



**CITY OF AVON PARK  
TEXT AMENDMENTS TO THE  
UNIFIED LAND DEVELOPMENT CODE  
OVERVIEW REPORT  
October 13, 2014**

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**TO:** CITY OF AVON PARK CITY COUNCIL

**SUBJECT:** **Ordinance 22-14:**  
**City-Initiated amendment** to the City of Avon Park Unified Land Development Code amending Article 2, adding “Car Wash And Auto Detailing” to Table 2.04.01(A), Table of Land Uses; Amending Article 3, Section 3.08.09, and adding new Section, 3.11.00, Supplemental Development Standards; and amending Article 9, providing definitions for Car Wash And Auto Detailing.

**AGENDA & HEARING DATES:**

August 26, 2014: Planning and Zoning Board (Public Hearing)  
September 22, 2014: City Council (First Reading, Public Hearing)  
**October 13, 2014: City Council (Adoption, Public Hearing)**

**CITY COUNCIL ACTION:**

On Monday, September 22, 2014, the City Council voted unanimously to approve Ordinance 22-14 on First Reading.

**PLANNING AND ZONING BOARD ACTION:**

On Tuesday, August 26, 2014, the Planning and Zoning Board voted 3-1 in favor of forwarding the proposed amendments to the City Council with recommended changes and a recommendation of approval.

**RECOMMENDED CHANGES BY PLANNING AND ZONING BOARD:**

The Planning and Zoning Board recommended the addition of the underlined text below to the following provision in Section 3.011.00.

- (4) Water run-off from car washing operations shall drain into an oil/sand trap on site and thence into a sanitary sewer. If no sanitary sewer is available, a drainage plan approved by the City Engineer or his or her designee shall be established. In no case, shall water from a car washing operation be able to freely flow into the stormwater system.

**CITY COUNCIL MOTION OPTIONS:**

1. I move the City Council **approve Ordinance 22-14**
2. I move the City Council **approve with changes Ordinance 22-14**
3. I move the City Council **deny Ordinance 22-14**

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**ATTACHEMENTS:**

- Ordinance 22-14

**ORDINANCE NO. 22-14**

**AN ORDINANCE OF THE CITY OF AVON PARK, FLORIDA, AMENDING THE AVON PARK LAND DEVELOPMENT CODE; AMENDING ARTICLE 2, ADDING “CAR WASH AND AUTO DETAILING” TO TABLE 2.04.01(A), TABLE OF LAND USES; AMENDING ARTICLE 3, SECTION 3.08.09 AND ADDING NEW SECTION, 3.11.00, SUPPLEMENTAL DEVELOPMENT STANDARDS; AND AMENDING ARTICLE 9, PROVIDING DEFINITIONS FOR CAR WASH AND AUTO DETAILING; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 163.3167(c), Florida Statutes, empowers the City to adopt land development regulations to guide the growth and development of the City; and

**WHEREAS**, pursuant to Section 166.041(3)(c)(2), Florida Statutes, the City Council of the City of Avon Park has held meetings and hearings regarding the proposed amendments to the Unified Land Development Code, with due public notice having been provided, to obtain public comment, and considered all written and oral comments received during public hearings, including supporting documents; and

**WHEREAS**, in exercise of its authority, the City Council of the City of Avon Park has determined it necessary to adopt these amendments, which are shown in Exhibit “A”, attached hereto and made a part hereof, to encourage the most appropriate use of land consistent with public interest; and,

**NOW, THEREFORE**, be it enacted by the City Council of the City of Avon Park, Florida:

**Section 1.** Article 2, Table 2.04.01(A); Article 3, Section 3.08.09; Article 3, Section 3.11.00; and Article 9 are hereby amended as shown in Exhibit “A”.

**Section 2.** **Severability:** If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 3.** **Effective Date:** This ordinance shall take effect immediately upon adoption at second reading.

This Ordinance shall be codified in the Code of Ordinances of the City of Avon Park, Florida. A certified copy of this enacting ordinance shall be located in the Office of the City Clerk of Avon Park. The City Clerk shall also make copies available to the public for a reasonable publication charge.

**INTRODUCED AND PASSED** on First Reading at the regular meeting of the Avon Park City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2014

**PASSED AND DULY ADOPTED**, on second reading at the meeting of the Avon Park City Council duly assembled on the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**CITY OF AVON PARK, FLORIDA**

\_\_\_\_\_  
**Sharon Schuler, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Maria Sutherland, City Clerk**

**Approved as to form:**

\_\_\_\_\_  
**Gerald T. Buhr, City Attorney**

**Motion made by** \_\_\_\_\_ **seconded by** \_\_\_\_\_.

**The vote was** \_\_\_\_ **for** \_\_\_\_ **against with** \_\_\_\_ **abstentions and** \_\_\_\_ **absent**



*Article 3, Section 3.08.09, is hereby amended by amending language to read as shown below. Text that is underlined is text to be added. Text that is ~~strikeout~~ is text to be removed.*

### **3.08.09 Filling Station (Convenience Store with Gas)**

(B) *Service Area.* Service areas shall be provided as follows:

- (3) Equipment. Pits, hoists, and all lubricating, ~~washing,~~ and repair equipment and work space shall be enclosed within a building. ~~Washing and~~ Lubricating service areas shall drain to a City standard sand and grease trap, drain field and dry well.
- (5) Car wash and auto detailing uses. Such uses shall be permitted as an accessory use on site. See supplementary development standards for car washing and detailing uses, Section 3.11.01 of this Code.

*Article 3, Section 3.11.00, is hereby amended by adding language to read as shown below. Text that is underlined is text to be added. Text that is ~~strikeout~~ is text to be removed.*

### **3.11.00 Supplemental Development Standards**

Certain uses have characteristics that require the application of development standards in addition to those otherwise required by this Code. These standards shall be met by all new development and redevelopment in the City of Avon Park. Where standards provided herein exceed and/or create greater restrictions than those of the underlying zoning district, this section shall supersede any other provision of this Code. Where no standard is established in this section that of the relevant zoning district shall apply

#### **3.11.01 Car Wash and Auto Detailing**

Car wash and auto detailing uses shall comply with the following supplementary use standards.

(A) General requirements.

- (1) All washing and detailing operations shall be confined within a permanent (non-movable) roofed structure, to be located on a concrete slab or existing paved surface.
- (2) Prefabricated carports and canopy structures shall not constitute a permanent roofed structure and are prohibited.
- (3) A building permit shall be issued for any structure serving the operation of a car wash and/or detailing use.
- (4) Water run-off from car washing operations shall drain into an oil/sand trap on site and thence into a sanitary sewer. If no sanitary sewer is available, a

drainage plan approved by the City Engineer or his or her designee shall be established. In no case, shall water from a car washing operation be able to freely flow into the stormwater system.

- (5) Washing apparatuses, supplies and towels shall be screened from public view and not displayed in an unsightly manner.
- (6) Car wash facilities are encouraged to utilize water conservation measures, which include but are not limited to, on-site water recycling systems, low flow plumbing devices, and fixtures with automatic or manual shut-off valves.

(B) Stand-alone facilities.

- (1) Stand-alone facilities shall be permitted as designated in Table 2.04.01(A), Table of Land Uses, under Car Wash and Auto Detailing.
- (2) Stand-alone facilities shall be constructed per Florida Building Code standards, meeting requirements for standard building frame construction.
- (3) Stand-alone facilities may be established as automated, self-service, or hand washing facilities.

(C) Accessory facilities.

- (1) Automated, self-service, and hand car washing and auto detailing uses may be permitted as an accessory use to an automotive service or filling station use when it is located on the same lot. Such uses shall be governed by the use and development standards applicable to the service station use.
- (2) Before obtaining any building permits, the operator shall submit a site plan of the proposed car wash operation on the site. The operator shall also provide written consent of the property owner to establish a carwash or detailing use on the site.
- (3) Water run-off from car washing operations shall not impede on the circulation of automobiles and pedestrians utilizing the primary use of the site.
- (4) A building containing functional restroom facilities shall be available on-site.
- (5) Operating hours for hand car washing and detailing operations shall be confined to the operating hours of the primary use.

- (6) Accessory non-movable roofed structures may be utilized for detailing purposes on stand-alone car wash sites. Such structures shall meet all general requirements in accordance with this Section.
- (D) Parking, stacking, and circulation requirements.
  - (1) Automated and self-service facilities. Shall be provided in accordance with Table 3.1, Number of Required Parking Spaces.
  - (2) Hand car wash and detailing facilities. A minimum of four (4) parking/stacking spaces shall be provided in addition to any spaces used for operations. Such spaces may be utilized as stacking spaces, separate parking spaces or a combination of the two. Any stacking shall be located in such a way as to avoid traffic circulation conflicts and provide safe turning movements. If operated as an accessory use, the required car wash parking/stacking spaces shall be provided separate from the parking spaces required by the primary use.

*Article 9, Definitions, is hereby amended by amending and adding the following definitions. Text that is underlined is text to be added. Text that is ~~strikeout~~ is text to be removed.*

**Car wash (and Auto Detailing):** An establishment primarily engaged in the washing or detailing of motor vehicles. Detailing includes hand washing and waxing, window tinting, and interior cleaning.

**Car wash, Automated:** Any facility that services the washing of motor vehicles through the use of a mechanized production line using conveyors, brushes, blowers, or other mechanical devices; and which may also employ some hand labor.

**Car wash, Self-Service:** Any facility that provides stalls which contain equipment and materials, including but not limited to brushes, water, soap, and wax for the cleaning of motor vehicles by individuals.

**Car wash, Hand wash:** Any facility that services the washing of a motor vehicle through hand labor.

**Service Station:** Includes activities listed under Filling Station, plus: activities conducted at a service garage including the sale of any motor fuels, oils, or automotive accessories and maintenance or small-scale mechanical work on motor vehicles. This shall include inspection, maintenance, repair or replacement of the following: brake systems; ignition and electrical systems; carburetors and fuel systems; batteries; oil, antifreeze and other fluids; and, tires. Also included are ~~auto~~ car washing and auto detailing, and the tuning and adjustment, but not disassembly or removal, of engines and transmissions.