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**INTEROFFICE MEMORANDUM**

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**TO:** PLANNING AND ZONING BOARD MEMBERS  
**FROM:** JEFF BOWMAN, DEVELOPMENT SERVICES DIRECTOR  
**SUBJECT:** PROPOSED AMENDMENTS TO THE UNIFIED LAND DEVELOPMENT CODE (PARKING REGULATIONS)  
JANUARY 19, 2011 P&Z BOARD MEETING  
**DATE:** 1/6/2011

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Staff has scheduled a regular meeting for January 19, 2011. Staff has prepared an item for your regular meeting to review and provide recommendations.

**Brief Synopsis of Agenda Item**

**Regular Agenda, Item # 1. Changes in required parking requirements and general public parking requirements.**

At the June 23, 2010 Commission Roundtable, staff was given direction to research alternatives to provide more flexibility and options for Businesses to meet their 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.

At the October 26, 2010 Commission Roundtable, staff provided the Commission with options provided by Planning Consultant Walter Keller along with a copy of Delray Beach's Code that already incorporates some of the options. Staff was given direction to send the information to you, and for you to provide recommendations that would accomplish the above goal.

On November 17, 2010, the Planning and Zoning Board held a workshop to discuss the Town's minimum parking requirements. The Board recommended revisions to the procedures for parking waivers, and discussed the distance criteria for reliance on available public parking.

At the November 22, 2010 Commission Roundtable, the Commission discussed exempting the parking requirements for restaurant uses.

At the December 7, 2010 Commission meeting, parking was discussed again. Direction was provided to staff to prepare an item addressing three (3) areas (restaurant parking suspension program, modification of required parking, and places of assembly) within the Parking Regulations, for your review and recommendations. The item was reviewed by the Planning and Zoning Board at its December 15, 2010 Board meeting; the Board recommended approval of the item with one revision – to restore the restaurant parking standard. As directed by the Commission, the restaurant parking suspension program and other changes (**highlighted in yellow**) were incorporated into an ordinance which will be heard on first reading by the Commission on January 11, 2011.

At its December 15, 2010 Workshop, the Planning and Zoning Board also conceptually reviewed proposed changes to the remainder of the parking regulations. The Board endorsed the concept of having all parking regulations in one location in the Code. Direction was provided to staff to further develop the proposed changes. The draft changes are attached for your further review and recommendation.

Please contact me (954-776-3611) if you have any questions or, if you prefer, I would be happy to meet with you individually to answer any questions you may have. Thank you.







**Parking Code Changes Being Considered by the Planning and Zoning Board  
(Those Changes That Are Shown in the Ordinance Being Considered on First  
Reading by the Town Commission on 1/11/11 Are Highlighted in Yellow)**

<b>Current Code and Proposed Changes</b>	<b>Reason</b>
<p align="center"><del>3. — Retail stores. one parking space for each 200 square feet of floor area of the store.</del></p> <p align="center"><del>4. — Unplatted lots. If off-street parking is not platted for a specific lot, then one parking space shall be required for each 700 square feet of floor area. Setback requirement areas may be utilized to comply with the parking requirements.</del></p> <p align="center"><del>* * *</del></p> <p><b><u>Subdivision L. - Supplemental Regulations</u></b></p> <p align="center"><del>* * *</del></p>	<p align="center"><b>See Section 30-318 (j)</b></p>
<p><b>Sec. 30-313. - General provisions.</b></p> <p align="center">These general provisions shall govern development within the corporate limits of the Town, as follows:</p> <p align="center"><del>* * *</del></p>	<p align="center"><b>All lots are platted</b></p>
<p align="center"><del>(6) — Off-street parking. Off-street parking areas for apartments, hotels, and multi-family units shall be provided and shown on the plot plan, with a minimum of nine feet by 18 feet for each parking space, to accommodate cars in the following proportional ratios:</del></p> <p align="center"><del>a. — Two automobile parking spaces for each condominium, apartment or rental apartment.</del></p> <p align="center"><del>b. — One and one-half parking spaces for each hotel and motel room plus additional parking for any accessory uses at the current Code requirements.</del></p> <p align="center"><del>c. — All off-street parking areas shall be provided with a pavement having an asphaltic or portland cement binder, and shall be so graded and drained as to dispose of all surface water accumulated within the parking space.</del></p> <p align="center"><del>d. — All automobile parking spaces shall be clearly marked or designated with independent ingress and egress for each parking space provided.</del></p> <p align="center"><del>e. — Each parking space shall be directly accessible</del></p>	<p align="center"><b>Covered in section 30-318</b></p> <p align="center"><b>See Section 30-318 (b)</b></p>



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<b>Current Code and Proposed Changes</b>	<b>Reason</b>
<p>(1) Any building, structure, or use instituted with the Town of Lauderdale-By-The-Sea after <del>the effective date of these sections</del> [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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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,</p>	

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<p align="center">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.</p> <p><b>Sec. 30-315. - Requirements for general commercial uses.</b></p> <p>(a) <i>Fractional measurements:</i> 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.</p> <p>(b) <i>Mixed uses:</i> 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, <del>and</del> <u>off-street parking spaces for one use shall not be considered as providing the required off-street parking for any other use <u>except when a Shared Parking Study is approved by the Town Commission, as provided in Section 30-320.</u></u></p> <p>(c) <i>Measurement:</i> For the purposes of these sections, floor area shall mean the gross floor area inside of the exterior walls. <del>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.</del></p> <p><b>Sec. 30-316. - Plans.</b></p> <p>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)).</p> <p><b>Sec. 30-317. - Design standards.</b></p> <p>(a) The minimum size (in feet) for parking stalls shall be as follows:</p> <p style="padding-left: 40px;">9 X 18—standard space</p> <p style="padding-left: 40px;">9 X 23—parallel space</p> <p style="padding-left: 40px;">10 X 25—loading space</p>	

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<p align="center">12 X 18—handicap space 8 X 15—compact space</p> <p>(b) <del>A standard parking stall shall be nine feet wide by 18 feet deep.</del> 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.</p> <p>(c) Parking layout and design criteria is provided in site plan requirements (section 30-124(a)(1) of the Land Development Code).</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p> <p>(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.</p>	<p align="center"><b>A standard parking space is defined in (a)</b></p>



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<p>(f) Churches: one parking space for each three fixed seats, plus one parking space for each 200 square feet of floor area in assembly rooms with movable seats. <u>In churches 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.</u></p> <p>(g) Funeral homes: one parking space for each four seats in public rooms.</p> <p>(h) Medical, dental lab, chiropractic, health studio, etc., clinics: one parking space for each 200 square feet of floor area.</p> <p>(i) Business, professional and governmental offices: Parking space requirements vary depending on the size in gross leasable area (GLA) according to the following table:</p> <table border="1" data-bbox="409 905 976 1146"> <thead> <tr> <th>Office Size (GLA)</th> <th>1 Space for Each (Square Feet)</th> </tr> </thead> <tbody> <tr> <td>Less than 5,000</td> <td>250</td> </tr> <tr> <td>5,000 to 20,000</td> <td>300</td> </tr> <tr> <td>20,000 to 50,000</td> <td>325</td> </tr> <tr> <td>More than 50,000</td> <td>350</td> </tr> </tbody> </table> <p>(j) Restaurants, <u>including customer service areas of outside cafes on private property, sandwich shops, coffee shops and any establishment or portion of an establishment dedicated to preparing and serving food to the public bars, beer gardens, night clubs:</u> one parking space for each 50 square feet of floor area in rooms for customer service, <u>except that from February 1, 2011 until January 31, 2014, no parking spaces shall be required for new restaurants or the expansion area of existing restaurants. This suspension of the parking requirement shall be known as the "Parking Suspension Program."</u></p> <p>(1) <u>Application required.</u> To qualify for the Parking Suspension Program, a Parking Suspension Application must be submitted, in a form to be approved by the Town, with supporting documentation.</p> <p>(2) <u>Eligibility for program.</u> The application, and all supporting documents for the construction of a new restaurant or for a restaurant expansion, shall have been submitted and deemed to be complete by the Town prior to February 1, 2014, and all required permits received and the restaurant subsequently built within the time periods specified in the Town's Code.</p>	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	<p align="center"><b>Covered in Ordinance 2011- 01</b></p>
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<p>(3) <i>Status following end of program.</i> At the end of the Parking Suspension Program, all restaurants built under the Parking Suspension Program will become non-conforming uses, and shall be subject to the requirements of the non-conforming use provisions of the Town's Code. Notwithstanding the foregoing, restaurants or expansions of restaurants built under the Parking Suspension Program may be completely remodeled or rebuilt without providing parking, as originally permitted through the Parking Suspension Program, as long as the square footage of customer service area is not increased. Any increase in square footage of customer service area after the program has ended must comply with the parking requirements in effect at the time of construction of the increased square footage.</p> <p>(4) <i>Annual report.</i> The Town Manager shall provide an annual report to the Commission that describes the utilization, effectiveness and impacts of the Parking Suspension Program.</p> <p>(5) <i>Notice and hearing prior to expiration of program.</i> Following public notice, the Town Commission shall conduct a public hearing and evaluation of the program's impacts at least six months prior to its expiration on January 31, 2014.</p> <p>(k) <i>Retail stores:</i> one parking space for each 225 square feet of floor area.</p> <p>(l) Reserved.</p> <p>(m) <i>Furniture stores:</i> one parking space for each 500 square feet of floor area of the building.</p> <p>(n) <i>Charter, sightseeing or fishing boats:</i> 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.</p> <p>(o) <i>Uses not specifically mentioned:</i> 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> <p>(p) <i>Marinas and yacht basins:</i> one parking space for each boat slip and one parking space for each employee.</p> <p>(q) <i>Banks and savings and loan associations:</i> one parking space for each 235 square feet of gross building floor area.</p> <p>(r) <i>Gasoline service stations:</i> 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</p>	

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<p>(s) <i>Leased and rental vehicles</i>: one space for each leased car maintained on premises plus one space for each employee.</p> <p>(t) <i>Shopping centers</i>: Parking space requirements vary depending on the size in gross leasable area (GLA) and composition of the center according to the following table:</p> <table border="1"> <thead> <tr> <th align="center">Shopping Center Size in GLA</th> <th align="center">Base Rate (1 Space For Each)(square feet)</th> <th align="center">Special Uses Requiring Additional Spaces Above Base Rate</th> </tr> </thead> <tbody> <tr> <td rowspan="3">Less than 50,000</td> <td rowspan="3">225</td> <td>10 spaces for each 1,000 sf of food service</td> </tr> <tr> <td>3 spaces for each 100 cinema seats</td> </tr> <tr> <td>1 space for each 700 sf of office use &gt;10% of GLA</td> </tr> <tr> <td rowspan="3">50,000–100,000</td> <td rowspan="3">250</td> <td>10 spaces for each 1,000 sf of food service</td> </tr> <tr> <td>3 spaces for each 100 cinema seats</td> </tr> <tr> <td>1 space for each 700 sf of office use &gt;10% of GLA</td> </tr> <tr> <td rowspan="3">100,000–200,000</td> <td rowspan="3">250</td> <td>6 spaces for each 1,000 sf of food service</td> </tr> <tr> <td>3 spaces for each 100 cinema seats &gt; 450 seats</td> </tr> <tr> <td>1 space for each 700 sf of office use &gt; 10% of GLA</td> </tr> <tr> <td rowspan="2">200,000–400,000</td> <td rowspan="2">250</td> <td>3 spaces for each 100 cinema seats &gt; 750 seats</td> </tr> <tr> <td>1 space for each 700 sf of office use &gt;10% of GLA</td> </tr> <tr> <td rowspan="2">400,000–600,000</td> <td rowspan="2">225</td> <td>3 spaces for each 100 cinema seats &gt; 750 seats</td> </tr> <tr> <td>1 space for each 700 sf of office use &gt; 10% of GLA</td> </tr> <tr> <td rowspan="2">600,000–1,200,000</td> <td rowspan="2">200</td> <td>3 spaces for each 100 cinema seats &gt; 750 seats</td> </tr> <tr> <td>1 space for each 700 sf of office use &gt;10% of GLA</td> </tr> </tbody> </table> <p>(u) <i>Convenience stores, grocery stores</i>: one parking space for each 125 square feet of floor area.</p> <p>(v) <i>Personal service shops</i>: one parking space for each 200</p>		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	
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<p>square feet of service floor area including barber shops and beauty shops.</p> <p>(w) <i>Theaters, movies or otherwise: one space for every three <u>fixed seats plus one parking space for each 200 square feet of floor area in assembly rooms with movable seats.</u></i></p> <p><b>Sec. 30-319. - Limitations on use of required parking facilities.</b></p> <p>The following uses and activities shall not be permitted in required parking facilities:</p> <ol style="list-style-type: none"> <li>(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.</li> <li>(2) Storage, repair or display of any vehicles, equipment or merchandise.</li> <li>(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.</li> <li>(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.</li> </ol> <p><b>Sec. 30-320. - Parking other than on-site location.</b></p> <p>(a) <i>Regulation of <u>required parking, shared parking and off-site required parking.</u> Parking spaces shall be located <u>as follows:</u></i></p> <ol style="list-style-type: none"> <li>(1) <i><u>Onsite: Required parking spaces may be located upon the same plot or parcel of land the parking area is intended to serve, <del>of,</del></u></i></li> <li>(2) <i><u>Off-site: Required parking spaces may be located offsite, upon a plot of land owned or leased by the same person or business entity that owns <u>and</u> the business which is served by the parking spaces <u>that is:</u></u></i> <ol style="list-style-type: none"> <li>(i) <i><u>located <del>at any location</del> within the Town's corporate limits <u>and</u> zoned for business use; <u>or</u></u></i></li> <li>(ii) <i><u>located in an RM-25 <u>district,</u> when the lot is adjacent to <del>thea</del> business use; <u>or</u></u></i></li> </ol> </li> </ol>	<p>Covered in Ordinance 2011-01</p>

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<p align="center"><u>(iii) an RM-25 lot located within 50 feet of the RM-25 lot utilized for parking for the business under subsection (2)(ii) above.</u></p> <p><u>(3) Shared: Required parking spaces may be permitted to be utilized for meeting the parking requirements of two (2) or more separate permitted uses, when it is clearly established by the applicant that the two (2) or more uses will utilize the spaces at different times of the day, as follows:</u></p> <p><u>(i) Location. The two (2) or more separate permitted uses must be on adjacent lots, in a complex, or on a unified development site.</u></p> <p><u>(ii) Study. The applicant shall prepare a Shared Parking Study, using a methodology approved by the Town Manager, establishing the peak parking requirements of the permitted uses, based on a time of day occupancy analysis. The results of the Study must be approved by the Town Commission.</u></p> <p><u>(iii) Change of hours. Any modification of the business hours of any of the businesses that results in a parking usage overlap shall result in revocation of the approval, or enforcement by the Town of the Shared Parking Agreement required below, or both.</u></p> <p><u>(4) Requirements. Required parking which is off-site or shared parking must comply with the following:</u></p> <p><u>(i) Users. Required parking is for the convenience of the employees, patrons or guests of the use providing the required parking.</u></p> <p><u>(ii) Overnight parking. 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.</u></p> <p><u>(iii) Fencing of Parking Lots in RM-25 District. Parking lots in the RM-25 district 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.</u></p> <p><u>(iv) Agreement Required. Use of either off-site or shared parking to meet required parking, wherever located, requires a Shared Parking Agreement between the owner of the use and</u></p>	<p><b>Revised to clarify, improve readability and intent. Deleted text follows.</b></p>

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<p><u>the owner of the parking spaces. The Shared Parking Agreement must be in writing, provide cross access and ingress and egress if necessary, and provide for maintenance of the parking and enforcement of the Agreement. The Agreement shall run to the benefit of the Town and shall be binding upon any heirs, successors and assigns. The Agreement shall include a provision whereby the owner of the use acknowledges that the continued validity of the use is contingent on a valid Shared Parking Agreement, and that termination of the Agreement shall result in revocation of the approval of the use, unless alternative parking is provided to meet the minimum parking requirement of the Town Code within 90 days of notice of termination. The Agreement may be terminated only upon agreement of the Town Manager or his or her designee, which may be granted if (a) each property standing on its own satisfies the off-street parking requirements established by the code, or (b) Town or other offstreet facilities will be provided within 90 days which meet the requirements of this Article. A lease or rental agreement may be utilized as a Shared Parking Agreement if it meets the requirements of this section. Any Agreement pursuant to this section must be in a form approved by the Town Attorney and shall be recorded in the public records of BrowardCounty.</u></p> <p><del>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</del></p>	

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<p><del>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.</del></p> <p><del>(b) — Parking incidental to business.</del></p> <p><del>(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.</del></p> <p><del>(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.</del></p>	<p align="center"><b>See revised text above</b></p>
<p><b>Sec. 30-321. - Modification of parking requirements.</b> <del>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:</del></p> <p><del>(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</del></p> <p><del>(2) There is on-street parking judged adequate to</del></p>	<p><b>Covered by Ordinance 2011-01</b></p>

**Parking Code Changes Being Considered by the Planning and Zoning Board  
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<b>Current Code and Proposed Changes</b>	<b>Reason</b>
<p><del>accommodate a portion of the present and probable future parking demand of the general area; or</del></p> <p><del>(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.</del></p> <p><del>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.</del></p> <p><del>Requests for a reduction in the minimum parking requirements for a commercial use may be considered by the Town upon receipt of an application in a form approved by the Town, from the owner of the site seeking the reduction, as follows:</del></p> <p><del>(a) <i>Minor reductions.</i> Requests for a reduction of (i) 1 to 3 required parking spaces or (ii) up to 10% of the number of required parking spaces may be approved by the Town Manager. If the request is denied by the Town Manager, that decision may be appealed to the Town Commission.</del></p> <p><del>(b) <i>Major reductions.</i> The Town Commission shall hear requests for reductions in parking in excess of the Town Manager's authority under subsection (a). Such requests shall be accompanied by a parking report, prepared by the Town, analyzing existing and future parking demands, the availability of underutilized public parking spaces, and traffic circulation.</del></p> <p><del>(c) <i>Criteria for approval of major or minor reduction.</i> Requests for reduction may be approved, in whole or in part, upon a finding that there is sufficient available publicly owned parking judged adequate to accommodate the parking reduction request within a reasonable walking distance of the subject property along a practical and usable pedestrian route.</del></p> <p><b>Sec. 30-322. - Off-street loading; general provisions.</b></p> <p>(a) Adequate space for loading and unloading of materials, goods</p>	

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<p>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.</p> <p>(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.</p> <p>(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.</p> <p><b>Sec. 30-323. - Handicap parking requirements.</b></p> <p><i>Off-street parking for the disabled.</i> 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:</p> <p>(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.</p> <p>(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.</p> <p>(3) Handicapped parking spaces shall be a minimum of</p>	

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<p>12 feet wide and 18 feet deep. Each such space shall be conspicuously outlined in blue paint.</p> <p>(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.</p> <p>(5) Each such parking space shall be required as part of the parking and loading space requirement.</p> <p><b>Sec. 30-324. - Violations.</b></p> <p>The failure or neglect on the part of the owner or operator of a use or structure within the Town which is encompassed within the provisions of sections 30-314 through 30-323 of the Town of Lauderdale-By-The-Sea Land Development Code, to comply with all of the provisions of said sections shall constitute a violation of this Code.</p>	