



# STAFF REPORT

## LAND DEVELOPMENT DIVISION

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### Prepared by

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#### CASE NUMBER

MOR24-00001 Self-Storage Facilities

#### PLANNING & ZONING BOARD HEARING DATE

May 1, 2024

#### PROPERTY OWNER & APPLICANT

City of Palm Bay (Growth Management Department)

#### PROPERTY LOCATION/ADDRESS

Citywide

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#### SUMMARY OF REQUEST

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, PROVIDING FOR A TEMPORARY MORATORIUM TO PROHIBIT THE ACCEPTANCE, PROCESSING, OR CONSIDERATION OF APPLICATIONS FOR A PERMIT OR DEVELOPMENT ORDER TO ALLOW SELF-STORAGE FACILITIES; ADOPTING FINDINGS OF FACT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Existing Zoning N/A

Existing Land Use N/A

Site Improvements N/A

Site Acreage N/A

#### SURROUNDING ZONING & USE OF LAND

North N/A

East N/A

South N/A

West N/A

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**BACKGROUND:**

The establishment of a temporary moratorium suspends the development orders and development permits associated with the approval of new applications or applications that have not been advertised for the Conditional Use (CU) of Self-Storage Facilities.

**ANALYSIS:**

The City of Palm Bay has comprehensively evaluated and updated its comprehensive plan providing land use and population projections through 2045. The city has realized significant growth since the Comprehensive Plan was last amended in 2000 and data and analysis from the updated plan suggested that approximately 64% of the City of Palm Bay has land use allowing residential and multi-family housing, while only approximately 9% of the City of Palm Bay has commercial and industrial land use (not including approximately 12% of mixed-use categories). The remainder of the categories include approximately 16% public use. Therefore, level of service (LOS) standards such as police, fire, transportation capacity, drainage and infrastructure should be considered when making residential development decisions. The explosive population growth and the desire to increase or maintain commercial and industrial uses within the City of Palm Bay were considered during the update of the comprehensive plan. Consequently, the City is currently updating the existing Land Development Code (LDC) in accordance with Florida Statute 163.3202 which states that within 1 year of the comprehensive plan update, the municipality “shall adopt or amend and enforce land development regulations that are consistent with and implement their adopted comprehensive plan.” This process is scheduled to be completed no later than September 30, 2024.

The City of Palm Bay has undertaken a complete review of its Comprehensive Plan and is currently updating the land use regulations. A temporary moratorium is a recognized important land-use planning tool to preserve the status quo during the planning process and ensure the community's problems are not exacerbated during the time it takes to formulate updated conditions for approval.

Additionally, the Growing Smart User's Manual, published by the American Planning Association, identifies a temporary moratorium as a smart growth tool used to avoid “a rush of development applications before a local government can adopt or amend its comprehensive plan or development regulations” (Meck, S. E.D., 2002a, p51). The Growing Smart Legislative Guidebook, also published by the American Planning Association, conveys that the “first purpose for moratoria is when a local government is preparing a comprehensive plan or extensive amendment of land development regulations” (Meck, S. E.D., 2002b, p 8-179). As such, a temporary moratorium is intended to assist in the successful adoption and application of an updated Comprehensive Plan and Land Development Code.

The City is seeking a temporary moratorium while staff is completing a comprehensive review of its land development regulations to implement the goals, objectives, and policies of the Palm Bay 2045 Comprehensive Plan. The City has a limited amount of commercial property and a need to support neighborhoods with commercial areas for goods, services, and employment. This moratorium will allow staff to determine whether new or amended Land Development Codes are needed pertaining to self-storage facilities and to prepare any needed regulations.

Presently there are approximately sixteen (16) self-storage facilities in or near the City of Palm Bay, and approximately six (6) new self-storage facilities currently under review. The City of Palm Bay Land Development Code requires Special Requirements and Conditions for approval of self-storage facilities in accordance with Section 185.088 which is applied through the Conditional Use (CU) process.

### **185.088 SPECIAL REQUIREMENTS AND CONDITIONS.**

(F) Self storage facilities may be granted with the following conditions:

(1) Design standards. The following minimum design standards shall apply to the construction of new self-storage facilities or, to the maximum extent feasible, the expansion or redevelopment of existing self-storage facilities.

(a) No door openings for any storage unit with the exception of emergency egress doors shall be constructed facing any residentially zoned property.

(b) The submitted conditional use site plan shall include a landscape plan.

(c) Interior traffic lanes shall be a minimum of thirty-five (35) feet wide for two-way traffic and a minimum of twenty-five (25) feet for one-way traffic, in order to accommodate loading and unloading as well as through and/or emergency traffic.

(d) The maximum storage unit size is limited to 300 square feet.

(e) There shall be no outside storage at the site.

(f) No roll-up door openings for any storage unit shall be constructed facing any right-of-way.

(g) Properties with the principal use as self-storage may locate along major collector or higher classified roads. For locations on lower classified roads, ground floor retail is required, or the building shall be setback from the roadway.

(h) Exterior surface materials of the primary/street facade shall be select high quality, human-scale building materials to reduce building massing and create visual interest.

(i) The base of a building (the first two to five feet above the sidewalks) shall be differentiated from the rest of the facade with treatments such as change in material and/or color.

(j) The primary/street facade of buildings shall incorporate no less than two (2) building materials including, but not limited to, tile, brick, stucco, cast stone, stone, formed concrete or other high-quality, long-lasting masonry material over a minimum seventy-five (75) percent of the surface area (excluding windows, doors and curtain walls.) The remainder of the wall area may incorporate other materials.

(k) Self-storage facilities resembling long, traditional warehouse buildings are prohibited. Self-storage facilities must be designed to emulate multi-family or office buildings compatible and in harmony with the surrounding area.

(2) Operational requirements. The following minimum operational standards shall apply to self-service storage facilities and tenants of individual storage units:

(a) Individual storage units shall not be used for activities such as residences, offices, workshops, studios, or hobby or rehearsal areas. Further, storage units shall not be used for manufacturing, fabrication or processing of goods, services or repair of vehicles, engines, appliances or other equipment, or any other industrial activity whatsoever. In addition, storage units shall not be used for commercial activity or places of business of any kind including, but not limited to, retail sales, garage or estate sales, or auctions, unless done so by the property management company.

(b) Storage of flammable, explosive, perishable or hazardous materials within individual storage units and on site is prohibited.

(c) Rental agreements shall provide tenants with written notice of the minimum operational standards set forth in this section and any other conditions imposed by the city.

#### **STAFF FINDINGS:**

The Moratorium meets the basic requirements of a Moratorium request.