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ORDINANCE 2011 - 13

AN ORDINANCE OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING ARTICLE IV, DIVISION 11, SECTION 32-452 AND SECTION 32-455 OF THE CITY OF HALLANDALE BEACH CODE OF ORDINANCES, "ZONING AND LAND DEVELOPMENT CODE," RELATIVE TO OFF-STREET PARKING REQUIREMENTS AND MINIMUM PARKING SPACE REQUIREMENTS FOR RESIDENTIAL MULTI-FAMILY USES PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission at their October 19, 2011 meeting directed staff to amend the parking requirements for multi-family residential uses ; and

WHEREAS, it is in the best interest of the residents of the City of Hallandale Beach to amend the Zoning and Land Development Code relative to off - street parking.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA:

SECTION 1: Article IV, Division 11, Off-Street Parking and Loading is amended to read:

* * *

Section 32-452. Off- street parking requirements.

* * *

(f) *Nonconformance.*

(1) All property with existing developments on the effective date of this division which is not in compliance with the provisions of this division shall be required to conform to this division and secure from the appropriate city department a certificate certifying compliance with the requirements of this division. Places of worship and related accessory uses with nonconforming parking existing on December 1, 1998, shall not be required to conform to this division except when structural additions greater than 30 percent of the entire floor area are made.

(2) In order to comply with the requirement that all property with existing development on the effective date of this division comply with the full requirements of this division within the established deadline, a property owner shall be required

39 to construct, operate and maintain sufficient parking spaces, loading areas and
40 other facilities in compliance with the standards of this division, subject to the
41 following limitations:

42 a. Construction of a parking garage or upper level or above grade open air
43 parking garage shall not be required.

44 b. A property owner is only required to utilize land area that is part of the
45 same premises to be served and is not required to utilize adjoining or acquire
46 noncontiguous property. For purposes of this division, the same premises
47 shall mean the parcel of land occupied by the use being served and the
48 accessory buildings or uses customarily incident to it, including, without being
49 limited to, open space areas and areas used for nonconforming parking areas,
50 such as unpaved lots.

51 c. Except for new construction, reconstruction or structural additions,
52 property owners shall not be in violation of this division for failure to provide
53 the additional parking spaces required by this division if, in the opinion of the
54 city engineer, based on commonly accepted architectural and engineering
55 standards applicable to construction of off-street parking areas, he has
56 constructed, in compliance with this division, as many additional parking
57 spaces, loading areas and other facilities as the physical capacity of the
58 premises will allow. The measurement of the parking and loading capacity
59 area shall not include areas occupied by or blocked from access by a wall or
60 roof structure.

61 d. When in the opinion of the city engineer, there is sufficient swale area to
62 accommodate on-street parking in the public right-of-way, the parking required
63 for residentially zoned properties may be provided in the right-of-way and
64 considered in compliance with this section. The city engineer shall check and
65 approve a plan showing such improvement so as to provide proper drainage
66 and design.

67 Building permit for parking improvements in the public right-of-way is subject
68 to the provisions of Section 25-37(c) should such improvement need to be
69 altered or removed by the City at any time.

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72 **Sec. 32-455. - Minimum parking space requirements.**

73 (a) *Generally.* All uses shall be subject to the minimum space requirements of this
74 section unless additional spaces are required as a condition of securing a conditional
75 use. All fractional space requirements shall be rounded off to the next highest number.

76 (b) *Residential uses.*

77 (1) Single-family detached and two-family residences: two spaces for every
78 dwelling unit.

79 (2) Townhouses: two spaces for every dwelling unit, plus townhouse
80 developments of ten units or more have to provide one-half space per unit for guest
81 parking. Guest parking shall be collectively provided, identified, and centrally
82 located and continuously maintained as guest parking.

83

84 (3) Multi-family:

85 a) New development. 1.75 spaces for every efficiency unit or 1 bedroom unit, 2.0
86 spaces for every two-bedroom unit, or 1 bedroom unit plus a den; 2.5 parking
87 spaces for every 3 bedroom unit or 2 bedroom plus a den; and 3.0 parking spaces
88 for over 3 bedroom unit or 3 bedroom unit plus a den plus an additional ten percent
89 of the total number of required spaces for guest parking, which shall be so posted
90 and collectively located in a convenient area and continuously maintained as guest
91 parking.

92 (b) Existing development. Properties developed prior to December 7, 2011 with
93 nonconforming parking facilities and subject to the requirements of Section 32-452
94 (f) of this division shall provide 1.25 spaces for every efficiency unit, 1.5 spaces for
95 every one-bedroom unit, 1.75 spaces for every two-bedroom unit, 0.25 spaces for
96 each additional bedroom in excess of two, plus an additional ten percent of the total
97 number of required spaces for guest parking, which shall be so posted and
98 collectively located in a convenient area and continuously maintained as guest
99 parking.

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101 (4) Mobile homes: two spaces for every mobile home unit or space.

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* * *

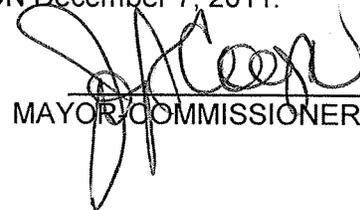
103 **SECTION 2.** All ordinances or parts of ordinances and all resolutions or parts of
104 resolutions in conflict herewith are hereby repealed.

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SECTION 3. In the event that any section or provision of this ordinance or any portion thereof, any paragraph, sentence, or would be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

PASSED ON FIRST READING ON NOVEMBER 16, 2011.

PASSED AND ADOPTED ON SECOND READING ON December 7, 2011.


MAYOR/COMMISSIONER

ATTEST:


CITY CLERK

Approved as to legal sufficiency and form by
CITY ATTORNEY


V. Lynn Whitfield, CITY ATTORNEY

	VOTE
	AYE/NAY
Mayor Cooper	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Vice Mayor Sanders	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Comm. Lewy	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Comm. London	<input checked="" type="checkbox"/> / <input type="checkbox"/>
Comm. Ross	<input checked="" type="checkbox"/> / <input type="checkbox"/>