

**Item 1**

**Exhibit 1**

**Walter Keller's  
Recommendations**

"Exhibit 1"



Walter H. Keller, Inc.  
Consulting Engineers and Planners  
Coral Springs • Sewall's Point

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.

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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.

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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,



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Walter H. Keller, PE., AICP

President

FL PE No. 20703

WHK/us

Attachment: Draft Parking Code with Revisions to Facilitate Parking Approvals