



Legislation Text

File #: 24-382, Version: 1

CITY COUNCIL AGENDA ITEM

Memo Date: July 2, 2024
Agenda Date: July 9, 2024
Prepared By: Patrick Murray - Planning Consultant
Through: Stockton Whitten - City Manager
Requested Action:

Consideration of a Land Development Code Text Amendment to Appendix A, Article XI, Section 19 of the Code of Ordinances of the City of Cocoa to add truck parking facilities to the list of permitted uses in the M-2 zoning district and to provide a definition of truck parking facilities.

BACKGROUND:

The applicant, CSCQ-COCOA, LLC, is requesting a text amendment to Land Development Code Appendix A, Article XI, Section 19 of the Code of Ordinances of the City of Cocoa to add truck parking facilities to the list of permitted uses in the M-2 zoning category. The proposed change includes principal and accessory use facilities for repair, maintenance, washing, and fueling of commercial trucks. Additional site-specific design standards for landscaping, location of maintenance and truck washing bays, standards for maintenances, and maximum refueling bays, are included in the proposed language.

Background:

The applicant held a pre-application meeting with the City to determine if their proposed use would be allowed on a specific property in the M-2 District. Generally, the applicant's use is empty truck trailer parking along with ancillary maintenance, fueling, and the like, for petroleum distribution throughout the State. Based on the description of the business, it was determined by City staff that an update to the City's Code was required in order for the business to operate in the M-2 zoning district as proposed. Under the current M-2 zoning category of the City of Cocoa's Land Development Code, specific uses such as Truck Parking Facilities and related facilities are not codified, though "storage facilities" for automobiles, mobile homes, commercial vehicles, and general, refrigerated, and recreational vehicles is a permitted use. Automotive repair conducted within an enclosed structure is currently a special exception, and repair bays are not permitted to face the right-of-way.

Request:

The applicant has requested an amendment to the Land Development Code to include "Truck Parking Facilities" as a principal use and structure in the M-2 district. Additionally, a request to define Truck Parking Facilities in the land development code is requested.

The specific definition in the request is to add:

“Truck Parking Facilities. A truck parking facility is a facility on a piece of property which is to be used for long term (i.e over five hours) and overnight parking of in particular tractors, trailers, and cars. Exceptions to this are situations where a vehicle is in the process of undergoing maintenance or repair. For the purpose of this definition, a truck includes tractor trailers (either cab or trailer or cab and trailer), or any licensed vehicle (motorized or not) that is designed for transporting freight, goods or materials. Repair, maintenance, wash and fueling facilities for fleet tractors and trailers belonging to the owner or tenant of the property shall be considered as accessory to the Truck Parking Facilities”.

Staff has considered this language and is recommending that it read as follows:

TRUCK PARKING FACILITIES. *A truck parking facility is a facility to be used for long term (i.e., over five hours) and overnight parking and storage of, in particular, straight trucks, truck tractors, truck trailers, semitrailers, truck tractor-semitrailer and trailer combinations, and truck drivers’ personal vehicles. Such facilities may include office spaces, private maintenance and washing facilities, and refueling bays limited to two (2) total pumps that are for private use only and not open to the general public. On-site, light and minor maintenance and cleaning of trucks and trailers shall be permitted, including oil and engine fluid changes, but the following shall be strictly prohibited: major restoration, part salvage, major part replacement, engine repair, transmission repair, body repair, and other heavy and major repairs.*

This provides more specificity to the use, which will assist in implementation of the Code.

I. Staff Analysis

Pursuant to Appendix A, Zoning, Article XXI, Amendment, Section 1(G)(2), the planning board shall consider and study:

a. The need and justification for the change.

The proposed request establishes specific text for repair, maintenance, washing, and fueling facilities as accessory uses and structures in the M-2 district associated with truck parking and storage. An amendment to the code is justified and would facilitate such uses without the need for seeking a special exception for repair and fueling uses.

Staff Finding: Amending the land development code to include specific language promotes industrial uses in designated areas. Further, design standards for landscaping and building placement provides consistent uniformity and provide a sense of aesthetics in a zoning category that may consist of heavy industrial uses.

b. The relationship of the proposed amendment to the purposes and objectives of the comprehensive planning program and to the comprehensive plan, with appropriate consideration as to whether the proposed change will further the purposes of this zoning code and other codes, regulations, and actions designed to implement the comprehensive plan.

The proposed amendment is consistent with the City’s comprehensive plan and the properties

underlying future land use category. Due to the geographic location and proximity to arterial transportation corridors, the proposed change is appropriate to the M-2 category. Additionally, surrounding properties with M-2 categorization include uses with repair, washing, and fueling.

Staff Finding: Since the zoning district will not change, there will be no conflict with the comprehensive plan. As noted in the City's Comprehensive Plan, the Industrial future land use category is intended for activities associated with industrial development and specifically named "truck terminals" as an included use example.

Implementing design standards for the M-2 zoning district is consistent with the Comprehensive Plan Policy 1.1.2.10 (D). The newly added design standards will assist with minimizing the negative impacts on lower intensity land uses and provide standards for landscaping.

Further, Comprehensive Plan Policy 1.1.5.1 echoes the policy noted above and further drives the requirement of intense development such as industrial uses to be designed to minimize the impacts on lower intensity land uses.

Conservation Element Policy 12.1.4.4 provides protection of groundwater in industrial parks. By further specifying the uses types in the M-2 district, truck parking facilities may be required to provide containment and clean-up plans, specific drainage designs, and provide interim storage facilities for hazardous material generated on-site.

Following review of the proposed application and supporting material, staff recommends the proposed text to add Truck Parking Facilities to the City's Land Development Code Appendix A, Article XI, Section 19 (A) (12) and subject to the following conditions.

- a. *A minimum of a ten-foot landscape buffer shall be provided along all road rights-of-way and shall consist of trees and high profile shrubs, together with suitable ground cover to include native grasses and mulching. Landscaping shall be designed, placed, and maintained in such a manner so as not to impair vehicle visibility at corner intersections or ingress and egress drives. The landscaping requirements shall conform to Article XIII, Section 22, Landscaping Requirements of the Zoning Ordinance of the City.*
- b. *Maintenance and truck washing bays shall not be permitted to face the right-of-way.*
- c. *On-site, light and minor maintenance and cleaning of trucks and trailers shall be permitted, including oil and engine fluid changes, but the following shall be strictly prohibited: major restoration, part salvage, major part replacement, engine repair, transmission repair, body repair, and other heavy and major repairs.*
- d. *Refueling bays shall be limited to two (2) total pumps that are for private use only and shall not be open to the general public.*

STRATEGIC PLAN CONNECTION:

N/A

BUDGETARY IMPACT:

N/A

PREVIOUS ACTION:

June 12, 2024 - Planning & Zoning Board recommended approval

RECOMMENDED MOTION:

Pass on **FIRST READING** the proposed Land Development Code Amendment to Appendix A, Article XI, Section 19 of the Zoning Ordinance of the City of Cocoa to add truck parking facilities to the list of permitted uses in the M-2 zoning district and to provide a definition of truck parking facilities.