



AGENDA ITEM REQUEST FORM

Development Services

Jeff Bowman

Department Submitting Request

Dept Director *BB*

REG COMMISSION DEADLINE TO
Meeting Dates 7:00PM **Town Clerk's Office**

ROUNDTABLE DEADLINE TO
Meeting Dates 7:00PM **Town Clerk's Office**

- | | | | |
|---------------------------------------|------------------|--|------------------|
| <input type="checkbox"/> Oct 12, 2010 | Oct 1 (5:00 pm) | <input checked="" type="checkbox"/> Oct 26, 2010 | Oct 15 (5:00 pm) |
| <input type="checkbox"/> Nov 9, 2010* | Oct 29 (5:00 pm) | <input type="checkbox"/> Nov 23, 2010* | Nov 12 (5:00 pm) |

*Subject to Change

- | | | | |
|---------------------------------------|---|---------------------------------------|--|
| <input type="checkbox"/> Presentation | <input type="checkbox"/> Reports | <input type="checkbox"/> Consent | <input type="checkbox"/> Ordinance |
| <input type="checkbox"/> Resolution | <input type="checkbox"/> Quasi Judicial | <input type="checkbox"/> Old Business | <input checked="" type="checkbox"/> New Business |

SUBJECT TITLE: Required Parking and General Public Parking Requirements.

EXPLANATION: At the June 23, 2010 Roundtable, the Commission directed staff to research alternatives to provide more flexibility and options for Businesses to meet their required parking requirements. In addition, we were asked to evaluate the request to allow private property owners to offer parking to the public in limited circumstances.

We tasked Planning Consultant Walter Keller to research and provide the requested report (**Exhibit 1**). For your reference, attached are the Town Parking Regulations (**Exhibit 2**). The suggested recommendations in the Keller Report are:

1. Streamline the approval process for Businesses moving into existing store front space. (Town Code Section 30-321)
2. Allow "paid private parking" as a Conditional Use for certain parcels that exceed the minimum required parking regulations. (Town Code Section 30-319)
3. Allow "shared", "parking exempt", "reduced parking", or other parking mechanisms. Possibly by zones. (Town Code Section 30-314)
4. Further evaluate allowing a one-time parking fee ("In-Lieu Fee") for businesses that can't provide all of their required parking. (Town Code Section 30-314)

Also provided, is a copy of Delray Beach's Parking Code (**Exhibit 3**), which is an example of how another city has implemented some of the above recommendations. The following references are in the same order as the recommendations above.

1. Reduction Allowed (Page 4.6 – 59)
2. Not addressed
3. Shared Parking (Page 4.6 – 42 & 4.6 – 59)
4. In-Lieu Fee (Page 4.6 – 52 & 53)

Other items addressed in the Delray Code and not the Town's Code are:

1. Mechanical lifts (Page 4.6 – 50)
2. Bicycle parking (Page 4.6 – 36)
3. Differing hours of operation (4.6 – 42)

Recently, Vice Mayor Dodd asked for information about the existing parking agreements the Town has for the use of public parking. The only business in Town currently leasing space to meet its required parking is 101 Ocean restaurants. That agreement was entered into in October 1999. They pay a quarterly payment of \$2,437 (\$9,750 per year) for ten (10) permits at the Town Hall lot after hours, which is \$81.25 per month per permit. Aruba was leasing 11 non-required parking spaces from the Town, but recently opted not to renew their agreement. That agreement began in February 2000. They were paying \$91.25 per space per month.

RECOMMENDATION: We recommend a discussion of the various options to determine which the Commission would like us to further develop. We support all of the options except for a parking exempt zone because of the liability the Town would be taking on to provide parking. That alternative would require more study and development of detail so we understood its ramifications and expense to the Town.

Once we have policy direction from the Commission, we will start the long process of an LDR amendment which includes taking the proposed revisions to the Planning & Zoning Board.

EXHIBITS: **Exhibit 1 - Walter Keller's Report**
 Exhibit 2 - Town parking regulations
 Exhibit 3 - Delray Beach Code

Town Attorney review required

Yes No

Town Manager Initials CA

✓ Town Attorney has been involved in these discussions.

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Exhibit 1

October 18, 2010

Mr. Jeff Bowman, Development Services Director
Town Hall
4501 Ocean Drive
Lauderdale-by-the-Sea, Florida 33308

Re: Land Development Code Parking Revisions

Dear Mr. Bowman:

A review has been performed on the existing parking provisions in the Town's Land Development Regulations. One purpose of the review is to facilitate approval of new business licenses relative to parking requirements in the Business District. A second focus of the review is to evaluate the desirability of allowing secondary parking uses during off business hours or during business hours using surplus parking. This report will summarize the findings and recommendations resulting from the review.

Existing Parking Review

Applicants for new business licenses are required to comply with the Town's Land Development Regulations requirements for on-site parking. Dependent on the property use, the Code is specific in determining the number of on-site parking spaces required. The Town Code includes a presumption that the prior use had adequate parking (*whether it did or did not*) and that only the increase required for any intensity (*change of use*) or increase in size is needed to meet Code. The Code also allows for an Applicant to submit a parking study demonstrating that less parking spaces are needed or that sufficient parking is available in the surrounding area. The approval process of the parking study includes review by the Board of Adjustment and approval of the Town Commission, a process which requires approximately 3 months to complete.

Existing Conditions

The Town's Business District runs from the Atlantic Ocean to the Intracoastal Waterway extending from Harbor Drive to Basin Drive. Between Bougainvillea Drive and SR A1A the Business District extends south to Datura Street. In the January 2005 Parking Study, the District was estimated to have approximately 345,000 square feet of retail, restaurant and office floor area. The District also included 41 apartments and access to 3 acres of public beach and the Pier. Data from the 2005 Parking Study indicated 1,417 parking spaces were available to serve visitors, customers and employee parking needs. Approximately 30% of the parking spaces (430) were public spaces at on and off-street locations.

continued...

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The most recent parking occupancy data was reported in the 2005 Parking Study. The occupancy study for Thursday and Saturday (3rd week of February 2004) revealed peak parking use occurred east of SRA1A between 12:00 PM to 4:00 PM when between 89% (Thursday) to 98% (Saturday) of all parking spaces were occupied. Dependent on the location in the District and the timeframe, the availability of parking spaces varied significantly.

While the retail, restaurant and office floor area in the Business District is not believed to have changed from the 2005 Parking Study, approximately 59 additional parking spaces have been added to the Business District raising the total number of parking spaces to 1,515 parking spaces with 497 or about 33% now public parking spaces.

Code Options to Facilitate Parking Approvals

There are several options available to reduce the parking requirements in downtown business areas. Some examples reported in a study for Model Zoning Regulations for Parking in Northwest Connecticut are provided below:

- Provisions for shared parking (between private uses or public-private spaces);
- Provisions for payment of a fee in-lieu of providing parking spaces;
- Provisions for a reduction in the number of off-street parking spaces where there is a municipally sponsored carpooling program, shuttle bus service to parking located off-site, or availability of transit stops with amenities at the proposed development;
- Provisions for a reduction in the number of off-street parking spaces where access via bicycle lanes or off-road paths and well designed pedestrian access is emphasized in design; and,
- Provisions for parking off-site where walking to the site is safe and convenient.

Additional options that are available include:

- Designating parking exempt or reduced parking zones within the Business District;
- Allowing existing business parcels to provide paid private parking when existing parking spaces are available in excess of Code needs or at off hours of operation, thereby providing more accessible parking spaces in the Business District; and,
- Waiving individual parking requirements after review of justification requests.

continued....



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The current Parking Code allows several of the items above although the need for review by the Board of Adjustment (BOD) and approval by the Town Commission requires approximately 3 months to complete. The Code could be modified to retain the BOD when Site Plan approvals are sought but not require BOD review for individual business license requests. The staff and or professional consultant could provide the review for submission to the Town Commission thereby reducing approval process time significantly.

Some communities allow business owners to pay a parking fee in-lieu of providing parking spaces. The Town has previously allowed businesses to make quarterly payments to lease off-hour parking spaces at Town Hall. The payment fee in-lieu would be a one-time fee (albeit higher) that would run with the land. Generally, the one time fee payment is based on the cost to purchase land, design and construct the parking space at a number agreed to by the Town Commission. The fee could range from approximately \$10,000 for surface parking to \$20,000 for parking associated with a multi-level parking structure. This parking option is available in the Town of Surfside and in the City of Delray Beach in limited applications. While the Surfside parking cost was not available, the Delray Beach cost for CBD properties east of the Intracoastal Waterway is \$18,200.

The use of "parking exempt" or "reduced parking" zones are utilized to stimulate business expansion, encourage increased parking at existing facilities and to facilitate alternate travel modes. The Town has had an on-going program to expand the public parking supply and constructed parking improvements in the Business District at several locations. Example improvements include the El Mar Drive lot (24 spaces), the SR A1A lot (67 spaces), Seagrape Drive (13 spaces) and parking improvements on El Mar Drive (12± spaces) and Bougainvilla Drive (7± spaces). The Town could reduce parking requirements in selected areas to encourage higher public parking space use. Monitoring of occupancy conditions would be utilized to determine when to reinstitute the full parking requirements. Dependent on the type license application submitted and the number parking spaces needed, a sliding scale could be used to establish a mechanism for allocating spaces.

Recommended Options for Facilitating Business District Parking Approvals

The following options are recommended to facilitate Business District parking approvals.

1. Revise the Parking Code to streamline the approval process for Business Licenses. In instances where only a Business License is needed, revise the Code to have Town staff (or professional consultant) develop recommendation for the Town Commission to consider. This will reduce the timeline to approximately 6 weeks. Keep the Board of Adjustment review for all Site Plan procedures since the processing is concurrent with the Site Plan. continued



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2. Revise the Parking Code and the Business Use Listing to allow "Paid Private Parking" as a Conditional Use for parcels that exceed the minimum required parking either during or after hours of the primary use. The Conditional Use provision will allow the Town Commission to consider all potential impacts of the use and include conditions as part of any approval. It is suggested this use should be limited to parcels which provide a minimum of at least 15 parking spaces when the required parking for the primary use exceeds 110% of the Code requirements.
3. Revised the Parking Code to clearly allow "shared" parking, "parking exempt", "reduced parking" or other parking mechanisms, reducing the parking requirements of individual applications when sufficient information is provided in a professionally prepared Parking Study.
4. A Parking Fee could also be implemented enabling a business owner to pay a one time fee in-lieu of providing on-site parking. Additional information would be necessary to identify the appropriate Town fee considering land cost, design and construction costs for one parking space. It would also be necessary to determine if the parking improvement fee is for ground or structured parking. The funds generated from this would then be used to implement parking related improvements in the Business District. Recommend the Parking Code be revised to incorporate the possibility of utilizing this mechanism.

A draft revision of the Town's Parking Code is attached implementing the above recommendations.

Sincerely,

A handwritten signature in black ink that reads "Walter H. Keller" followed by the initials "ES".

ES

Walter H. Keller, PE., AICP
President
FL PE No. 20703

WHK/us

Attachment: Draft Parking Code with Revisions to Facilitate Parking Approvals

Exhibit 2

Exhibit 2

Sec. 30-314. - Off-street parking; general requirements.

- (a) *Purpose.* The purpose of the following sections is to provide off-street parking provisions which are intended for and in the interest of the citizens of the Town of Lauderdale-By-The-Sea.

These sections shall be construed to be the minimum requirements for the promotion of the public health, safety, moral and general welfare of the community.

- (b) *Scope.*

- (1) Any building, structure, or use instituted with the Town of Lauderdale-By-The-Sea after the effective date of these sections [March 14, 1995] shall provide off-street parking facilities in accordance with the provisions of these sections for the use of occupants, employees, visitors and/or patrons thereof. Such off-street parking facilities shall be maintained and continued as long as the uses are continued.
- (2) Any building, structure or use, instituted or erected prior to the effective date of these sections need not provide additional off-street parking facilities in accordance with the provisions of these sections provided that such existing buildings, structures or uses are not altered so as to enlarge or increase the capacity, floor area or seats therein.
- (3) When an existing building or structure is expanded to increase the floor area or seats or to otherwise increase the capacity of the building or structure, the provisions of these sections shall apply to the increased floor area, seats or increased capacity only.
- (4) When an existing building or structure is changed in use to a new use which would require more off-street parking pursuant to these sections than the former use, the new use shall receive credit for the off-street parking spaces attributable to the former use pursuant to these sections, even if the former use lacked sufficient parking pursuant to these sections.
- (5) The provisions of subsections (b)(3) and (b)(4) are provided to allow for the orderly expansion and re-use of existing buildings and structures. Additionally, applicants requesting an expansion in floor area, seat or capacity or a change in use are encouraged to pursue other options for the provision of required parking available in these sections.
- (6) It shall be unlawful for an owner or operator of any building, structure or use affected by these sections to discontinue, change or dispense with, or to cause discontinuance or reduction of the required parking facilities apart from the discontinuance, sale or transfer of such structure or use, without establishing alternative vehicle parking facilities which meet the requirements of these sections. All such alternative vehicle parking facilities must be approved by the Town Manager or his designee, in writing, before the same may be used. It shall be unlawful for any person, firm or corporation to utilize such buildings, structure or use without providing the off-street facilities to meet the requirements of and be in compliance with this chapter.

(Ord. No. 361, 3-14-95; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Sec. 30-315. - Requirements for general commercial uses.

- (a) *Fractional measurements:* When units or measurements determining number of required off-street parking spaces result in requirement of a fractional space, any such fraction equal to or greater than one-half shall require a full off-street parking space.
- (b) *Mixed uses:* In the case of mixed uses, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately, and off-street parking spaces for one use shall not be considered as providing the required off-street parking for any other use.
- (c) *Measurement:* For the purposes of these sections, floor area shall mean the gross floor area inside of the exterior walls. In churches and other places of assembly in which occupants utilize benches, pews or other similar seating facilities, each 20 lineal inches of such seating facilities shall be counted as one seat for the purpose of computing off-street parking requirements.

(Ord. No. 361, 3-14-95; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Sec. 30-316. - Plans.

Plans shall be submitted with every application for a building permit for any use or structure required to provide off-street parking under these sections, which plans shall clearly and accurately designate the required parking spaces, access aisles and driveways, entrances and exits, adequate drainage, lighting, curbs and curb cuts, surface

materials used thereon, and relation to the uses or structure these off-site parking facilities will intend to serve. Said plans to be developed in accordance with the site plan design criteria included in the Town Land Development Code (section 30-124(a)(1)).

(Ord. No. 361, 3-14-95; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Sec. 30-317. - Design standards.

- (a) The minimum size (in feet) for parking stalls shall be as follows:
 - 9 X 18—standard space
 - 9 X 23—parallel space
 - 10 X 25—loading space
 - 12 X 18—handicap space
 - 8 X 15—compact space
- (b) A standard parking stall shall be nine feet wide by 18 feet deep. A maximum of 25 percent of all parking spaces can be compact spaces provided they are specifically designated and designed for "compact only" and the layout is approved by the Town Commission.
- (c) Parking layout and design criteria is provided in site plan requirements (section 30-124(a)(1) of the Land Development Code).
- (d) Stalls shall be provided with bumper guards, wheel stops, or continuous curbing when necessary for safety or protection to adjacent structures or landscaped areas.
- (e) Composition. Parking facilities, including access aisles and driveways, shall be surfaced with brick, asphaltic or concrete surfacing maintained in a smooth, well-graded condition with standards set forth according to the Town Manager.
- (f) Drainage. All off-street parking facilities shall be drained so as to not cause any nuisance on adjacent or public property. Such drainage facilities shall be arranged for convenient access and safety of pedestrians and vehicles with standards set forth according to the Land Development Code.
- (g) Identification. Each parking space required and provided pursuant to the provisions of these sections shall be distinguished and separated from adjoining parking spaces by means of three-inch painted stripes. It shall be the responsibility and obligation of the owner or operator of any building, structure or use affected by these sections to maintain such identification markings so that parking spaces at all times are distinguishable from one another.
- (h) Back-out parking prohibited. Parking facilities that require a motor vehicle to exit the parking space by backing-out onto State Road A-1-A shall be prohibited for all new development and re-development of any properties adjacent to State Road A-1-A. For purposes of this section, "new development" shall be defined as the construction of a building or parking lot upon a vacant or cleared lot. For purposes of this section, "re-development" shall be defined as any increase in building height, floor area or number of units, any reconstruction or remodeling exceeding 25 percent of the assessed valuation of a building, or any substantial alteration of the street facade of a building.

(Ord. No. 361, 3-14-95; Ord. No. 438, § 2, 6-13-00; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Sec. 30-318. - Minimum parking requirements.

- (a) *Dwellings, single-family, two-family and condominiums:* two parking spaces for each dwelling.
- (b) *Dwellings, multiple-family:* 1½ parking spaces for each dwelling unit plus one guest space for every five units. If, in addition to dwelling units, there are other uses operated in conjunction with and/or as a part of the multiple dwelling, additional off-street parking spaces shall be provided for such other uses as would be required by this section, if such uses were separate from the multiple dwelling.
- (c) *Hotels and motels, including clubs:* One parking space for each rentable unit. A rentable unit is defined as a unit with an outside entry door and bathroom which can be rented individually. The unit may or may not have kitchen facilities. For example, a two-bedroom unit that can be converted to two separate units, each with outside door and bathroom, is counted as two rentable units. A two-bedroom, one-bath unit with only one outside door is counted as one rentable unit. If, in addition to rentable units there are other uses operated in conjunction with and/or as part of the hotel/motel, additional off-street parking spaces shall be provided for such other uses as would be required by this section if such uses were separate from the hotel/motel.
- (d) *Hospitals, sanitariums, asylums, orphanages, convalescent homes, homes for aged and infirm:* one parking space for each bed for patients plus one parking space for each two employees, including nurses, on the maximum shift.

- (e) *Places of public assembly, including assembly halls, private clubs, exhibition halls, convention halls, dance halls, skating rinks, sports areas, community centers, libraries and museums:* one parking space for each 50 square feet of net floor area utilized for seating or customer service.
- (f) *Churches:* one parking space for each three seats, plus one parking space for each 200 square feet of floor area in assembly rooms with movable seats.
- (g) *Funeral homes:* one parking space for each four seats in public rooms.
- (h) *Medical, dental lab, chiropractic, health studio, etc., clinics:* one parking space for each 200 square feet of floor area.
- (i) *Business, professional and governmental offices:* Parking space requirements vary depending on the size in gross leasable area (GLA) according to the following table:

| Office Size (GLA) | 1 Space for Each (Square Feet) |
|-------------------|--------------------------------|
| Less than 5,000 | 250 |
| 5,000 to 20,000 | 300 |
| 20,000 to 50,000 | 325 |
| More than 50,000 | 350 |

- (j) *Restaurants, bars, beer gardens, night clubs:* one parking space for each 50 square feet of floor area in rooms for customer service.
- (k) *Retail stores:* one parking space for each 225 square feet of floor area.
- (l) Reserved.
- (m) *Furniture stores:* one parking space for each 500 square feet of floor area of the building.
- (n) *Charter, sightseeing or fishing boats:* one parking space for each two seats or fraction thereof; required spaces shall be adjacent to the docks regularly used by the boat or within 400 feet thereof.
- (o) *Uses not specifically mentioned:* The requirements of off-street parking for any uses not specifically mentioned in this section shall be one space for every 200 square feet of gross floor area.
- (p) *Marinas and yacht basins:* one parking space for each boat slip and one parking space for each employee.
- (q) *Banks and savings and loan associations:* one parking space for each 235 square feet of gross building floor area.
- (r) *Gasoline service stations:* A minimum of three spaces plus one additional parking space for each 200 square feet of building or service floor area in excess of the first 600 square feet.
- (s) *Leased and rental vehicles:* one space for each leased car maintained on premises plus one space for each employee.
- (t) *Shopping centers:* Parking space requirements vary depending on the size in gross leasable area (GLA) and composition of the center according to the following table:

| Shopping Center Size in GLA | Base Rate (1 Space For Each) (square feet) | Special Uses Requiring Additional Spaces Above Base Rate |
|-----------------------------|--|--|
| Less than 50,000 | 225 | 10 spaces for each 1,000 sf of food service |
| | | 3 spaces for each 100 cinema seats |
| | | 1 space for each 700 sf of office use >10% of GLA |
| 50,000–100,000 | 250 | 10 spaces for each 1,000 sf of food service |
| | | 3 spaces for each 100 cinema seats |
| | | 1 space for each 700 sf of office use >10% of GLA |
| 100,000–200,000 | 250 | 6 spaces for each 1,000 sf of food service |
| | | 3 spaces for each 100 cinema seats > 450 seats |
| | | 1 space for each 700 sf of office use > 10% of GLA |
| 200,000–400,000 | 250 | 3 spaces for each 100 cinema seats > 750 seats |
| | | 1 space for each 700 sf of office use >10% of GLA |

| | | |
|-----------------------|-----|--|
| 400,000— 600,000 | 225 | 3 spaces for each 100 cinema seats > 750 seats |
| | | 1 space for each 700 sf of office use > 10% of GLA |
| 600,000— 1,200,000 | 200 | 3 spaces for each 100 cinema seats > 750 seats |
| | | 1 space for each 700 sf of office use >10% of GLA |

- (u) *Convenience stores, grocery stores:* one parking space for each 125 square feet of floor area.
 - (v) *Personal service shops:* one parking space for each 200 square feet of service floor area including barber shops and beauty shops.
 - (w) *Theaters, movies or otherwise:* one space for every three seats.
- (Ord. No. 361, 3-14-95; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Sec. 30-319. - Limitations on use of required parking facilities.

The following uses and activities shall not be permitted in required parking facilities:

- (1) Parking to serve an off-site building unless in accordance with an off-street parking agreement approved by the Town in accordance with section 30-320.
- (2) Storage, repair or display of any vehicles, equipment or merchandise.
- (3) Parking of vehicles, which, due to its size, shape, contents or location creates an obstruction or public safety hazard, or which cannot be contained within a single designated parking space.
- (4) Off-street parking facilities supplied by the owner or operator to meet the requirements of these sections shall not be used by commercial vehicles owned, operated or used in the business or such owner during regular hours.

(Ord. No. 361, 3-14-95; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Sec. 30-320. - Parking other than on-site location.

- (a) *Regulation of off-site parking.* Parking spaces shall be located on the same plot or parcel of land the parking area is intended to serve, or upon a plot of land owned or leased by the same person or business entity that owns and the business which is served by the parking spaces located at any location within the Town's corporate limits zoned for business use or RM-25 when the lot is adjacent to a business use. In instances where the parking area is located on a different plot or parcel of land than that it is intended to serve, a lease or license agreement shall be entered into between the owner of the land and the owner of the business. The lease or license agreement shall be considered a restriction running with the land and shall bind the owners, heirs and successors and assigns of said owner. When off-site property is leased or licensed to achieve the minimum number of parking spaces allowed required in conjunction with a business use, the lease or license agreements shall include a provision whereby the business owner (lessee or licensee) acknowledges that the privilege of conduction business in the Town is contingent on a valid and enforceable lease or license agreement and that cancellation of the lease or license agreement shall result in revocation of the privilege to conduct business in the Town, unless alternative parking is provided to meet the minimum parking space requirement of the Town Code is obtained within 90 days of notice. All lease or license agreements must be in a form approved by the Town Attorney and shall be recorded in the public records of Broward County. A property owner may only rent space to one off-site business.
- (b) *Parking incidental to business.*
 - (1) Parking incidental to business shall be permitted on B-1 zoned lots or on RM-25 zoned lots where the B-1 zoned lot(s) upon which the proposed use is located is (are) adjacent to RM-25 zoned lots. In addition, if an RM-25 zoned lot is available for the purposes of establishing off-street parking and the lot is located no more than 50 feet from the RM-25 zoned lot which is immediately adjacent to the B-1 zoned lot, it too may be used for off-street parking for the benefit of the primary B-1 use. Further, such parking is for the convenience of the employees, patrons or guests of the owner of the business, motel or apartment.
 - (2) Such parking shall be enclosed by a ventilated concrete fence or hedge of not less than 42 inches nor more than 72 inches in height to conceal such parking as may be required by the Town Commission. Overnight parking of any size truck, commercial van, or trailer shall be prohibited as provided in Chapter 19, Article II of the Code of Ordinances. The area used for parking shall be asphalt paved and shall have adequate drainage.

(Ord. No. 361, 3-14-95; Ord. No. 2007-10, § 1, 9-25-07; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Sec. 30-321. - Modification of parking requirements.

The Town Commission may approve a reduction in the minimum parking requirements after review and consideration of a recommendation from the Board of Adjustment when:

- (1) There is a public parking lot judged adequate to accommodate a portion of the parking demand of said use located within 400 feet straight line distance from the site; or
- (2) There is on-street parking judged adequate to accommodate a portion of the present and probable future parking demand of the general area; or
- (3) There are commercial or private lots located within 400 feet straight line distance that are judged adequate to accommodate a portion of the present and probable future parking demand of the general area.

Provided, however, the Board of Adjustment shall find that such reduction in the parking requirements will not create a parking problem due to customers or employees using on-street parking in the general area, and that the traffic problems in the general area will not be materially increased. A parking study prepared in a professional manner shall be submitted with requests to waive parking requirements, said study to address existing and future parking demands, parking availability and traffic circulation.

(Ord. No. 361, 3-14-95; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Sec. 30-322. - Off-street loading; general provisions.

- (a) Adequate space for loading and unloading of materials, goods or things, and for delivery and shopping, shall be provided and maintained as required by the Planning and Zoning Board on the same plot as the building which it serves.
- (b) Where any structure is enlarged or any use is extended so that the size of the resulting occupancy comes within the scope of this section, the full amount of off-street loading space shall be supplied and maintained for the structure or use in its enlarged or extended size. Where the use of a structure or land or any part thereof is changed to a use requiring an off-street loading space, such space shall be supplied and maintained to comply with this section.
- (c) For the purposes of this section, an off-street loading space shall be an area at the grade level at least ten feet wide by 25 feet long with a 14-foot vertical clearance. Each off-street loading space shall be directly accessible from a street or alley without crossing or entering any other required loading space, and shall be arranged for convenient and safe ingress and egress by motor truck and/or trailer combination. Such loading space shall also be accessible from the interior of any building it is intended to serve.

(Ord. No. 361, 3-14-95; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Sec. 30-323. - Handicap parking requirements.

Off-street parking for the disabled. Each site used or to be used for commercial or community facility shall provide parking for the disabled in the immediate vicinity of the building or buildings as follows:

- (1) Reference herein is made to total parking spaces in lot in relation to required number of accessible handicap spaces: Up to 25 equals one space; 26 to 50 equals two spaces; 51 to 75 equals three spaces; 76 to 100 equals four spaces; 101 to 150 equals five spaces; 151 to 200 equals six spaces; 201 to 300 equals seven spaces; 301 to 400 equals eight spaces; 401 to 500 equals nine spaces; 501 to 1,000 equals two percent of total; over 1,000 equals 20 plus one space for each 100 over 1,000.
- (2) All spaces have accessible thereto a curb ramp or curb cut, when necessary to allow access to the building served, in close proximity to the entrance and shall be located so that users will not be compelled to wheel behind parked vehicles.
- (3) Handicapped parking spaces shall be a minimum of 12 feet wide and 18 feet deep. Each such space shall be conspicuously outlined in blue paint.
- (4) Each such parking space shall be posted and maintained with a permanent sign of a color, size and design approved by the Florida Department of Transportation, bearing the internationally accepted

wheelchair symbol and the caption "PARKING BY DISABLED PERMIT ONLY." All signs shall be on a free-standing metal support post in front of the space such sign is applicable to and the bottom of the sign shall be a minimum of six feet above the ground level.

- (5) Each such parking space shall be required as part of the parking and loading space requirement.

(Ord. No. 361, 3-14-95; Ord. No. 2007-14, § 2(Exh. A), 9-25-07)

Exhibit 3

Section 4.6.9 Off-Street Parking Regulations:

(A) **Purpose and Intent:** The purpose of this Section is to ensure that adequate off-street parking is provided to meet the needs of users of structures and usage of land. All parking areas shall be designed and situated so as to ensure their usefulness, to protect the public safety, and where appropriate, to mitigate potential adverse impacts on adjacent uses. It is the responsibility of the developer of property to provide and maintain adequate off-street parking. [Amd. Ord. 46-96 11/5/96]

(B) **Applicability:**

- (1) Off-street parking facilities shall be provided in the following situations:
 - (a) For any new building constructed;
 - (b) For any new category of use established including a new conditional use;
 - (c) For any addition or enlargement of an existing building or use;
 - (d) For any change in the occupancy of an existing building or the manner in which a use is conducted that would result in additional parking spaces being required.
- (2) For items (c) and (d) from above, the additional parking spaces shall be required only for such addition, enlargement, or change and not for the entire building or use, unless required as a condition of approval associated with the approval of the addition, enlargement, or change.
- (3) When existing parking is diminished by an addition or enlargement and such parking had been previously required, or would be required if the use were established at this point in time, such parking spaces must be replaced and be in addition to those spaces required for the addition or enlargement.
- (4) Notwithstanding the foregoing, effective January 1, 2005, if private land is acquired by a governmental entity for parking or park purposes, the parking spaces attributed to the demand created by the building square footage and use that existed on the land acquired by the governmental entity (less the number of spaces that existed on the property so acquired) shall be credited to land owned by private owner(s) if the land owned by the private owner(s) is located within 300 feet of the land acquired by the governmental entity for parking or park purposes. [Amd. Ord. 47-05 7/19/05]; [Amd. Ord. 80-04 1/18/05]
- (5) The requirements of this Section shall apply for temporary uses as well as permanent uses. [Amd. Ord. 80-04 1/18/05]

SECTION 4.6.9 (C)

(C) **Number of Parking Spaces Required:** The number of parking spaces required for new buildings, new uses, additions, enlargements, or changes shall be determined by the following standards for uses and categories of use and types of parking spaces.

(1) **General Provisions:** The following apply in the application of this Subsection:

- (a) **Fractions:** When the determination of the number of required parking spaces results in a requirement of a fractional space, any fraction less than one-half space shall be rounded down to the nearest whole number and any fraction of one-half space or more shall be rounded up. [Amd. Ord. 01-09 1/20/09]
- (b) **Handicapped Spaces:** Special parking spaces designed for use by the handicapped shall be provided pursuant to the provisions of Florida Accessibility Code for Building Construction. Such spaces shall not be in addition to, but shall substitute for, required parking. [Amd. Ord. 46-96 11/5/96]
- (c) **Bicycle Parking:** Bicycle parking facilities shall be provided in a designated area and by a fixed or stationary bike rack for the following uses:
 - (1) In shopping centers at the rate of five (5) spaces per 100,000 sq.ft. of gross floor area; [Amd. Ord. 46-96 11/5/96]
 - (2) At fast food restaurants, government offices and community centers, and commercial and private recreation facilities at the rate of five (5) spaces per facility. [Amd. Ord. 46-96 11/5/96]
 - (3) Any non-residential use within the City's TCEA which, through the development review process, is determined to generate a demand. [Amd. Ord. 46-96 11/5/96]
- (d) **Uses Not Listed:** Any use, or use category, which is not specifically listed herein shall have its parking requirement established at the time of approval of the site and development action associated with the new use or structure.
- (e) **Design Requirements Apply, Exceptions:** The Design Requirements for parking lots as provided for in Section 4.6.9(D) shall apply to all parking spaces which are required in this subsection, except for specific provisions to the contrary which are contained herein.
- (f) **Requirements Are Cumulative:** In situations where a combination of uses are developed on a site, parking requirements shall be determined for each of the uses according to the parking requirements set forth herein. An exception to this rule may be made, pursuant to Subsection (C)(8), Multiple Uses.

SECTION 4.6.9 (C) (1) (g)

(g) **Compact Car Parking**: Up to 30% of the required parking for any use may be designated for compact cars. Such approval may be granted concurrent with approval of the site and development plan. Spaces which are provided in excess of the number required may also be designated and designed as "compact car parking". [Amd. Ord. 46-96 11/5/96]

(2) **Requirements for Residential Uses:**

(a) **Single Family Detached Residences, including Assisted Living Facilities**: -- two spaces per dwelling unit. Tandem parking may be used provided that in the Single Family (R-1 District) or RL District, no required parking space may be located in a required front or street side setback. [Amd. Ord. 01-10 1/19/10]

(b) **Duplexes, including Assisted Living Facilities**: -- two spaces per dwelling unit. Tandem parking may be used provided that such parking does not result in the space for one unit impeding access to a space of the other unit. Further, curb cuts or direct access from parking areas onto a street shall not exceed 24' in width. [Amd. Ord. 01-10 1/19/10]

(c) **Multiple Family Structures, including Assisted Living Facilities:**

- * Efficiency dwelling unit 1.0 space/unit
- * One bedroom dwelling unit 1.5 spaces/unit
- * Two or more bedroom d.u. 2.0 spaces/unit
- * Guest parking shall be provided cumulatively as follows:
 - for the first 20 units 0.5 spaces per unit
 - for units 21-50 0.3 spaces per unit
 - for units 51 and above 0.2 spaces per unit

Within townhouse and townhouse type developments, parking may be provided in front of garage units provided that such parking does not result in the space for one unit impeding access to a space of the other unit. [Amd. Ord. 01-10 1/19/10]; [Amd. Ord. 37-01 7/10/01]; [Amd. Ord. 46-96 11/5/96]

(d) **Location of Guest Parking Spaces**: Guest parking spaces must be accessible to all visitors and guests and may be centralized or located near recreational features within a development project. A portion of guest parking spaces may be provided in stabilized sod pursuant to Section 4.6.9(D)(8). [Amd. Ord. 6-03 5/20/03]; [Amd. Ord. 28-99 8/17/99]

SECTION 4.6.9 (C) (3)

(3) Requirements for Commercial Uses:

- (a) **General Commercial Uses:** Shall provide 4.5 spaces per 1,000 square feet of gross floor area which includes retail floor area, associated warehouse and storage floor area, and employee and management facilities.
- (b) **Convenience Stores with Associated Gasoline Sales:** Shall provide 4.5 spaces per 1,000 square feet of gross floor area of the convenience store and any kiosk or cashier station.
- (c) **Gasoline Stations:** With or without convenience food sales shall provide 4.5 spaces per 1,000 square feet of non-repair gross floor area and shall provided four (4) spaces per service bay or lift. [Amd. Ord. 46-96 11/5/96]
- 1 - part 43:8
(d) **Restaurants:** Inclusive of drive-ins, drive-thru, snack shops, night clubs, lounges shall provide 12 spaces per 1,000 square feet of gross floor area up to 6,000 sq.ft. and then 15 spaces per 1,000 sq.ft. of gross floor area over the initial 6,000 sq.ft. [Amd. Ord. 01-09 1/20/09]
- (e) **Shopping Centers:** Spaces required based upon size of center per gross leasable floor area, irrespective of uses: [Amd. Ord. 01-09 1/20/09]
- | | |
|--------------------------------|---|
| * 25,000 to 400,000 sq. ft. | provides: 4/1,000 sq. ft. of gross floor area |
| * 400,000 to 600,000 sq. ft. | provides: 4.5/1,000 sq. ft. of gross floor area |
| * greater than 600,000 sq. ft. | provides: 5/1,000 sq. ft. of gross floor area |
- (f) **Vehicle Sales and Rental:** Including auto sales, auto rental agencies, recreational vehicle sales and rental, and truck sales and rental, shall provide 4 spaces per 1,000 sq.ft. of total building(s) gross floor area, except indoor display areas. Required parking spaces shall be designated for employee, customer, and/or service use at the standard of, at least, 1.6 spaces per service bay and 2 spaces per 1,000 sq.ft. of gross floor area (less indoor display area). Any remaining spaces may be used for display purposes. [Amd. Ord. 01-09 1/20/09]
- (g) **Personal Service Providers:** (Beauty Salons, Spas, etc.): Shall provide 4.5 spaces per 1,000 sq. ft. of gross floor area in buildings up to 5,000 sq. ft. and 4.5 spaces per 1,000 sq. ft. of gross floor area plus 0.5 spaces per work station in buildings greater than 5,000 sq. ft. as it pertains to the personal service provider uses. (Note: Work stations providing manicure services which include both manicure table and pedicure chair shall be calculated as one (1) work station for each table and chair combined) [Amd. Ord. 48-06 9/19/06]

SECTION 4.6.9 (C) (4)

(4) Requirements for Office Uses:

- (a) **Business and Professional Offices:** Except governmental and medical offices, shall provide:

* 4 spaces per 1,000 sq.ft. of net floor area up to 3,000 sq.ft. and then 3.5 spaces per 1,000 sq.ft. of net floor area over the initial 3,000 sq.ft. [Amd. Ord. 01-09 1/20/09]

- (b) **Governmental Offices:** Including public health and rehabilitative services, shall provide 5 spaces per 1,000 sq.ft. of gross floor area.

- (c) **Medical and Dental Offices:** Including clinics and mental health treatment facilities, shall provide 5 spaces per 1,000 sq.ft. of gross floor area.

(5) Requirements for Industrial Uses:

- (a) **General:** General Industrial Uses (manufacturing, assembly, attendant offices) shall provide parking at the rate of 3 spaces per 1,000 sq.ft. of gross floor area devoted to such uses. In addition, 1 space shall be provided for each 1,000 sq.ft. of gross floor area devoted to storage and warehouse use. [Amd. Ord. 01-09 1/20/09]

- (b) **Vehicle Paint, Body, and Repair Shops:** Shall provide 4.5 spaces per 1,000 sq.ft. of gross floor area.

- (c) **Vehicle Wrecking and Salvage Yards:** Shall provide 1 space per 10,000 sq.ft. of lot area.

(6) Requirements for Recreational and Community Facilities Either Public or Private:

- (a) **Auditoriums, Meeting Places:** Assembly halls, conference and meeting rooms, theaters, stadiums, civic centers, community theaters, cultural facilities, arts and crafts centers, and similar uses shall provide 0.3 of a parking space for each seat or 1 space for each 50 sq.ft. of gross floor area, whichever is greater. [Amd. Ord. 01-09 1/20/09]

- (b) **Bowling Establishments:** Shall provide 4 parking spaces per lane.

- (c) **Churches:** Shall provide one space for every three seats provided in the sanctuary. Additional parking is not required for other uses on the church property (e.g. Sunday School, Day Care, Preschool, etc.) when such uses are operated as a part of, under the auspices of, the Church.

SECTION 4.6.9 (C) (6) (d)

- (d) **Clubs and Lodges**: Shall provide 1 space for every four seats or 1 for every 50 sq.ft. of gross floor area, whichever is greater. [Amd. Ord. 01-09 1/20/09]
- (e) **Educational Facilities**: Public or private, shall provide the following:
- * Nursery and Kindergarten 1 / 300 sq. ft. of gross floor area. [Amd. Ord. 01-09 1/20/09]
 - * Elementary and Middle 2 per classroom, plus 50% of the requirement of an auditorium or stadium.
 - * High School, Vocational Schools, Colleges and Trade Schools shall provide 1 space for every 5 students which can be accommodated at maximum capacity.
- (f) **Fire Stations**: Shall provide 1 space for each employee on the shift with greatest employment.
- (g) **Golf Courses**: A full golf course shall provide 7 parking spaces per hole; an executive golf course shall provide 4 parking spaces per hole.
- (h) **Miniature Golf Courses**: Shall provide 1.5 parking spaces per hole.
- (i) **Hospitals**: Shall provide 1.5 spaces per bed, plus 1/100 sq.ft. of floor area in rooms for outpatient, emergency, and other special service areas open to the public.
- (j) **Libraries**: Shall provide 4/1,000 sq.ft. of gross floor area. [Amd. Ord. 01-09 1/20/09]
- (k) **Museums**: Shall provide 5/1,000 sq.ft. of floor area which is open to the public.
- (l) **Police Stations, Public Works Complexes**: Shall provide 4/1,000 sq.ft. of gross floor area. This requirement shall encompass all uses on the premises. [Amd. Ord. 01-09 1/20/09]
- (m) **Post Offices**: Shall provide 5/1,000 sq.ft. of gross floor area in addition to a parking area for employees. [Amd. Ord. 01-09 1/20/09]
- (n) **Swim Clubs**: Shall provide 1/30 sq.ft. of total water surface.
- (o) **Tennis Clubs**: Shall provide 4 spaces per court.
- (p) **Community Facilities Within Planned Residential Developments**: Shall provide parking sufficient to accommodate guest, service and local needs recognizing that residents have other means of access. The parking shall be pursuant to an approved site plan. [Amd. Ord. 46-96 11/5/96]

SECTION 4.6.9 (C) (6) (q)

- (q) **Parks**: Shall have the parking needs assessed and determined by the City Manager or designee.
- (r) **Yacht Clubs**: One space per 1,000 sq.ft. of gross floor area and outdoor seating/eating area plus 0.5 spaces for each boat slip. [Amd. Ord. 01-09 1/20/09]; [Amd. Ord. 46-96 11/5/96]

(7) **Other Uses**:

- (a) **Abused Spouse Residence**: One space per sleeping room plus one space for each shift employee.
- (b) **Residential Licensed Service Provider Facilities, and Nursing Homes**: Shall provide one space for each four beds. [Amd. Ord. 02-10 1/19/10]; [Amd. Ord. 4-04 2/3/04]; [Amd. Ord. 35-00 1/2/01]
- (c) **Continuing Care**: Facilities shall provide 1.5 spaces per unit.
- (d) **Bed and Breakfast Inns**: Shall provide one per guest room and one for the manager/owner.
- (e) **Hotels and Motels**: Shall provide 0.7 of a space for each guest room plus 10 spaces per 1,000 sq.ft. of floor area devoted to ballrooms, meeting rooms, restaurants, lounges, and shops.
- (f) **Broadcast Facilities and Communication Facilities**: Shall provide 4/1,000 sq.ft. of gross floor area. [Amd. Ord. 01-09 1/20/09]
- (g) **Bus Stations, Taxi Stations, and Train Stations**: Shall provide 3/1,000 sq.ft. of gross floor area (including storage areas). [Amd. Ord. 01-09 1/20/09]
- (h) **Child Care and Adult Day Care**: Shall provide 1/300 sq.ft. of gross floor area. [Amd. Ord. 01-09 1/20/09]
- (i) **Courts, Courthouses and Related Facilities**: Shall provide 1/150 sq.ft.(net) of courtroom space plus 1/250 sq.ft. (gross) of non-courtroom area, excluding walls, elevators, stairwells, and mechanical equipment areas.
- (j) **Funeral Homes**: Shall provide 4/1,000 sq.ft. of gross floor area plus 0.3/each seat in the chapel, if any. [Amd. Ord. 01-09 1/20/09]
- (k) **Marinas**: Shall provide 5/1,000 sq.ft. of gross floor area of any building devoted to marina use plus 1/slip. [Amd. Ord. 01-09 1/20/09]
- (l) **Community Residential Homes and Group Homes**: Group Homes, Type 1 shall provide two spaces per dwelling unit. Community Residential Homes and Group Homes, Type 2 shall provide one space for each four beds. [Amd. Ord. 02-10 1/19/10]

SECTION 4.6.9 (C) (8)

(8) Multiple Uses:

- (a) **Shared Parking:** When a building or combination of buildings on a unified site or sites contains a mix of uses as categorized in the table below, the minimum total number of required parking spaces shall be determined by the following method: [Amd. Ord. 35-09 8/4/09]; [Amd. Ord. 33-06 12/5/06]; [Amd. Ord. 28-99 8/17/99]

Multiply the required parking spaces for each individual use by the appropriate percentage listed in the table below for each of the designated time periods. Add the resulting minimum required spaces in each of the five vertical columns for the table. The minimum total parking requirement is the highest sum of the vertical columns. [Amd. Ord. 28-99 8/17/99]

Shared Parking Calculations Table
Use for multiple use projects

| Use | Weekday | | | Weekend | |
|---|--------------------------------|----------------------------|----------------------------------|----------------------------|----------------------------------|
| | Night Midnight to 6 A.M. | Day 9 A.M. to 4 P.M. | Evening 6 P.M. to Midnight | Day 9 A.M. to 4 P.M. | Evening 6 P.M. to Midnight |
| Residential | 100% | 60% | 90% | 80% | 90% |
| Office | 5% | 100% | 10% | 10% | 5% |
| Commercial/Retail | 5% | 70% | 90% | 100% | 70% |
| Hotel | 80% | 80% | 100% | 80% | 100% |
| Restaurant | 10% | 50% | 100% | 50% | 100% |
| Entertainment/Recreational (theatres, bowling alleys, etc) | 10% | 40% | 100% | 80% | 100% |
| Other | 100% | 100% | 100% | 100% | 100% |

For mixed use developments utilizing the shared parking calculations table, which contain both residential and non-residential uses, a minimum of one (1) parking space shall be reserved for each residential unit. These reserved spaces, or any spaces reserved for other uses, must be included in the "other" category and applied as 100% utilization. Furthermore, subsequent to the issuance of a Certificate of Occupancy (CO), the reservation of additional parking spaces will require a site plan modification and be subject to the provision of the minimum parking requirements. [Amd. Ord. 3-06 1/17/06]

- (b) **Differing Hours of Operation:** When uses within a structure or a development have separate hours of operation (e.g. 9 a.m. to 5 p.m. and 6 p.m. to 10 p.m.) administrative relief may be granted to allow double counting of parking spaces.

SECTION 4.6.9 (C) (8) (c)

- (c) **Subordinate Uses:** When parking spaces are provided based upon an intensive use of a site (e.g. church services) and, at different times, other uses are on the site (e.g. day care) administrative relief may be granted to the effect of not requiring parking for the subordinate uses.

(D) **Design Standards:** All parking spaces which are created in order to fulfill requirements of this Section (i.e. required parking spaces) shall conform to the design standards of this subsection.

(1) **General Design Concepts:** The following concepts shall be applied in the layout and design of parking lots:

- (a) Parking spaces should be located and arranged in such a manner as to facilitate pedestrian access to the uses they are intended to serve. In general, parking spaces should be distributed proportionately to needs.
- (b) Employee parking should be located in the area least desirable for customer or short-term parking.
- (c) Compact car parking, where allowed, should be integrated throughout a parking lot in such a manner that compact and standard cars have equal access to desirable parking spaces.
- (d) Handicapped spaces are to be provided in accordance with the Florida Accessibility Code for Building Construction and shall be located as close as is practical to the entrances of the buildings they are intended to serve. To the greatest extent possible, they shall be oriented so that a user does not have to go past the rear of other parking spaces or cross an aisle in order to reach the building's main entrance. [Amd. Ord. 46-96 11/5/96]
- (e) Single level mechanical parking lifts ("Lifts"), if utilized, shall be integrated into an existing or proposed building for the uses they serve and enclosed with three walls and a roof. A maximum of 50% of the required parking within a non-residential or the non-residential portion of a multi-use development may utilize Lifts. [Amd. Ord. 34-07 9/18/07]

(2) **Provisions for Ingress and Egress:** Each required parking space shall be accessible at all times. Access which conforms with minimal aisle standards and which includes maneuvering area so that a vehicle must be able to enter and exit the parking area onto a street or alley in a forward manner shall be provided, except in the following situations. [Amd. Ord. 46-96 11/5/96]

- (a) When the land use is a single family detached dwelling, a townhouse (fee simple ownership), or a duplex;

SECTION 4.6.9 (D) (2) (b)

- (b) When the parking is adjacent to an alley and the parking space and alley have a combined minimum depth of 42' and a minimum width of ten feet (10') and the location of parked vehicles does not impair sight distance of pedestrians or vehicles utilizing the alley; [Amd. Ord. 46-96 11/5/96]
- (c) When the street is a private street within a planned development and the street, at the location of the parking, has less than 200 ADT.

(3) Point of Access to the Street System:

- (a) **Maximum Width:** The point of access to a street or alley shall be a maximum of twenty-four feet (24') unless a greater width is specifically approved as a part of site and development plan approval. However, in no event shall such point of access be greater than thirty-six feet (36').
- (b) **Minimum Width:** The point of access to a street or alley shall not be less than:24' for a normal two-way private street or parking lot driveway aisle.
 - * 20' for a private driveway which has less than 200 ADT.
 - * 12' for a one-way driveway or parking lot aisle.
- (c) **Stacking Distance:** Provisions must be made for stacking and transition of incoming traffic from a public street, such that traffic may not backup into the public street system. [Amd. Ord. 46-96 11/5/96]
 - (1) The minimum distance between a right-of-way and the first parking space or aisleway in a parking lot shall be as outlined in the following table: [Amd. Ord. 46-96 11/5/96]; [Amd. Ord. 22-92 6/16/92]

| NUMBER OF SPACES | ACCESS STREET CLASSIFICATION | MINIMUM STACKING DISTANCE |
|-------------------------|-------------------------------------|----------------------------------|
| 20 or fewer | Local | 5 feet |
| 21 - 50 | Local | 20 feet |
| 50 or fewer | Non-Local | 20 feet |
| 51 or more | All Streets | 50 feet |

- (2) Provisions must be made to provide for 100' of clear stacking from the first point of transaction for each lane of a drive-thru facility and in advance of all guardhouses or security gates. [Amd. Ord. 46-96 11/5/96]

SECTION 4.6.9 (D) (3) (c) (3)

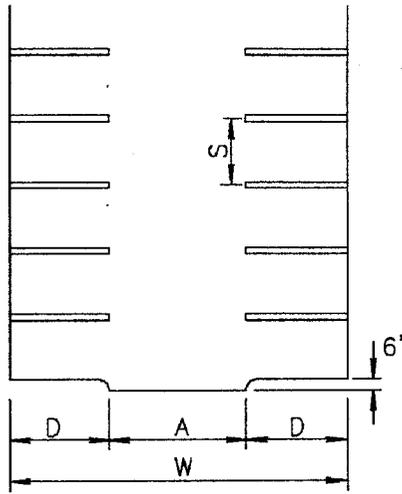
- (3) Greater stacking distance may be required as a condition of site plan approval. The length of the stacking area may be reduced when supported by a traffic study. [Amd. Ord. 46-96 11/5/96]; [Amd. Ord. 22-92 6/16/92]

(4) Maneuvering Area, Aisle Width, Space Width:

- (a) The standard parking space is nine feet (9') in width and eighteen feet (18') in length in a perpendicular configuration. Parallel parking spaces shall be eight feet (8') in width and twenty-two feet (22') in length. Parking space dimensions for other types of spaces are: [Amd. Ord. 46-96 11/5/96]
- * Compact Car Spaces @ 8' x 16'
 - * Handicapped Spaces @ 12' x 18'
 - * Diagonal Spaces per Subsection (4)(e)
- (b) Wheel Stops shall be provided for all parking, other than parallel, in the form of concrete or asphalt wheel stops or a continuous concrete curb which is located so that there is two feet (2') of clear distance from the front edge of the device to the front of the parking space. Treated wood, stones, or similar landscape features may be allowed upon approval through the site plan review process. The requirement for wheel stops may be waived through the site plan review process when the parking spaces are on stabilized sod. [Amd. Ord. 46-96 11/5/96]
- (c) Dead-end Parking Bays are discouraged, but when site conditions dictate that there be dead-end parking bays, they shall be designed so that there is a 24' wide by 6' deep maneuvering area at the end of the bay. This maneuvering area shall not encroach upon required landscape areas. [Amd. Ord. 46-96 11/5/96]
- (d) The standard aisle width is twenty-four feet for normal traffic flow with perpendicular parking. The maximum aisle width is twenty-six feet (26'). Exceptions may be made at the time of site plan approval in order to accommodate pickup or drop-off areas. The width of aisles associated with diagonal parking is per Subsection (4)(e). Two-way traffic flow must be used when perpendicular parking spaces are used. The minimum aisle width for two way traffic flow is twenty feet (20') but this dimension can only be used for short distances where there are no parking spaces entering therein.
- (e) Alternative Parking Lot Designs: Parking lot designs which incorporate one way aisles, two way aisles, and diagonal parking may be used in lieu of the standard (perpendicular, two way aisle) parking lot design. Diagrams depicting these designs are provided below. [Amd. Ord. 46-96 11/5/96]

SECTION 4.6.9 (D) (4) (e)

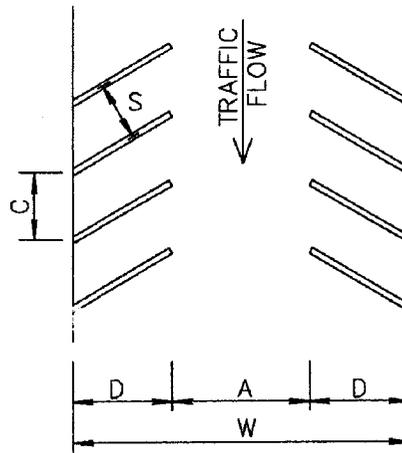
90° PARKING



| | | |
|---|--------------|-------|
| A | AISLE | 24.0' |
| S | STALL WIDTH | 9.0'* |
| D | STALL DEPTH | 18.0' |
| W | MODULE WIDTH | 60.0' |

* COMPACT CAR SPACES - 8.0'
HANDICAP SPACES - 12.0'

60° AND 45° PARKING



| | STANDARD | 60° | 45° |
|-----------------|--------------|-------|-------|
| A | AISLE * | 17.0' | 15.0' |
| C | STALL LENGTH | 10.5' | 12.5' |
| S | STALL WIDTH | 9.0' | 9.0' |
| D | STALL DEPTH | 20.0' | 19.0' |
| W | MODULE WIDTH | 57.0' | 53.0' |
| HANDICAP SPACES | C | 14.0' | 17.0' |
| | D | 21.5' | 21.0' |
| | S | 12.0' | 12.0' |

* FOR TWO WAY FLOW A=24.0'

PARALLEL



| | | |
|---|--------------|-------|
| C | STALL LENGTH | 22.0' |
| S | STALL WIDTH | 8.0' |

NOTE:
REFER TO TYPICAL PARKING SPACE DETAIL RT 4.2 FOR STRIPING INFORMATION

PARKING LOTS DETAIL RT 4.1

SECTION 4.6.9 (D) (5)

(5) **Landscaping Requirements:** All parking lots shall be landscaped in accordance with the provisions of Section 4.6.16.

(6) **Marking and Signing:**

(a) With the exception of stabilized sod parking, all parking stalls shall be clearly outlined on the surface of the parking facility: parallel parking stalls shall use a single line; all other parking stalls shall be striped in accordance with the Minimum Construction Standards and Specifications document developed by the City Engineer and set forth in subsection (6)(e) below. **[Amd. Ord. 46-96 11/5/96]**

(b) Handicapped spaces shall be striped and marked in accordance with the Florida Accessibility Code for Building Construction and the Minimum Construction Standards and Specifications document developed by the City Engineer as shown in subsection (6)(e) below.

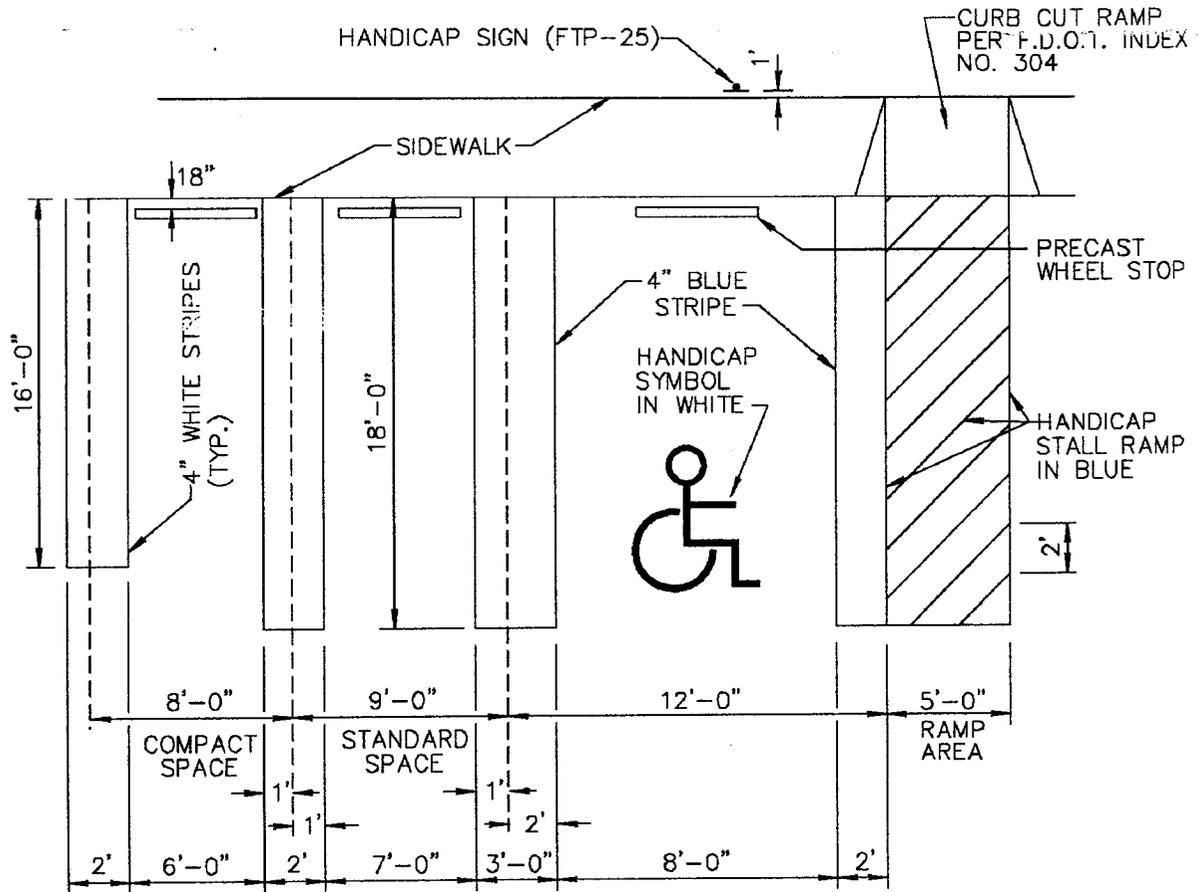
In addition, each handicapped space will have a sign at the head of the stall reserving it for handicapped parking only. **[Amd. Ord. 46-96 11/5/96]**

(c) For parking facilities containing 21 or more parking spaces, all aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and lines as approved by the City Engineer. The City Engineer may require additional signage to insure the smooth and safe flow of traffic.

(d) All signs and markings shall comply with the design criteria as set forth in the M.U.T.C.D. (Manual of Uniform Traffic Control Devices), except that the City Engineer, or his designee, may waive such compliance on a case-by-case basis. Any decision by the City Engineer or his designee may be appealed pursuant to Section 2.4.7 of the Land Development Regulations of the Code of Ordinances of the City of Delray Beach, Florida. **[Amd. Ord. 15-9: 4/9/91]**

SECTION 4.6.9 (D) (6) (e)

(e) Parking Space Striping Details



PARKING STALL DIMENSIONS:

| | |
|----------|----------------------------|
| STANDARD | 9'x 18' |
| COMPACT | 8'x 16' |
| HANDICAP | 12'x 18' PLUS 5' RAMP AREA |

TYPICAL PARKING SPACES DETAIL RT 4.2

SECTION 4.6.9 (D) (7)

(7) Compact Car Parking Areas, Where Permitted, Shall Be Clearly Marked with Markings as Follows: [See Subsection (1)(g) as to approval for use of Compact Car Spaces]. [Amd. Ord. 46-96 11/5/96]

- (a) All compact spaces shall have "compact car only" painted on the required wheel stops. [Amd. Ord. 46-96 11/5/96]
- (b) Alternate signage for compact car parking may be approved by the Chief Building Official when comparable to the standards set forth above. [Amd. Ord. 46-96 11/5/96]

(8) Parking Surfaces and Drainage:

- (a) All parking lots and parking spaces, including car storage and display areas, shall be improved either with a paved surface meeting Engineering Department standards, or with a hard surface material (such as brick or turf block on a base course laid in accordance with approved manufacturer's recommendations), or with some other type of surface material acceptable to the City Engineer. Parking lots and parking spaces on historic sites or within historic districts may be improved with a surface material other than pavement, where there are 12 or less parking spaces, subject to approval by the Historic Preservation Board.
- (b) A surface of sod over stabilized base shall be acceptable for required guest parking in multiple-family projects, as well as for parking used on a once-a-week or occasional basis. Parking lots and spaces proposed to be constructed of stabilized sod may be allowed through the site plan approval process. [Amd. Ord. 46-96 11/5/96]
- (c) In paved parking lots, that portion of the parking space extending beyond the car stop may be sodded. When this option is selected, a continuous curb at least six inches in height may be substituted for the wheel stops.
- (d) Handicapped parking spaces shall be paved and properly marked. A paved route shall be provided between the handicapped parking space and the building entrance. Where an abrupt grade change occurs, as between the surface of the parking area and a curb cut, a ramp shall be provided for handicap access. The ramp or curb cut with ramp shall be designed in accordance with the Florida Accessibility Code for Building Construction. [Amd. Ord. 46-96 11/5/96]

SECTION 4.6.9 (D) (8) (e)

- (e) The City Engineer shall approve the drainage and grading plans for parking spaces and parking lots. He shall also conduct inspections during and after construction of the parking area and its drainage system to ensure that it is constructed in accordance with the approved paving and drainage construction plans.
 - (f) Parking lots, parking spaces and driveways that exist at the time of adoption of this ordinance that are not in compliance with Section 4.6.9(D)(8) shall be required to come into compliance with this section within 3 years of the adoption of this ordinance. This includes, but is not limited to, all duplexes, multi-family, and commercial property, but excludes single family homes. **[Amd. Ord. 29-01 5/15/01]**
- (9) **Lighting**: Lighting of parking lots shall be pursuant to Section 4.6.8(B).
- (10) **Operations and Maintenance**:
- (a) All required parking facilities shall be maintained for the duration of the use requiring such facilities. Such facilities shall be used exclusively for the parking of vehicles. With the exception of vehicle rental or sales, parking facilities shall not be used for the storage or sale of merchandise, nor shall they be used for the storage or repair of vehicles or equipment. Parking facilities may be used for the sale of merchandise on a temporary basis for special events when approved in accordance with the provisions of Subsection (F)(2).
 - (b) It shall be the responsibility of the owner or operator of a specific use to ensure that the parking facilities are kept in good operating condition and that the parking facilities are periodically swept and cleaned. All parking lots and spaces shall be maintained so as not to create a hazard, eyesore, or nuisance. This includes, but is not limited to, removing glass and litter; pruning, nourishing, and watering vegetation; resurfacing and restriping surface markings; reanchoring or replacing loose and broken wheel stops; and replacing or painting signs.
- (11) **Mechanical Parking Lifts**: **[Section Added by Ord. 34-07 9/18/07]**
- (a) Single level mechanical parking lifts ("Lifts") shall be integrated into a structure for the uses they serve, constructed with at least three walls and a roof, in accordance with Section 4.6.18(B)(14)(vi)(3), to provide adequate screening and containment of sound from operation of the lifts for the benefit of adjacent land uses.
 - (b) Lifts may be utilized to provide up to but not more than fifty (50%) percent of the required non-residential parking for commercial or mixed-use developments.

SECTION 4.6.9 (D) (11) (c)

- (c) Lifts and the spaces below them must be operated by an attendant during all hours of operation. Upon closing, the parking attendant shall remove all vehicles from atop and beneath the Lifts and park them in an area where the customer may retrieve their vehicle. At no time shall the general public be permitted to operate the Lifts.
- (d) On-site staging spaces must be provided for the maneuvering of vehicles to facilitate the parking and retrieval of vehicles. At no time shall vehicles be staged within the adjacent public right-of-way. A minimum of two (2) staging spaces shall be provided for the first twenty (20) Lifts or less. One (1) additional staging space shall be provided for every twenty (20) additional Lifts or part thereof.
- (e) Lifts must be manufactured with a full bottom panel to contain fluids which may be emitted from vehicles while parked (oil, condensation from air conditioners, etc.) No wheel or chassis lift mechanisms (historically used at service stations) are permitted.
- (f) The balance of the required non-residential spaces shall be provided as "self-park" spaces.
- (g) For each lift provided, a minimum of 75 sq. ft. of landscaped area over and above the minimum required by code must be provided and shall be located to provide a view corridor for the general public. Lots of record having a width less than fifty feet (50') shall be exempt from the requirement of this additional landscape / open space;
- (h) The Lifts shall be regularly and routinely maintained to ensure safety and dependability of operation and minimization of operational noise levels. Maximum sound levels shall not exceed applicable thresholds as stipulated in Chapter 99 of the City Code of Ordinances.

(E) Location of Parking Spaces:

(1) Street parking, parking located in the public right-of-way, or parking located in public parking facilities shall not be used to satisfy on-site parking requirements, except as provided for herein. The terms "on-site parking" and "off-street parking" are synonymous. However, pursuant to the requirements of Section 4.6.9(E)(3)(e) and Section 4.6.9(E)(4)(d), the construction of additional on-street public parking may reduce the number of in-lieu and public parking fee spaces required. [Amd. Ord. 58-06 10/17/06]; [Amd. Ord. 74-04 1/18/05]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]

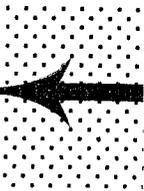
SECTION 4.6.9 (E) (2)

(2) Required off-street parking shall be provided on the same lot, or parcel, as the building and uses for which it is required, except as provided for within this Subsection (E). When the provisions of Sections 4.6.9(E)(3) or 4.6.9(E)(4) cannot be applied and where adequate right-of-way exists, construction of additional on-street parking spaces directly and wholly abutting the lot, or parcel, may be counted towards the off-street parking requirement of the lot or parcel it is intended to serve, provided that:

- (a) The adjacent right-of-way has not been previously utilized for parking or, in cases where the adjacent right-of-way has been used for parking only those spaces in addition to the number of existing spaces shall be counted;
- (b) Such parking spaces are clearly marked on the site plan and designed in accordance with appropriate City, County or State standards, as applicable; and,
- (c) Such parking spaces shall be publicly accessible and cannot be reserved or restricted by the owner(s) or tenant(s) of the lot or parcel, unless approved by the City Commission for special events or valet parking.

One parking space credit shall be given for each additional full space constructed abutting a lot or parcel. No part of an on-street parking space shall extend past a side property line of the lot it serves. On-street parking located on the opposite side of the right-of-way, and within the property lines, as extended to the opposite side of the right-of-way, may be counted toward fulfilling the off-street parking requirement when the adjacent lot is a railroad or waterway, and it does not warrant parking. In the event the City, County or State removes the parking spaces at any time for a public purpose, the property shall be considered lawfully nonconforming with respect to parking. [Amd. Ord. 58-06 10/17/06]

(3) **In-Lieu Fee**: When a requirement for additional parking results from in-fill development, which has been vacant for five (5) years or longer, from a change in use, or adding floor space to an existing building; the City Commission may approve the payment of a fee in-lieu of providing such required parking. Before granting such approval, the City Commission must find that it is impossible or inappropriate to provide the required number of on-site or off-street parking spaces and that, in the case of building additions, no existing parking spaces will be eliminated. Payment of a fee in-lieu of providing required parking is not permitted for new development. Furthermore, the in-lieu fee option will not be available in the event of a change in use or addition of floor space if either occurs within two years of the granting of the Certificate of Occupancy (C.O.) for a new development. The fee in-lieu option will be available two years after the date of the granting of the C.O. [Amd. Ord. 02-08 2/19/08]; [Amd. Ord. 74-04 1/18/05]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]; [Amd. Ord. 64-93 11/23/93]; [Amd. Ord. 14-93 2/9/93]

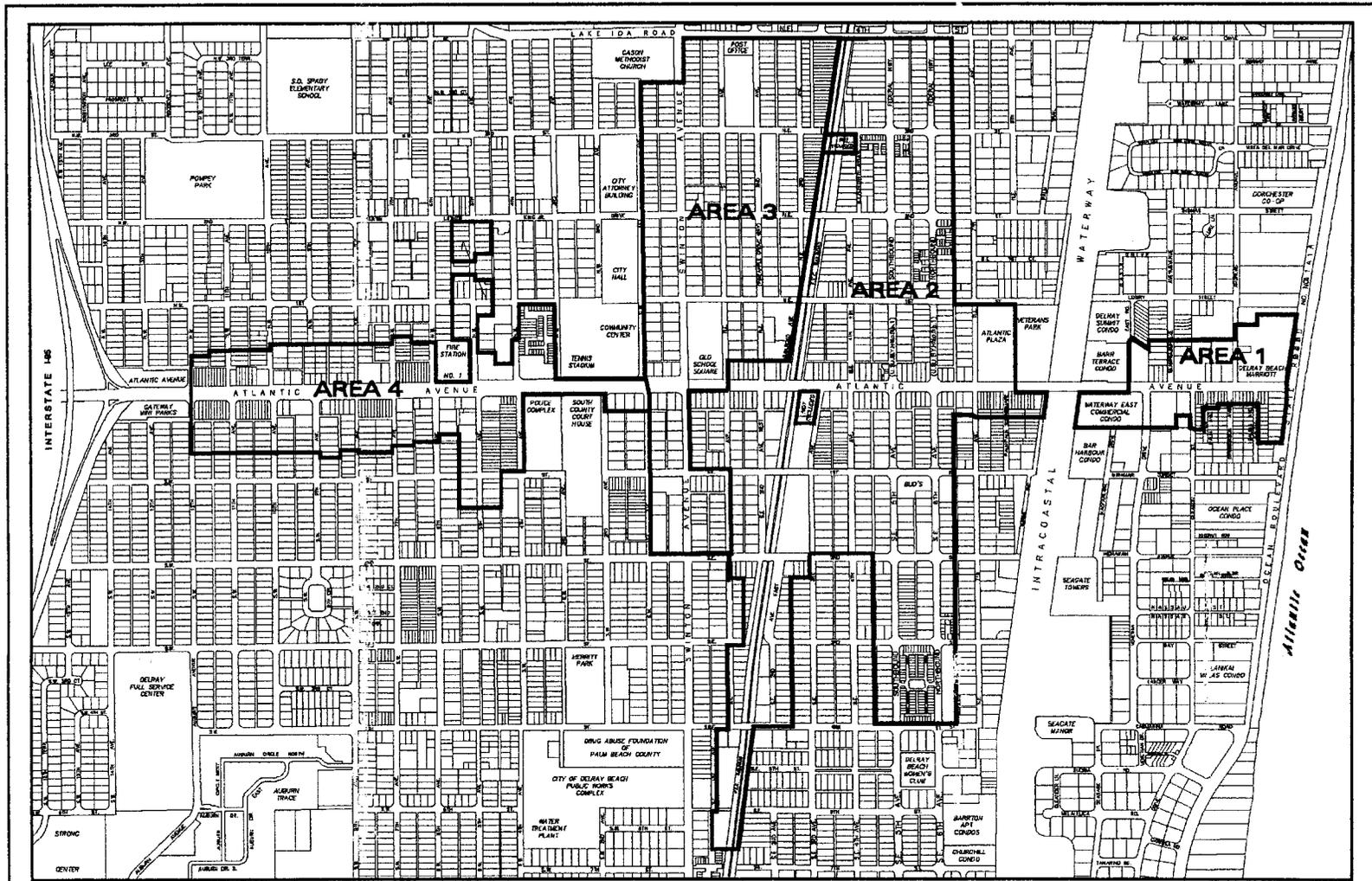


SECTION 4.6.9 (E) (3)

Payment of a fee in-lieu of required parking shall be pursuant to the following provisions. **[Amd. Ord. 74-04 1/18/05]**

- (a) The in-lieu fee is authorized only in the CBD, CBD-RC, and OSSHAD Zoning Districts, in compliance with the Supplemental District Regulations provisions therein. **[Amd. Ord. 64-04 11/16/04]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]; [Amd. Ord. 74-95 12/5/95]; [Amd. Ord. 64-93 11/23/93]; Amd. Ord. 14-93 2/9/93]**
- (b) Arrangements for payment shall be approved by the City Commission at the time of the approval of the in-lieu fee. The fee amount shall be based upon the location of the property for which in-lieu fees are being sought. Area descriptions and corresponding fee amounts are hereby established as follows. (See page 4.6 - 52 for corresponding map).
[Amd. 53-02 1/7/03]; [Amd. Ord. 43-01 8/7/01]; [Amd. Ord. 4-99 2/2/99]; [Amd. Ord. 64-93 11/23/93]; [Amd. Ord. 14-93 2/9/93]
 - (1) **Area 1:** Parcels located east of the Intracoastal Waterway which are zoned CBD - \$18,200 per space. **[Amd. 42-06 8/15/06]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]**
 - (2) **Area 2:** Parcels located west of the Intracoastal Waterway which are zoned CBD or CBD-RC and which are not included within the Pineapple Grove Main Street area, West Atlantic Neighborhood or Block 69 located in the Old School Square Historic Arts District (OSSHAD) - \$15,600 per space. **[Amd. 42-06 8/15/06]; [Amd. Ord. 74-04 1/18/05]; [Amd. Ord. 64-04 11/16/04]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]**
 - (3) **Area 3:** Parcels located within the OSSHAD zoning district, except for Block 69 as noted in Area 2; and parcels located within the Pineapple Grove Main Street area which are zoned CBD or CBD-RC - \$7,800 per space. **[Amd. 42-06 8/15/06]; [Amd. Ord. 74-04 1/18/05]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]**
 - (4) **Area 4:** Parcels located within the West Atlantic Neighborhood which are zoned CBD - \$4,000 per space. **[Amd. Ord. 64-04 11/16/04]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]**





4.6 - 54

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CITY OF DELRAY BEACH, FL
PLANNING & ZONING DEPARTMENT

-- DIGITAL BASE MAP SYSTEM --

IN-LIEU FEE DISTRICTS

(NOTE: ALL DOLLAR AMOUNTS LISTED BELOW ARE PER SPACE)

- AREA 1** - \$ 18,200
- AREA 2** - \$ 15,600
- AREA 3** - \$ 7,800
- AREA 4** - \$ 4,000

MAP REF: LMA96

(30)

SECTION 4.6.9 (E) (3) (c)

- (c) All proceeds from such a fee shall be used for parking purposes. [Amd. Ord. 64-93 11/23/93, Amd. Ord. 14-93 2/9/93]
- (d) For property owners opting to pay in full, or lessees of properties, payment of the in-lieu fee is due upon issuance of a building permit. [Amd. Ord. 17-03 7/22/03]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]

The in-lieu fee may be paid in full upon issuance of a building permit or in installments. Applicants for an in-lieu fee which is not paid in full at time of permit, must enter into an In-Lieu of Parking Fee Agreement with the City. Such agreement shall be recorded with the Public Records Office of Palm Beach County, Florida. The obligations imposed by such an In-Lieu of Parking Fee Agreement constitute a restrictive covenant upon a property, and shall bind successors, heirs and assigns. The restrictive covenant shall be released upon full payment of the in-lieu parking fees including attorneys' fees and costs. In-Lieu of Parking Fee Agreements shall only be made between the City and the Owner(s) of the subject property. If an In-Lieu of Parking Fee Agreement is entered into, installment payments shall be made over a three-year time period in three installments. The first installment shall be 50% of the total fee and is to be paid upon signing the agreement. The second installment shall be 25% of the total fee and is due on the second anniversary date of the signing of the agreement. The third and final payment of 25% of the total fee is due on the third anniversary date of the signing of the agreement. There shall be no interest due under this payment schedule. [Amd. 42-06 8/15/06]; [Amd. Ord. 17-03 7/22/03]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]

- (e) In addition to in-lieu fees due, where adequate right-of-way exists adjacent to a proposed project for which an in-lieu parking fee has been approved, the applicant must construct additional on-street parking, not to exceed the total amount of spaces subject to in-lieu fees unless authorized by the City Commission. The applicant will be credited up to one-half of a parking space for each full parking space constructed within public right-of-way. (For example, the applicant requests to pay the in-lieu fee on 4 spaces; the applicant constructs 4 spaces in the right-of-way; the applicant must only pay the in-lieu fee for 2 spaces). Crediting of spaces constructed in the right-of-way resulting in a fraction shall be rounded down. Credit may not be taken for those parking spaces constructed in the public right-of-way which are required to meet the performance standards for new developments. [Amd. Ord. 74-04 1/18/05]; [Amd. 53-02 1/7/03]; [Amd. Ord. 4-99 2/2/99]

SECTION 4.6.9 (E) (3) (f)

- (f) Requests to allow in-lieu fee payments that are not associated with a site plan or a site plan modification shall expire two years after such request is approved. The fee charged shall be the fee that is set forth in the Land Development Regulations at the time payment is made for spaces required to accommodate the associated site plan or site plan modification. [Amd. Ord. 23-07 7/24/07]

(4) **Public Parking Fee:** When parking requirements are applied to new development, in-fill development, which has been vacant for five (5) years or longer, from a change of use, or adding floor space to an existing building; the City Commission may approve the payment of a fee towards the construction of a public parking structure in-lieu of providing such required parking on-site. This option cannot be utilized in conjunction with the In-Lieu Fee provisions of subsection 4.6.9(E)(3) or Section 4.6.9(B)(4), where private land is acquired by a governmental entity for parking or park purposes. [Amd. Ord. 02-08 2/19/08]; [Amd. Ord. 79-05 1/3/06]

- (a) For properties located within 600' of a programmed public parking facility, excluding property zoned CBD and/or CBD-RC, an alternative to providing all the required parking on-site is to contribute towards the construction of the parking facility. The cost per space shall be based upon the location of the property for which the public parking fee is being sought. Area descriptions and corresponding fee amounts are hereby established as follows: If for whatever reason the public parking does not get built the City shall retain the fee to provide parking or parking maintenance in the quadrant of the City where the development is located. [Amd. Ord. 79-05 1/3/06]

- (1) **Area 1:** Parcels located east of Swinton Avenue and South Dixie Highway - \$18,000 per space. [Amd. Ord. 79-05 1/3/06]

- (2) **Area 2:** Parcels located west of the Swinton Avenue and South Dixie Highway - \$16,000 per space. [Amd. Ord. 79-05 1/3/06]

- (b) The Public Parking Fee is limited to no more than 25% of the total required parking of a development not to exceed 10% of the total number of parking spaces associated with the Programmed Public Parking Facility. Within a Programmed Public Parking Facility, a maximum of 25% of the total number of parking spaces provided within the Facility are available to the Public Parking Fee Program. [Amd. Ord. 79-05 1/3/06]

- (c) When a programmed public parking facility is not anticipated to be constructed within three (3) years of site plan approval of the proposed development, a building permit will not be issued unless the proposed development constructs additional on-street parking within the right-of-way adjacent to the development equating to 75% of the total number of spaces subject to the Public Parking Fee. [Amd. Ord. 79-05 1/3/06]

SECTION 4.6.9 (E) (4) (d)

- (d) Where adequate right-of-way exists adjacent to the proposed project for which the fee has been approved, the applicant must construct additional on-street parking, not to exceed the total amount of spaces subject to the fee unless authorized by the City Commission. The applicant will be credited up to one-half of a parking space for each full parking space constructed within public right-of-way. (For example, the applicant requests to pay the public parking fee on 4 spaces; the applicant constructs 4 spaces in the right-of-way; the applicant must only pay the public parking fee for 2 spaces). Crediting of spaces constructed in the right-of-way resulting in a fraction shall be rounded down. **[Amd. Ord. 79-05 1/3/06]**
- (e) All required residential and guest parking spaces associated with a development and required guest room parking for hotels, motels, residential-type inns, bed and breakfasts, and similar uses must be provided on-site. **[Amd. Ord. 79-05 1/3/06]**
- (f) The public parking fee must be paid in full upon issuance of a building permit. **[Amd. Ord. 79-05 1/3/06]**
- (g) The Director of Planning and Zoning or designee shall maintain a record of the developments that utilize the Public Parking Fee Program and the number of spaces allocated to the program for each Programmed Public Parking Facility. **[Amd. Ord. 79-05 1/3/06]**
- (h) The operating hours of the Programmed Public Parking Facility are at the sole discretion of the governmental entity that owns the facility, and shall not be affected by parking spaces intended for commercial tenants of the development. **[Amd. Ord. 79-05 1/3/06]**
- (i) The Public Parking Fee amount shall be reviewed at a minimum every two (2) years and the fee adjusted as warranted. **[Amd. Ord. 79-05 1/3/06]**
- (j) Requests to allow public parking fee payments that are not associated with a site plan or a site plan modification shall expire two years after such request is approved. The fee charged shall be the fee that is set forth in the Land Development Regulations at the time payment is made for spaces required to accommodate the associated site plan or site plan modification. **[Amd. Ord. 23-07 7/24/07]**

SECTION 4.6.9 (E) (5)

(5) **Off-Site Parking:** In instances where uses do not have sufficient space to accommodate customer and employee parking demands, parking requirements may be provided off-site in accordance with the following: [Amd. Ord. 79-05 1/3/06]; [Amd. Ord. 46-96 11/5/96]

(a) **Normal Operations:** Parking for day-to-day operation may be provided on other property within three hundred feet (300') provided that both properties are of the same general type of zone designation (i.e. commercial, industrial, office, etc.) or when the off-site parking site is zoned CF and a conditional use approval for use as a parking lot has been approved, and when in compliance with, and pursuant to, the following:

- (1) The 300' distance shall be measured along an acceptable pedestrian route; [Amd. Ord. 46-96 11/5/96]
- (2) Approval of such off-site parking may be granted by the body which has approval authority of the related site and development plan; [Amd. Ord. 46-96 11/5/96]
- (3) An agreement providing an easement for such use is prepared pursuant to Subsection (E)(5) and is recorded prior to certification of the site and development plan; [Amd. Ord. 46-96 11/5/96] [Amd. Ord. 42-92 9/8/92]
- (4) The provision of the parking easement shall not diminish the ability of the property upon which it is placed, to accommodate its required parking. [Amd. Ord. 46-96 11/5/96]

(b) **Special Events/Facilities:** In instances where uses and/or facilities have large parking demands/requirements and which are otherwise subject to conditional use approval (e.g. stadiums, places of assembly, community and civic centers, recreational areas, etc.) such parking may be provided off-site in accordance with the following.

- (1) Approval of such off site parking may be granted by the body which has approval authority of the related conditional use. [Amd. Ord. 46-96 11/5/96]
- (2) A parking and transportation plan must be presented in order to obtain such approval. The plan must identify parking areas and demonstrate the manner in which transportation to the use site, security, maintenance, and related matters will be accommodated. [Amd. Ord. 46-96 11/5/96]
- (3) Easements, agreements, or other appropriate legal documents which assure continued availability of such parking shall be required as a part of the parking and transportation plan. [Amd. Ord. 46-96 11/5/96] [Amd. Ord. 42-92 9/8/92]

SECTION 4.6.9 (E) (6)

(6) **Off-Site Parking Agreement:** The owner of the alternate off-street parking area, and the owner of the principal use or building (including the land on which it is situated), shall enter into a written agreement with the City (in such form as may be approved by the City Attorney), with enforcement running to the City, providing that the land comprising the alternate off-street parking area shall never be disposed of except in conjunction with the transfer or sale of the building which the parking area is intended to serve, so long as the parking facilities are required. The owner agrees that such agreement shall be in recordable form, the expense of recording to be borne by the owner, and that the agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement shall be recorded by the City Clerk. The agreement shall be released by the Commission at such time as the alternate off-street parking facilities are no longer required or when the owner provides other lawful off-street parking facilities. The owner shall bear the expense of recording the release of the agreement. [Amd. Ord. 79-05 1/3/06]

(F) **Special Provisions:**

(1) **Reduction Allowed:** When, upon receipt and acceptance of special documentation, it is conclusively demonstrated that a reduced number of parking spaces will accommodate a specific use, the body which acts on the attendant site plan may reduce the parking requirements accordingly. [Amd. Ord. 46-96 11/5/96]

(2) **Temporary Use of Parking Spaces for Other Purposes:** Parking lots may be used for the sale of merchandise on a temporary basis for special events. Request for such approval shall be governed by Section 2.4.6(H).

(3) **Valet Parking:** A parking facility with a valet service or operator which allows for attendants to receive, park and deliver the automobiles of occupants, tenants, customers, invitees, and visitors, including tandem parking may be utilized in lieu of the requirements of this Section provided the following requirements are complied with: [Amd. Ord. 37-01 7/10/01]

- (a) Any required valet or tandem parking utilized in lieu of the parking requirements set forth in this section shall be governed by an agreement with the City (in such form as may be approved by the City Attorney), and recorded in the public records of Palm Beach County. The agreement shall constitute a covenant running with the land binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City Commission at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use. [Amd. Ord. 37-01 7/10/01]
- (b) The required queue is to be provided on private property as opposed to public rights-of-way. [Amd. Ord. 37-01 7/10/01]
- (c) There is a parking professional available for the vehicle retrieval during business hours. [Amd. Ord. 37-01 7/10/01]

SECTION 4.6.9 (F) (3) (d)

- (d) The dimensions for valet and tandem parking spaces shall be a minimum of eight and one-half feet (8'6") wide and sixteen feet (16') deep with a maximum stacking of two (2) vehicles along with a drive aisle of twenty-four feet (24'). [Amd. Ord. 37-01 7/10/01]
- (e) Valet parking may be utilized to conform with the number of handicap accessible parking spaces provided that: [Amd. Ord. 37-01 7/10/01]
 - (i) At least two (2) handicapped accessible spaces are provided adjacent to the vehicle queuing area for those vehicles which cannot be operated by the parking professional; and, [Amd. Ord. 37-01 7/10/01]
 - (ii) The disabled person's vehicle may be safely operated by aforementioned parking professional. [Amd. Ord. 37-01 7/10/01]
- (f) Valet drop-off/queuing area must be provided with a minimum length of 100'. Greater queuing area may be required as a condition of site plan or conditional use approval based upon the intensity of the use. The length of the queuing area may be reduced when supported by a traffic study. [Amd. Ord. 37-01 7/10/01]
- (g) Interior landscape areas required by Section 4.6.16 shall not be required if landscape requirements which would otherwise have been installed on the interior of the parking lot are evenly distributed along the perimeter of the parking area or facility and subject to the following requirements: [Amd. Ord. 37-01 7/10/01]
 - (i) That a 10' perimeter landscape buffer consisting of a hedge and trees thirty-feet (30') on center be provided. [Amd. Ord. 37-01 7/10/01]

(4) Mechanical Parking Lifts: [Section Added by Ord. 34-07 9/18/07]

- (a) Any mechanical lift parking utilized to meet parking requirements set forth in sections 4.4.13 and 4.6.9 shall be governed by an agreement with the City (in such form as may be approved by the City Attorney), and recorded in the public records of Palm Beach County. The agreement shall constitute a covenant running with the land, binding upon the owners, heirs, administrators, successors, and assigns. The agreement may be released by the City Commission at such time that site plan approval is obtained for an alternative parking arrangement which satisfies the parking requirements for said use.

Section 4.6.10 Off-Street Loading:

(A) **Rule:** Space for accommodating the unloading of merchandise, inventory, materials, supplies, and produce shall be provided on the site where a use which requires such items is located. Provisions for such (un)loading areas shall be shown on the site and development plan under which the site is to be developed.