



## Legislation Text

File #: LN-133, Version: 1

Zoning Board of Appeals  
Meeting Date: April 15, 2021

### SPECIAL EXCEPTION - U-HAUL CO. OF FLORIDA

**Request:** Special Exception  
**P&Z#** 21-17000005  
**Owner:** U-Haul Co of Florida  
**Project Location:** 790-820 SW 12<sup>th</sup> Avenue  
**Folio Number:** 494202000510, 494202030840, 494202030850  
**Land Use Designation:** I-Industrial  
**Zoning District:** 1-I (General Industrial)  
**Agent:** Heidi Davis Knapik  
**Project Planner:** Scott Reale

### Summary:

The Applicant Landowner is requesting SPECIAL EXCEPTION approval as required by Section 155.4223(A) (1) [Districts Where Permitted] of the City's Zoning Code in order to utilize the subject property (Zoning District: I-1) for a Self-Storage or Mini-Warehouse Facility.

The subject property is comprised of three parcels located on the south side of SW 8<sup>th</sup> Street between SW 12<sup>th</sup> Avenue (S Andrews Avenue) and I-95.

### ZONING REGULATIONS

#### 155.4223. COMMERCIAL: SELF-SERVICE STORAGE USES

##### A. Self-Storage or Mini-Warehouse Facility

##### 1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
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M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-1
		S	P	S									P			

## **2. Definition**

A self-storage or mini-warehouse facility is a building or group of buildings divided into separate self-contained units or areas offered for rent for self-service storage of household and personal property. The storage units or areas are designed to allow private access by the tenant for storing and removing personal property. Accessory uses may include leasing offices, outdoor storage of boats and recreational vehicles, incidental sales or rental of moving supplies and equipment, and living quarters for a resident manager or security guard. The rental of trucks or trailers is a separate principal use and not considered accessory to this use.

## **3. Standards**

A self-storage or mini-warehouse facility shall comply with the following standards:

### **a. Site Layout**

- i. The facility shall be located on a site with an area of at least one acre.
- ii. If separate buildings are constructed, there shall be a minimum separation of ten feet between buildings.

### **b. Operation**

- i. The only commercial uses permitted on-site shall be the rental of storage bays and the pickup and deposit of goods or property in dead storage and the incidental sales or rental of moving supplies (e.g., boxes) and equipment (e.g., dollies). Storage bays shall not be used to manufacture, fabricate, or process goods, to service or repair vehicles, small engines or electrical equipment, or conduct similar repair activities, to conduct garage sales or retail sales of any kind, or to conduct any other commercial or industrial activity on the site.
- ii. Except as otherwise authorized in this subsection, all property stored on the site shall be contained entirely within enclosed buildings.
- iii. Hours of public access to a self-storage use abutting a residential zoning district or existing residential use shall be restricted to the hours between 6:00 a.m. and 10:00 p.m.

### **c. Storage of Recreational Vehicles and Boats**

Open storage of recreational vehicles (RVs) and pleasure boats of the type customarily maintained by persons for their personal use shall be permitted within a self-service storage facility use, provided that the following standards are met:

- i. The storage shall occur only within a designated area, which shall be clearly delineated.
- ii. Storage shall not occur within required yards.
- iii. The parking spaces designated for storage shall not be eligible for compliance with Minimum Off-Street Parking Requirements.
- iv. The designated storage area shall be located behind the principal structure and shall comply with the Outdoor Storage Area standards in Section 155.4303.W.
- v. The recreational vehicles and pleasure boats shall be operable. The pleasure boats shall be placed on a trailer.

**d. Parking and Circulation**

i. Interior parking shall be provided in the form of aisleways adjacent to the storage bays. These aisleways shall be wide enough to be used both for circulation and temporary customer parking when accessing storage bays.

ii. The one- or two-way traffic flow patterns in aisleways shall be clearly marked. Marking shall consist, at a minimum, of standard directional signage and painted lane markings with arrows.

iii. Appropriate access and circulation by vehicles and emergency equipment shall be ensured through the design of internal turning radii of aisleways.

iv. All access ways shall be paved with asphalt, concrete, or comparable paving materials.

**e. Building Appearance**

In addition to the General Commercial, Institutional, and Mixed-Use Design Standards of Section 155.5602, the following design standards are applicable for self-storage uses in B-4 and I-1 Zoning districts.

i. Garage doors or overhead doors serving individual storage units, or similar architectural treatment shall not be visible from adjacent streets. When overhead doors are within a building, they must be setback a minimum of 15 feet from any window facing a public right-of-way (this shall not include opaque glass or false windows, where the interior space is not visible from the right-of-way).

ii. Colors used shall be compatible with the character of the surrounding area, abutting residential neighborhoods.

iii. Regardless of the number of stories, buildings greater than 24 feet in height shall include a clearly recognizable base, middle and top configured in accordance with the standards of Section 155.5602.C.4.

iv. Each story above the ground level must provide at least 30 percent of the street-facing facade area as glass treatment (measured from the story line denoting the lower floor to the underside of the eave, top of the parapet, or the story line denoting the upper floor).

v. When a self-storage facility is proposed along an arterial or collector roadway, the building must be designed to accommodate a commercial liner. The liner building may be in the same building or separate from the self-storage facility; however, when it is integrated into the same building at minimum the ground floor must be designed to allow for active commercial use(s) fronting the street, independent from the self-storage facility.

**LAND USE PATTERNS**

Subject property (Zoning / Existing Use): I-1 | no active BTRs

Surrounding Properties (Zoning District / Existing Use):

- North: I-1 | used automobile sales, contractor (tree trimming, roofing, general)
- South: I-1 | showroom, auto dealer-motorcycle, moped, scooter; merchants,
- East: I-1 | Interstate 95
- West: I-1 | heavy equipment rental

## **PROPERTY INFORMATION**

1. The subject property has no Code Compliance cases and no active business tax receipts, but the westernmost parcel includes an existing 7,424 sq ft building. There is currently a billboard on the easternmost parcel closest to I-95, which, according to the conceptual site plan submitted with this application, is slated to remain and become part of a 60' right-of-way dedication for future access to the property immediately south of the subject property at 820 SW 12<sup>th</sup> Avenue. A portion of the existing SW 10<sup>th</sup> Avenue public right-of-way that is currently used for access by the neighboring property is proposed to be vacated in order for the three U-Haul parcels to be assembled and unified.

2. For several years, self-storage and mini-warehouse facilities were permitted by right in the B-4 and I-1 zoning districts. However, a couple of years ago city leaders began raising concerns about the appropriateness and overabundance of such facilities. A self-storage analysis was performed by a consultant based on the estimated demand of self-storage facilities along with the current/projected population of Pompano Beach. This formula resulted in a "demand per capita," which was compared the total number of self-storage facilities of neighboring facilities. Demand was compared to the supply, and Pompano appeared to have more self-storage than our neighboring cities and more than what the expected demand was for self-storage. Subsequently, Commission initiated a temporary moratorium (Ord. 2019-108) on the issuance of development permits for self-storage facilities. Ultimately, the Zoning Code was amended via Ord. 2020-62 (adopted 3/23/2020) which now requires applicants seeking a self-storage or mini-warehouse facility in the B-4 and I-1 zoning districts to obtain approval via Special Exception. Additionally included in the Ordinance are enhanced design standards for the building appearance and neighborhood compatibility. This is the first Special Exception application for self-storage since the amended regulations were adopted by City Commission.

3. In their narrative, the applicant has addressed both the review standards for a Special Exception and the aforementioned use-specific design standards for a self-storage facility. If the Special Exception is approved, the application must subsequently obtain Major Site Plan approval for the proposed self-storage facility, which includes the existing building, a new three-story self-storage area, a single-story warehouse building, associated site and landscaping improvements, and new access for the neighboring property to the south.

## **SPECIAL EXCEPTION REVIEW STANDARDS**

A Special Exception shall be approved only on a finding that there is competent substantial evidence in the record that the Special Exception, as proposed:

- a) Is consistent with the comprehensive plan;
- b) Complies with all applicable zoning district standards;
- c) Complies with all applicable use-specific standards in Article 4: Use Standards;
- d) Avoids overburdening the available capacity of existing public facilities and services, including, but not limited to, streets and other transportation facilities, schools, potable water facilities, sewage disposal, stormwater management, and police and fire protection;
- e) Is appropriate for its location and is compatible with the general character of neighboring lands and the uses permitted in the zoning district(s) of neighboring lands. Evidence for this standard shall include, but not be limited to, population density, intensity, character of activity, traffic and parking conditions and the number of similar uses or special exception uses in the neighborhood;
- f) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
- g) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on neighboring lands;
- h) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
- i) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site and neighborhood;
- j) Allows for the protection of property values and the ability of neighboring lands to develop uses permitted in the zoning district;
- k) Fulfills a demonstrated need for the public convenience and service of the population of the neighborhood for the special exception use with consideration given to the present availability of such uses;
- l) Complies with all other relevant city, state and federal laws and regulations; and
- m) For purposes of determining impacts on neighboring properties and/or the neighborhood, the terms neighboring properties and neighborhood shall include the area affected by the requested special exception, which is typically an area of 500 feet to a one-half mile radius from the subject site.

**Staff Conditions:**

Should the Board determine the applicant has provided competent substantial evidence sufficient to satisfy the thirteen Special Exception review standards, staff requests the Board include the following conditions as part of the Order:

1. Obtain all necessary governmental permits and approvals, including Abandonment of SW 10<sup>th</sup> Avenue, Dedication and construction of new SW 10<sup>th</sup> Avenue, Major Site Plan, Major Building Design, Building and Zoning Compliance Permits, and Business Tax Receipt.
2. Substantial compliance to the conceptual site plan submitted with this application, including substantial conformance to the design standards.
3. Prior to building permit approval, design, construct, and dedicate the new roadway for access to the property located at 820 SW 12<sup>th</sup> Avenue prior to the abandonment of SW 10<sup>th</sup> Avenue.