

ORDINANCE NO. 2023-01

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING CHAPTER 16 "ZONING REGULATIONS," ARTICLE VI, "SIGN REGULATION," DIVISION 5, SIGN REGULATION BY ZONING DISTRICT, SECTION 16-983, IDENTIFICATION SIGNS, TO CLARIFY THE MAXIMUM SIGN COPY AREA; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Greenacres, Florida, is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Article VIII of the State Constitution and Chapter 166, Florida Statutes, provide that municipalities shall have the governmental, corporate, and proprietary powers to enable them to conduct municipal government, perform municipal functions, and render municipal services, and may exercise any power for municipal purposes, except when expressly prohibited by law; and

WHEREAS, on September 28, 2022, the City Council adopted Ordinance No. 2022-25 to modify and update the City's regulation of signs in Chapter 16, Article VI, Sign Regulation, of the City of Greenacres Code of Ordinances; and

WHEREAS, there is a need to further amend Section 16-983, subsections (a) and (b) of the newly adopted sign regulations to clarify the maximum allowable sign copy area for certain identification signs; and

WHEREAS, in accordance with the requirements of Chapter 163, Florida Statutes, the City's Local Planning Agency has reviewed the proposed Ordinance and has determined that the proposed regulation is consistent with the City's Comprehensive Plan; and

WHEREAS, the City Council conducted a first and second reading of this Ordinance at duly noticed public hearings, as required by law, and after having received input from and

participation by interested members of the public and staff, the City Council has determined that this Ordinance is consistent with the City's Comprehensive Plan; 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, AS FOLLOWS:

SECTION 1. Legislative Findings, Intent and Purpose. The WHEREAS clauses contained herein are legislatively determined to be true and correct and are incorporated herein and represent the legislative findings of the City Council.

SECTION 2. The City Council hereby amends the City of Greenacres Code of Ordinance at Chapter 16, Zoning Regulations, Article VI, Sign Regulation, Division 5, Sign Regulation by Zoning District, Section 16-983, by amending subsections (a) and (b) to read as follows (words ~~stricken~~ are deletions; words underlined are additions):

CHAPTER 16. ZONING REGULATIONS.

ARTICLE VI. SIGN REGULATIONS

DIVISION 5. – SIGN REGULATION BY ZONING DISTRICT

Sec. 16-983. Identification signs.

(a) Residential districts.

- (1) In residential districts, non-residential uses are allowed one (1) identification wall sign.
- (2) For planned residential developments and subdivisions, one free-standing sign per major access is allowed. Two (2) signs with one (1) copy side each may be permitted in place of a single sign with two (2) copy areas.

(3) The maximum copy area per sign face shall be 32 sq. ft.

(b) *Non-residential districts.* Except as provided in subsections (1), (2) and (3) below, in commercial and other non-residential districts, one (1) free standing sign and one (1) wall sign shall be allowed per frontage, provided that the signs are not located within two hundred (200) feet of each other on the same lot as measured along the frontage line.

(1) For single-use stores with over forty thousand (40,000) sq. ft. of floor area, three (3) wall signs with copy area not to exceed the maximum copy area allowed.

(2) Multi-tenant commercial properties are allowed one (1) freestanding sign per frontage and one (1) wall sign per tenant space.

(3) Outparcels and outbuildings within a unified development are allowed one (1) free-standing monument sign with a maximum height of eight (8) feet and with a maximum copy area of forty (40) sq. ft. per sign face.

(4) Time and temperature signs not exceeding two (2) feet in height, located in the bottom portion of the sign, may be included as an integral part of the identification sign copy area in CG districts for banks and financial institutions with drive-thrus.

(5) Electronic changeable copy gas station price signs not exceeding twelve (12) square feet may be included as an integral part of the freestanding sign copy area for gas stations located in the CG and CI districts provided, they are LED style and the sign copy is only for fuel prices.

(6) Electronic changeable copy signs for Government users are limited to messages that serve a public purpose and are not permitted to promote commercial messages of any kind. No advertising for off-site businesses is permitted in any

form.

- (7) The allowable copy area per sign face for each wall sign shall be one and one half (1 ½) sq. ft. per linear foot of building or tenant frontage, not to exceed the following maximum copy area by zoning district:

<u>Zoning District</u>	<u>Maximum Wall Sign Copy Area</u>
<u>OPI, MXD-O</u>	<u>60 sq. ft.</u>
<u>CN, MXD-OS</u>	<u>75 sq. ft.</u>
<u>CG, CI, GU</u>	<u>240 sq. ft.</u>
<u>MXD-R, MXD-C</u>	<u>30 sq. ft.</u>

- (8) The allowable copy area per sign face for each freestanding sign shall be 25% of parcel linear footage, not to exceed the following maximum copy area by zoning district:

<u>Zoning District</u>	<u>Maximum Freestanding Sign Copy Area</u>
<u>OPI</u>	<u>60 sq. ft.</u>
<u>CN, MXD-OS</u>	<u>75 sq. ft.</u>
<u>CG</u>	<u>240 sq. ft.</u>
<u>MXD-R, MXD-C</u>	<u>12 sq. ft.</u>
<u>MXD-O</u>	<u>90 sq. ft.</u>
<u>CI, GU</u>	<u>400 sq. ft.</u>

(c) *General provisions – wall signs.*

- (1) There shall be a minimum separation of three (3) feet between wall signs.
- (2) Side wall building signage shall not exceed fifty (50) percent of max. sq. ft. of allowable building sign copy area, or twenty-five (25) percent of max. sq. ft. of allowable building signs copy area when adjacent to residential parcels.

- (3) All wall signs shall be no closer than twelve (12) inches from the side lines of the premises storefront and six (6) inches to the top and bottom of the premises sign area.
- (4) The height of any wall sign cannot exceed the top elevation of the structure.
- (5) Building signs shall be consistent in color with those of the freestanding sign.
- (6) Unless otherwise approved as part of the Master Sign Plan, site, and development plan approval, or as necessary to maintain consistency with the majority of the existing signs in the plaza, wall signs shall be internally illuminated with individual channel letters or reverse channel letters. The trim cap and returns of the building wall sign shall be the same color as the letters and the illumination shall be with clear neon or LED tubing. No raceways or box signs will be permitted. A maximum of fifty (50) percent of the area of each wall sign may incorporate a logo of any color, the logos shall not exceed the total height of the sign on the building and shall meet the requirements of distance from the premise area.

(d) *General provisions – freestanding signs.*

- (1) Free-standing identification signs shall be designed as monument signs, and oriented perpendicularly to the frontage on which they are situated. The maximum height for free-standing signs shall be eight (8) feet except as otherwise provided in this Chapter.
- (2) Free-standing signs must be located within the general area of the major vehicular access points and must include the name of the development prominently displayed. Free-standing identification signs for commercial developments must also include the full range of street addresses located

onsite (this will not be included as part of the copy area).

- (3) Freestanding signs shall be consistent in color with those on the building. All freestanding signs shall be designed with an opaque background, so that light or a light source cannot penetrate through the sign with the exception of through the letters and logo associated with said sign. The architectural design shall be consistent with the design of the building, sharing materials, colors, and design motifs.
 - (4) Free-standing monument signs may include a leasing sign not exceeding twelve (12) square feet incorporated into the base of the monument sign. Letter size shall be no less than five (5) inches using no more than two (2) colors and consistent with the design of the rest of the sign.
- (e) All signage located within any development shall maintain architectural consistency with itself, as well as with all structures, located onsite. The development may get a master sign program approval which incorporates multiple colors, fonts, and logos provided it is included in part of a theme that provides architectural consistency for the project as a whole and is formally approved by the city.

SECTION 3. Repeal of Conflicting Ordinances. All other ordinances or parts thereof or parts of the Code conflicting or inconsistent with this Ordinance are hereby cancelled, repealed, or revised to be consistent with provisions and elements of this Ordinance.

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.

SECTION 5. Codification.


It is the intention of the City Council that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Greenacres, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word "Ordinance" may be changed to "Section", "Article" or another word.

SECTION 6. Effective Date.

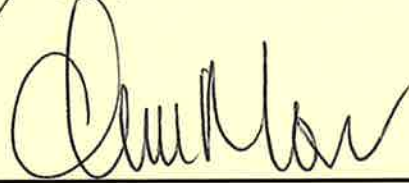
The provisions of this Ordinance shall become effective upon adoption.

Passed on the first reading this 6th day of February, 2023.

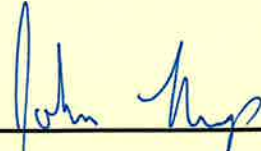
PASSED AND ADOPTED on the second reading this 6th day of March, 2023.



Joel Flores, Mayor

Attest: 

Quintella Moorer, City Clerk



John Tharp, Deputy Mayor

Voted: *Yes*



Peter Noble, Council Member, District II


Voted: *Yes*



Absent


Judith Dugo, Council Member, District III

Voted:



Susy Diaz, Council Member, District IV

Voted: *Yes*



Paula Bousquet, Council Member, District V

Voted: *Yes*

Approved as to Form and Legal Sufficiency:



Glen J. Torcivia, City Attorney



Mint Eco Car Wash

SE-22-03

Prepared By:
Planning Department
City of Greenacres
5800 Melaleuca Lane
Greenacres, FL 33463



**Justification Statement
Mint Eco Car Wash LWR
Special Exception Use & Site Plan Review Request
City of Greenacres
Original Submittal: August 19, 2022**

Request

On behalf of the applicant, Mint Eco Car Wash Acquisition Co., LLC ("Applicant"), Schmidt Nichols respectfully requests your consideration of this application for a Special Exception Use approval for the project known as Mint Eco Car Wash LWR. The 3.62-acre subject property (PCN: 18-42-44-25-00-000-3260; 3080; 3081) is located at 4840 Lake Worth Road in the City of Greenacres ("subject properties"). The parcel fronting along Lake Worth Road currently supports a vacant restaurant structure. The parcels to the rear are currently vacant. The proposed use of Stand-Alone Car Wash Facility is situated at the north end of the properties with 4,414 s.f. supporting the car wash tunnel, indoor lounge, and offices.

The Applicant requests consideration of the following:

Request 1: Special Exception Use for a Stand-Alone Car Wash Facility

Site Aerial



Companion Applications:

1. Zoning Text Amendment relating to outdoor detailing.
2. Rezoning from General Commercial (GC) to Commercial Intensive (CI)

Currently, the subject properties support a Future Land Use Atlas (FLUA) designation of Commercial (CM) and are currently within the General Commercial (GC) Zoning District.

Below is a summary of surrounding properties:

Adjacent Lands	Uses	FLU	Zoning
Subject Property (Proposed)	Stand Alone Car Wash Facility	CM	CI
North	Office	CM	GC
South	Canal / Residential Single Family	RS-LD	RL-3
East	Commercial	RS-LD & CM	RL-3 & GC
West	Single-Family Residential	RS-LD & CM	RL-3 & GC

JUSTIFICATION:

The proposed Stand-Alone Car Wash Facility as proposed within the Commercial Intensive zoning is required to be reviewed as a Special Exception use and must comply with the following standards:

- A. That the proposed request is in compliance with all elements of the Comprehensive Plan.

Response: The proposed Special Exception use is subject to the supplemental regulations of the use as prescribed within Section 16-499. The City's Comprehensive Plan provides for zoning designations to support commercial uses along the Lake Worth Corridor to encourage a mix of uses to serve the needs of the surrounding community. The proposed request is in compliance with applicable elements of the Comprehensive Plan.

- B. That satisfactory provisions have been made for ingress and egress to the property and proposed structures therein with particular reference to

automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Response: The subject site currently supports two (2) points of ingress/egress along Lake Worth Road. The proposed site plan eliminates one of those driveways creating a more efficient and safe traffic flow and eliminates conflict with the driveway immediately to the east of the site. The proposed site plan also indicates a point of ingress/egress along Empire Way which also increases the site efficiency and provides for the ability for fire access throughout the site.

- C. That off-street parking and loading areas have been provided where required with particular attention to the items in (B) above.

Response: The proposed site plan has clearly identified employee parking as well as detailing bays for customer use with specific attention made to ensure efficiency in traffic flow, clear access to the site and to ensure fire access throughout the property. The site plan provides for 6 additional parking spaces above the code required for a car wash facility.

- D. That refuse and services areas have been provided with particular reference to items (B) and (C) above.

Response: A code compliant dumpster and recycling enclosure has been provided on the proposed site plan with particular attention paid to ensure ease of access to service the dumpster and safely exit the site.

- E. That the proposed request will not create nuisance factors detrimental to adjacent and nearby properties and the City as a whole. Nuisance factors shall include but not necessarily be limited to noise, odor, smoke, glare, electrical interference and/or mechanical vibrations.

Response: The proposed use has been designed in such a way to reduce any potential impacts from the adjacent residential uses to the west by adhering to the required landscape buffers and locating the building toward the north within the property near the similar commercial uses which are prominent along Lake Worth Road. The car wash tunnel has been oriented north/south to avoid any noise impacts to adjacent properties along with positioning the central vacuum facilities along the east property line abutting Empire Way to again avoid any potential impacts to the adjacent residential properties. The proposed use does not anticipate any odor, smoke, glare noise or electrical and/or mechanical vibrations emanating from the proposed use. Significant landscaping is proposed along all perimeter property lines to ensure a visual screen into and out of the property.

- F. That utilities have been provided with reference to location, availability and compatibility.

Response: The project civil engineer has confirmed that adequate public facilities and infrastructure exists to serve the property.

- G. That satisfactory provisions have been made for screening and buffering with reference to type, dimensions, and character.

Response: The City's Zoning regulations are very specific as it relates to landscape buffers when adjacent to residential parcels and ROWs. The ROW landscape buffer also requires a 2' undulating berm which has been provided where feasible as the site contains existing utility infrastructure within the ROW landscape area which must remain. The owner/operator of this facility as it says in their name is very ecologically conscious and has gone to great lengths on other sites with this site no different to create a spa like experience for their customers and to provide as much landscape as possible to change the perception of what a car wash experience can be vs. the traditional facilities.

- H. That signs and proposed exterior lighting have been provided with consideration of glare, traffic safety, economic effect and compatibility and harmony with properties in the district.

Response: The signage as proposed includes a monument sign along Lake Worth Road and wall signage on the north, south, and east facades of the building. These proposed signs along with the directionalized LED lighting throughout the site as required by code have all considered glare, traffic safety, economic effect and compatibility and harmony with properties in the district.

- I. That required yards and other open space have been provided.

Response: The site plan has been designed to comply with all required yard setbacks as well as open space requirements.

- J. That the proposed request will ensure general compatibility with adjacent properties and other property in the district.

Response: The site plan has been designed in such a way for compatibility with the general land use pattern along the Lake Worth corridor with a mixture of commercial uses. The proposed use will be generally compatible with the surrounding uses. The access, traffic flow, landscaping, and orientation of on-site improvements has taken into

account the adjacent properties to ensure that there are no negative impacts to those surrounding properties.

- K. That the change proposed is not out of scale with the needs of the neighborhood or the City.

Response: The proposed use is not out of scale with the needs of the community and further compliments the surrounding area by providing a service which is in demand, providing living wage jobs to local residents, and is not physically out of scale with the development along Lake Worth Road. This corridor has predominately been developed with commercial uses of varying nature including retail, fueling, restaurants, etc. The proposed use fits within the urban fabric and seeks to bring needed jobs and a service-based business to the community.

- L. That any special requirement set out in the schedule of district regulations for the particular use involved have been met.

Response: The applicant has reviewed and complied with all of the supplemental requirements for a stand-alone car wash facility within the Commercial Intensive zoning district. These standards include separation from another similar use by a measurement of 1,500 feet, the facility must be staffed, no exterior loudspeakers, four-sided architecture which is consistent with the corridor, water recycling requirements, and landscaping to ensure no visual impacts to adjacent properties.

Employment Opportunities

The proposed development will generate approximately 35-40 jobs (20-25 per shift) consisting of entry-level jobs to skilled jobs. The applicant will hire employees locally and will promote from within with competitive hourly rates and salaries. There will be a variety of job positions at this facility. Line-staff employees will make an average of \$15-30/hour with tips and then will have an opportunity to be promoted to customer-service positions, who will make an average of \$25-35/hour with commissions. Customer-service positions will have an opportunity to be promoted to assistant managers, who will make an average of \$50-75k/year with bonuses, and assistant managers will have an opportunity to be promoted to general managers, who will make an average of \$75k-\$125k/year with bonuses. The internal promotion structure allows employees to become more entrepreneurial as they progress from each job position, while also growing with the company. Furthermore, the proposed development will provide local employees with a living wage that can assist in supporting families throughout the City of Greenacres.

Parking:

Required Parking: The proposed parking has been calculated as follows:

Stand Alone Car Wash Facility

1 space/200 s.f. of office @ 1,300 s.f. = 7 Spaces

2 spaces/detail lane @ 2 lanes = 4 spaces

Parking Provided: 17 spaces

Handicap Spaces Required: 1 Space

Handicap Spaces Proposed: 1 Space

Bicycle Spaces Required: 1 Space

Bicycle Spaces Proposed: 1 Space

On behalf of the applicant, Schmidt Nichols respectfully requests your approval of this Special Exception Use and Site Plan application for Mint Eco Car Wash LWR.

DATE	BY

GAULFIELD & WHEELER, INC.
 LANDSCAPE ARCHITECTURE - SURVEYING
 10000 W. BAYVIEW BLVD. SUITE 100
 BOCA RATON, FLORIDA 33433
 PHONE (561) 381-1999 / FAX (561) 390-1942

4840 LAKE WORTH ROAD
 BOUNDARY SURVEY

DATE: 01-2-2021	SCALE: 1"=40'
DATE: 01-2-2021	SCALE: 1"=40'
DATE: 01-2-2021	SCALE: 1"=40'
DATE: 01-2-2021	SCALE: 1"=40'

DATE: 01-2-2021
 SHEET: 2
 OF: 2 SHEETS

