

ORDINANCE 2011-

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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 RESIDENTAL 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

36 this division except when structural additions greater than 30 percent of the  
37 entire floor area are made.

38 (2) In order to comply with the requirement that all property with existing  
39 development on the effective date of this division comply with the full  
40 requirements of this division within the established deadline, a property  
41 owner shall be required to construct, operate and maintain sufficient parking  
42 spaces, loading areas and other facilities in compliance with the standards  
43 of this division, subject to the following limitations:

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

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

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

64 d. When in the opinion of the city engineer, there is sufficient swale

65 area to accommodate on- street parking in the public right –of –way, the  
66 parking required for residentially zoned properties may be provided in  
67 the right- of –way and considered in compliance with this section. The  
68 city engineer shall check and approve a plan showing such  
69 improvement so as to provide proper drainage and design.

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

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

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

80 (b) *Residential uses.*

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

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

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88 (3) Multi-family:

89 a) New development. 1.75 ~~1.25~~ spaces for every efficiency unit or 1  
90 bedroom unit, ~~1.5 spaces for every one-bedroom unit, 1.75~~ 2.0 spaces for  
91 every two-bedroom unit, or 1 bedroom unit plus a den; 2.25 ~~2.5~~ parking  
92 spaces for every 3 bedroom unit or 2 bedroom plus a den; and 3.0 parking  
93 spaces for over 3 bedroom unit or 3 bedroom unit plus a den. ~~0.25 space~~  
94 ~~for each additional bedroom in excess of two,~~ plus an additional ten percent  
95 of the total number of required spaces for guest parking, which shall be so  
96 posted and collectively located in a convenient area and continuously

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

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

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\* \* \*

109 SECTION 2. All ordinances or parts of ordinances and all resolutions or parts of  
110 resolutions in conflict herewith are hereby repealed.

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

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118 PASSED ON FIRST READING ON \_\_\_\_\_ 2011.

119 PASSED AND ADOPTED ON SECOND READING ON \_\_\_\_\_ 2011.

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\_\_\_\_\_  
MAYOR-COMMISSIONER

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124 ATTEST: \_\_\_\_\_

125 CITY CLERK

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