



CITY OF OKEECHOBEE
55 SE 3RD AVENUE ♦ OKEECHOBEE, FL 34974
PLANNING BOARD WORKSHOP MEETING
OCTOBER 17, 2019
LIST OF EXHIBITS

Exhibit 1

Planning Staff Report Topics

Staff Report

To: Okeechobee Planning Board
From: Ben Smith, AICP
Date: October 9, 2019
Subject: Land Development Code Workshop- Restaurant Parking and Auto Service Stations

Restaurant Parking

City Code Section 90-512 requires that parking be provided for restaurants, nightclubs, and bars at 1 parking space per 75 square feet of floor area. Historically, use of the term 'floor area' in this requirement has sometimes been interpreted to mean all inside and outside customer service areas. However, the term 'floor area' typically refers to the amount of floor area within a building. Staff is reviewing this parking standard to determine whether additional clarification is necessary and because it may not provide a sufficient basis for determining the amount of parking needed for some types of restaurants, including:

- Restaurants which primarily provide take-out services
- Restaurants relying on a significant amount of outdoor seating to serve customers
- Drive-in restaurants

In order to provide some context for this discussion, staff reviewed the site plans that were approved for Lightsey's Seafood Restaurant, Checkers Fast Food Restaurant and the Wawa gas station which included take-out food service. The basic development information for each project is as follows:

Lightsey Seafood Restaurant

- 6,076 square feet of floor area
- 5,403 square feet of indoor dining
- 2,280 square feet of outdoor dining
- 83 off-street parking spaces
- Off-street parking spaces required according to current code:
 $6,076 \div 75 = 81$ required parking spaces
- Provided sufficient parking to meet current code (based on traditional interpretation of floor area)

Checkers fast food restaurant with take-out and drive-through service

- 912 square feet of floor area
- No indoor seating
- 500 square feet of outdoor patio with 6 outdoor dining tables, seating 24 persons
- 3 to 7 employees per shift
- 12 off-street parking spaces, including one ADA space
- Off-street parking spaces required according to current code:
 $912 \div 75 = 12$ required parking spaces
- Provided sufficient off-street parking to meet current code (based on traditional interpretation of floor area)

Wawa gasoline service station, convenience store, restaurant, coffee shop with take-out

- 6,119 square feet of floor area
- 3,414 square feet devoted to restaurant/coffee shop
- 2,705 square feet devoted to the convenience store and other non-restaurant uses
- both indoor and outdoor seating
- 7 outdoor dining tables, seating 28 persons
- 5 to 10 employees per shift
- 47 off-street parking spaces, including three ADA spaces
- 16 vehicle fueling stations
- 28 on-street parking spaces along surrounding streets
- Off-street parking spaces required according to current code:
 $3,414 \div 75 = 45.52$
 $2,705 \div 300 = 9.02$
 $45.52 + 9.02 = 55$ required parking spaces
- Requested consideration of parking at vehicle fueling stations to satisfy required parking

For both Lightsey's and Checkers, despite the significant amount of outdoor seating, the amount of parking required by the code based on floor area seems to be sufficient to accommodate the outdoor seating areas. However, this may not be the case for every restaurant. The City may wish to consider adopting a restaurant parking standard that many other communities use, which is based on customer service area instead of floor area, and which would account for inside and outside customer service areas. The benefit of this is that, regardless what other uses exist, and regardless where the customer service area is located, the restaurant customer service area is considered in the calculation. To compare the above examples, Checkers would be required to have less than currently required; going from 12 to 7 required spaces. Whereas Lightsey's would be required to have more than currently required; going from 81 to 102 required spaces. If the City would like to adopt this revision, Section 90-512 should be revised as follows:

Sec. 90-512. - Space regulations.

Off-street parking spaces are required as follows:

*	*	*
(2)	<i>Commercial Uses:</i>	
	Shopping center, retail store, retail service, and personal service, or	1 per 300 square feet of floor area service, except as may otherwise be specifically identified in this section.
	Furniture or appliance store	1 per 500 square feet of floor area
	Professional office, business	1 per 300 square feet of floor area service
	Medical office	1 per 180 square feet of floor area
	Nursery, lumberyard	1 per 250 square feet of floor area
	Restaurant, Nightclub, and bar <u>(including those serving food)</u>	1 per 75 square feet of floor area
	<u>Restaurant</u>	<u>1 per 75 square feet of customer service area</u>
	Barbershop, beauty shop, and nail salon	2 per service chair
	Hotel, motel	1 per bedroom, plus 5 spaces, plus accessory uses
	Auto service, repair or wash	1 per 150 square feet of floor area
	Automobile sales	1 per 400 square feet of floor area, plus 1 per 1,500 square feet of outdoor area used for sales or display.
	Auction house (indoor), or storefront church with fixed seating	1 per 3 seats in the area used for the auction, or in the assembly area used for worship. For pews, each 18 inches shall equal one seat.
	Auction house (indoor), or storefront church without fixed seating	1 space for each 90 square feet of area used for the auction or assembly area used for worship up to 1,470 square feet, plus 1 space for each 45 square feet of additional assembly area used for the auction or worship in excess of 1,470 square feet.
*	*	*

Auto Service Stations

The City’s land development code contains a definition for ‘auto service station’ as well as supplemental regulations for auto service stations; which are listed as permitted in the Heavy Commercial (CHV) District, Central Business (CBD) District, Industrial (IND) District and the Mixed-Use Planned Unit Development (PUD-M) District.

Section 66-1 provides a definition as follows:

Auto service station means an establishment used for sale of motor fuel, oil, motor vehicle accessories, and as an accessory use convenience goods to gasoline customers, and which may include facilities for lubricating, washing, servicing and minor repairs to vehicles, but not including painting and body repairs.

Section 90-692 provides supplemental regulations for auto service stations as follows:

(1)	Location	Where permitted by district regulations	
(2)	Minimum lot area	Area	20,000 square feet
		Width	140 feet, and on each street frontage
(3)	Minimum yards	Front	25 feet
		Side	20 feet; 50 feet abutting residential zoning district
		Rear	20 feet; 50 feet abutting residential zoning district
(4)	Maximum lot coverage	25 percent, not including fuel storage tanks	
(5)	Maximum height	25 feet	
(6)	Special requirements	Fuel storage tanks shall comply with yard requirements	

Any facility which sells gas and convenience goods meets this definition of ‘auto service station’ and therefore should meet the requirements of Section 90-692, all of which are more restrictive than those of the CHV and CBD district, and most of which are more restrictive than the IND district. (CHV, CBD and IND lot and structure requirements are provided below for comparison.) While it may be appropriate to require a larger lot area, less lot coverage and greater setbacks from residential, it may not be necessary to require greater setbacks for underground fuel tanks or greater standard setbacks for all structures.

It is likely that the above regulations were intended to apply to service stations with above ground fuel tanks. Now that most gas stations utilize underground fuel tanks, this additional setback could be considered an onerous restriction. Based on staff review of site plans for gas stations, it has been a difficult requirement to meet for some facilities. We recommend reducing the structure and underground fuel tank setback requirements to match the CHV district setbacks as follows:

(1)	Location	Where permitted by district regulations	
(2)	Minimum lot area	Area	20,000 square feet
		Width	140 feet, and on each street frontage
(3)	Minimum yards	Front	25 20 feet
		Side	20 8 feet; 50 feet abutting residential zoning district
		Rear	20 10 feet; 50 feet abutting residential zoning district
(4)	Maximum lot coverage	25 percent, not including fuel storage tanks	
(5)	Maximum height	25 feet	
(6)	Special Underground fuel tank requirements	Underground Fuel storage tanks shall comply with <u>above</u> yard requirements	
(7)	<u>Above ground fuel tank required setbacks</u>	Front	<u>25 feet</u>
		Side	<u>20 feet; 50 feet abutting residential zoning district</u>
		Rear	<u>20 feet; 50 feet abutting residential zoning district</u>

Section 90-285 provides the minimum lot and structure requirements for the CHV district as follows:

(1) <i>Minimum lot area.</i>			
	All uses:	Area	6,250 square feet
		Width	50 feet
(2) <i>Minimum yard requirements.</i>			
Except where a greater distance is required by these regulations for a particular use, the minimum yard setbacks shall be as follows:			
a.	All uses:	Front	20 feet to buildings; ten feet to parking and driveway
		Side	Eight feet; 20 feet abutting residential zoning district
		Rear	Ten feet; 20 feet abutting a residential zoning district
b.	The width of an adjacent street or alley may be applied to the increased setback required when abutting a residential district.		
(3) <i>Maximum lot coverage by all buildings.</i>			
		<i>Maximum Coverage</i>	<i>Maximum Impervious Surface</i>
	All uses:	50 percent	85 percent
(4) <i>Maximum height of structures.</i>			
Except where further restricted by these regulations for a particular use, the maximum height shall be as follows: All uses shall be 45 feet, unless a special exception is granted.			

Section 90-315 provides the minimum lot and structure requirements for the CBD district as follows:

(1) <i>Minimum lot area.</i>			
	All uses:	Area	As needed to comply with requirements set out in this division.
		Width	None
(2) <i>Minimum yard requirements.</i>			
Except where a greater distance is required by these regulations for a particular use, the minimum yard setbacks shall be as follows:			
a.	All uses:	Front	None
		Side	None or at least eight feet; 20 feet abutting residential zoning district
		Rear	None; 20 feet abutting a residential zoning district
b.	The width of an adjacent street or alley may be applied to the increased setback required when abutting a residential district.		
(3) <i>Maximum lot coverage by all buildings.</i>			
		<i>Maximum Coverage</i>	<i>Maximum Impervious Surface</i>
	All uses:	85 percent	100 percent
(4) <i>Maximum height of structures.</i>			
Except where further restricted by these regulations for a particular use, the maximum height shall be as follows: All uses shall be 45 feet, unless a special exception is granted.			
(5) <i>Maximum floor area ratio.</i> All uses shall be 3 feet.			

Section 90-345 provides the minimum lot and structure requirements for the IND district as follows:

(1)	<i>Minimum lot area.</i>		
	All uses:	Area	As needed to comply with requirements set out in this division
		Width	None
(2)	<i>Minimum yard requirements.</i>		
	Except where a greater distance is required by these regulations for a particular use, the minimum yard setbacks shall be as follows:		
	All uses:	Front	25 feet
		Side	15 feet; 40 feet abutting residential zoning district
		Rear	20 feet; 40 feet abutting residential zoning district
(3)	<i>Maximum lot coverage by all buildings.</i>		
		<i>Maximum Coverage</i>	<i>Maximum Impervious Surface</i>
	All uses:	50 percent	85 percent
(4)	<i>Maximum height of structures.</i>		
	(a) Except where further restricted or enacted by these regulations for a particular use, the maximum height shall be as follows: All uses shall be 45 feet, for any structure in which workers are employed and occupy, or a structure not occupied but which is in the nature of a silo, spire, storage elevator, towers and similar structures, except telecommunication towers governed by [section] 90-601 of land development regulations;		
	For all structures exceeding this height regardless of whether workers are employed therein, and including any structure which may be erected at a location that would adversely affect the navigational requirements and air space surrounding the Okeechobee County airport regardless of its height, such structures shall be permitted only by special exception.		