjacent to a full-service fuel station or an existing gas station. The current Stand-Alone Car Wash prohibits the development of the use without an adjacent full-service fuel station connected, to the maximum extent possible, through a vehicular cross connection.

The applicant has submitted a concurrent application for Site Plan Approval for a Stand-Alone Car Wash located at 6200 Lake Worth Road.

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 stand alone 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. To date, the city has not approved another stand-alone car wash in the city.

Currently, the city has 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 includes increasing the distance requirement between car wash facilities from 1,500 feet to 3,000 feet, prohibiting exterior detailing and waxing, and requiring a landscape buffering for accessory equipment in the parking area of the site.

The proposed amendments maintain consistency between the Comprehensive Plan and Zoning Code by providing for appropriate commercial development and will allow the provision of additional amenities for the residents of the City. The proposed City criteria will provide greater protection for neighboring uses by increasing the separation requirement between the same two uses by an additional 1,500 feet, providing a minimum three thousand (3,000) feet between the same two uses. In addition, the City will require City Council approval through the Special Exception process and thus must meet a higher review threshold.

III. Proposed Zoning Code Amendments:

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

Proposed Change #1

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 ~~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.
- 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.

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Proposed Change #2

ARTICLE VIII. OFF-STREET PARKING AND LOADING REGULATIONS

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

[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.;	B

	<u>spaces provided to serve self-service vacuum stations may be utilized to satisfy the minimum parking requirement detailed herein.</u>	
Child care center/preschool	1 space per 200 sq. ft. of GFA & 2 drop off zone spaces	N/A

Proposed Change #3

Article VIII. OFF-STREET PARKING AND LOADING REGULATIONS

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.

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. Currently, car washes are only allowed as an accessory or adjacent use to a gas station or a full-service fuel station. The proposed amendments will provide adequate criteria for the review and approval of such an establishment as a principal use, as well as providing those specific conditions of approval can be imposed through the Special Exception process to ensure compatibility with the commercial intensive zoning district and surrounding properties. Given that there is a market demand for this use within the city, and it is already allowed in conjunction with gas stations, the proposed amendments are acceptable.

Land Development Staff Comments:

The petition was reviewed by the Land Development Staff on February 10, 2022, and February 17, 2022 and recommended for approval.

Planning and Engineering Department:	Incorporated into the change
Building Department:	No objections
Fire Rescue Department:	No objections
Public Works Department:	No objections
PBSO District #16	No objections

V. Zoning Text Amendment Criteria:

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

The principal intent of these proposed text amendments to the Zoning Code is to allow for stand-alone car wash facilities. Currently, car washes are only allowed as an accessory or adjacent use to a gas station or a full-service fuel station. The proposed amendments will ensure that there are adequate criteria for the review and approval of such establishments as a principal use, as well as providing those specific conditions of approval can be imposed through the Special Exception process to ensure compatibility with the commercial intensive zoning district and surrounding properties. Given that there is a market demand for this use within the city, and it is already allowed in conjunction with gas stations, the proposed amendments are 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 amendments are 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 are 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-22-01 through the adoption of Ordinance 2022-07.

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

The Planning Commission on a motion made by Commissioner Roberts and seconded by Commissioner Edmundson, by a vote of three (3) to zero (0) recommended approval of Zoning Text Amendment **ZTA-22-01** (*Stand Alone Car Wash*) as presented by staff.

CITY COUNCIL ACTION First Reading – April 18, 2022

The City Council on a motion made by Councilmember Noble and seconded by Councilmember Bousquet, by a vote of five (5) to zero (0) recommended approval of Zoning Text Amendment **ZTA-22-01** (*Stand Alone Car Wash*) on first reading as presented by staff.

CITY COUNCIL ACTION Adoption Hearing – May 2, 2022
