

**CITY OF TAMARAC**  
**INTEROFFICE MEMORANDUM 11-08-011M**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

<b>To:</b>	<b>Michael C. Cernech, City Manager</b>	<b>Date:</b>	<b>September 14, 2011</b>
<b>From:</b>	<b>Jennifer K. Bramley, Director of Community Development</b>	<b>Re:</b>	<b>Chapter 24 - "Zoning" – Article V, Off-Street Parking and Loading and Chapter 14 "Motor Vehicles and Traffic" - Article II, Stopping, Standing and Parking Code Amendment</b>
		<b>Case No:</b>	<b>3-Z-11 Temp Ord. No. 2228</b>

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**RECOMMENDATION:** The Director of Community Development recommends that the Mayor and City Commission approve the proposed amendments to Chapter 24 "Zoning", Article V, Off-Street Parking and Loading and Chapter 14 "Motor Vehicles and Traffic", Article II, Stopping, Standing and Parking within the City Code of Ordinances for First Reading and set Second Reading for October 12, 2011.

**ISSUE:** The Community Development Department proposes significant amendments to the City's parking regulations to bring appropriate sections of code up to date. This includes bringing the code up to current state and local standards, amending the required parking requirements, loading and stacking for individual uses for a significant portion of the City's commercial/industrial areas and coordinating appropriate sections of code with adopted engineering, fire, disabled parking and lighting standards to eliminate contradictions.

**BACKGROUND:** The City's parking regulations were originally derived from the 1975 code, which has been modified from time to time in a piece-meal fashion. Regulations in the City's Code of Ordinances are not static and are updated regularly to account for emerging trends, changes to associated documents, changes to state or county laws and practical recommendations from field staff. Code amendments are typically brought forward individually as the need arises. However, periodically a more in-depth review of the code is required for the reasons stated above.

**ANALYSIS:** This memorandum provides an overview of the key elements being proposed for revision/addition in this proposed code amendment. Chapter 24, Article V, Off-Street Parking and Loading, is the main focus of this amendment regarding all aspects of this code section. Related language in Chapter 14, Motor Vehicles and Traffic, Article II, Stopping, Standing and Parking has also been amended to prevent conflicting language with the proposed changes to Chapter 24.

This proposed code amendment has been a multi-departmental effort to ensure that all required City Departments have coordinated regarding this vital code language. The participating departments include Community Development, Building, Fire, Engineering and the Broward Sheriff's Office.

## **City Commission**

### **Chapter 24 “Zoning”, Article V, Off-Street Parking and Chapter 14 “Motor Vehicles and Traffic, Article II, Stopping, Standing and Parking Code Amendment**

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The following is an overview of the key proposed amendments to the Parking Code:

#### Parking Ratios for Individual Commercial, Industrial and Residential Uses

Since 1994 the City has processed forty-two (42) Limited Parking Waivers which averages to nearly three (3) per year. Typically, waivers for required parking are done rarely and in very unique situations. The number of these applications indicates that the required parking ratio is too high and needs to be adjusted. Staff benchmarked with other municipalities regarding parking ratios for similar uses. Additionally, the Institute of Transportation Engineers (ITE) “Parking Generation, 3<sup>rd</sup> Addition” was employed to compare existing ratios. Finally, staff’s significant experience with parking requirements on the local level combined with the above tools produced modified parking ratios for the majority of allowable uses within the City’s commercial and industrial areas.

The result of the proposed amendments will reduce required parking throughout the City significantly. Pages 23 through 32 of the Legislative Draft (attached) outline all of the proposed changes.

The benefits of reducing parking requirements includes:

1. Future commercial and industrial uses will be approved without the need of numerous Limited Parking Waivers. This will allow the City’s commercial properties to fill existing vacancies more efficiently and with less cost.
2. Existing commercial properties will have more flexibility to add additional commercial uses in existing vacancies that currently would not be allowed due to a lack of required parking.
3. Future commercial development/redevelopment will allow for less parking pavement and more green areas.
4. Future commercial development/redevelopment will be able to develop more space for commercial areas, including outparcel development.

#### Vehicular Stacking Requirements

The current code language regarding vehicular stacking for drive-through lanes is very limited and applies to banks and restaurants only. Proposed changes include the addition of stacking space requirements for laundry and dry cleaning establishments, automatic car wash facilities and stacking for gated residential communities (see page 11 of the Legislative Draft). These proposed changes are in line with typical stacking requirements throughout the South Florida area.

#### Commercial and Industrial Loading Zones

The proposed changes regarding loading zones include increasing the threshold of square footage from two thousand (2000) to five thousand (5000) before a loading zone is required, eliminating the need for a loading zone for office and bank uses and reducing the size of a loading zone from sixty (60) feet in length to twenty-five (25) feet in length (see pages 32 – 34 of the Legislative Draft). Additionally, language has been provided to accommodate large semi-truck trailer vehicles for properties that will utilize this type of loading. These proposed changes reflect current industry standards and will afford increased flexibility for commercial and industrial areas due to less pavement being required.

## **City Commission**

### **Chapter 24 “Zoning”, Article V, Off-Street Parking and Chapter 14 “Motor Vehicles and Traffic, Article II, Stopping, Standing and Parking Code Amendment**

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#### Engineering and Fire Standards

A large portion of the proposed changes include specifications relating to engineering and fire requirements involving the following:

- Parking lot drainage
- Parking lot materials for pavement and curbing
- Parking stall size
- Driveway placement
- Sight distance requirements
- Fire access roads and materials
- Speed control requirements

The above changes were completed to ensure consistency with current industry standards and adopted Engineering and Fire standards. The above proposed changes are within the attached Legislative Draft in various locations.

#### Disabled Parking Requirements

The proposed language relating to disabled parking will bring these requirements up to current industry standards as required by State or Federal law. This includes the required dimensions of disabled parking spaces, the number of spaces required, the location of the disabled spaces and the enforcement of illegal parking within a disabled parking stall (see pages 1 – 4 and 34 – 36 of the Legislative Draft). This portion of the proposed code amendment was updated by both the City’s Building Department and the Broward Sheriff’s Office.

#### Parking Lot Lighting

The proposed changes to parking lot lighting requirements consist of ensuring that parking lot specifications are consistent with the City’s adopted Illuminating Engineering Society of North America (I.E.S.N.A.) Standard Practice for Street and Highway Lighting, latest edition. Additionally, code language is proposed to reduce allowable light levels adjacent to residential properties to bring this code section in line with current accepted practices throughout the industry (see pages 12 – 14 of the Legislative Draft).

#### Limited Parking Waiver Requirements

The above proposed amendments to the City’s parking code will reduce the need to process Limited Parking Waivers in the future. There will be the need to utilize this process in limited instances going forward. The only proposed change to this language is the addition of basic requirements that must be met in order for a waiver to be approved. They include provisions that the subject property be in compliance with current landscaping and vehicular use areas to the greatest extent possible. Additionally, the subject property must be void of any pre-existing code violations (see pages 36 - 38 of the Legislative Draft).

**City Commission**

**Chapter 24 “Zoning”, Article V, Off-Street Parking and Chapter 14 “Motor Vehicles and Traffic, Article II, Stopping, Standing and Parking Code Amendment**

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**CONCLUSIONS:** Staff recommends that the City Commission approve the proposed amendments to Chapter 24 “Zoning”, Article V, Off-Street Parking and Loading and Chapter 14 “Motor Vehicles and Traffic”, Article II, Stopping, Standing and Parking Chapter 24 “Zoning” within the City Code of Ordinances at its September 28, 2011 meeting on First Reading and at its October 12, 2011 meeting on Second Reading. The proposed amendments comprehensively brings the code up to current state and local standards by amending the required parking, loading and stacking for individual uses for a significant portion of the City’s commercial/industrial areas and coordinating appropriate sections of code with adopted engineering, fire, disabled parking and lighting standards to eliminate contradictions.

The City Attorney’s Office has reviewed the amendment(s) and approved the proposed ordinance as to legal sufficiency.

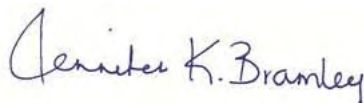
**FISCAL IMPACT:** Any fiscal impact of this proposed legislation would be minimal in that it would not create any ongoing additional costs to the City.

This item also supports the City’s Strategic Plan, Goal #5 providing for “A Safe and Vibrant Community” by addressing our commercial business community to allow greater flexibility with regards to parking requirements. Additionally, this item will provide for a safer neighborhood and business community by updating lighting standards, disabled parking requirements and engineering and fire specifications.

This item supports Policy 1.5 of the City’s Comprehensive Plan, Future Land Use Element stating “*The City will continue to promote “quality development” in all land use categories by the establishment and implementation of design criteria and development standards in the Land Development Code (LDC) which promote the highest standards of urban development and community aesthetics.*”

**INTERVENING ACTION:** At its September 7, 2011 meeting, the Planning Board voted unanimously, 5 - 0, to forward a favorable recommendation regarding this proposal to the City Commission at its September 28, 2011 meeting for First Reading and at its October 12<sup>th</sup>, 2011 meeting for Second Reading.

The Planning Board requested that the proposed modification to loading zone size be adjusted to accommodate large semi-truck trailers in properties that will utilize this type of loading. The legislative draft has been modified to accommodate this request (see page 34).



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Jennifer K. Bramley,  
Director of Community Development

Attachments: Temp Ord. No. 2228  
Exhibit :1” – Legislative Draft

JKB/FLZ/alg

CITY OF TAMARAC, FLORIDA

ORDINANCE NO. 2011 -

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF TAMARAC, FLORIDA, AMENDING CHAPTER 24, ARTICLE V ENTITLED "OFF-STREET PARKING AND LOADING" AND CHAPTER 14, ARTICLE II ENTITLED "MOTOR VEHICLES AND TRAFFIC" OF THE CODE OF ORDINANCES OF THE CITY OF TAMARAC, FLORIDA, PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Tamarac (hereinafter referred to as the "City"), in an effort to codify and revise the City's long-standing procedure to enforce the City's Code of Ordinances, seeks to amend Chapter 24, Article V in its entirety, entitled "Off-Street Parking and Loading" and Chapter 14, Article II in its entirety, entitled "Motor Vehicles and Traffic"; and

WHEREAS, the City recognizes a need to improve these code sections and bring it into current industry standards; and

WHEREAS, the City recognizes a need to regulate required parking requirements, loading and stacking for individual uses for a significant portion of the City's commercial/industrial areas and coordinating appropriate sections of code with adopted engineering, fire, disabled parking and lighting standards to eliminate contradictions; and

WHEREAS, the City recognizes that by amending Chapter 24, Article V in its entirety, entitled "Off-Street Parking and Loading" and Chapter 14, Article II in its entirety, entitled "Motor Vehicles and Traffic", will provide better readability for all users of the Code of Ordinances of the City; and

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Words in underline are addition to existing law

WHEREAS, the Director of Community Development recommends approval of this amendment; and

WHEREAS, the City Commission of the City of Tamarac has deemed it to be in the best interest of the citizens and residents of the City of Tamarac to amend Chapter 24, Article V in its entirety, entitled "Off-Street Parking and Loading" and Chapter 14, Article II in its entirety, entitled "Motor Vehicles and Traffic" of the Code of Ordinances of the City of Tamarac, Florida in an effort to regulate required parking requirements, loading and stacking for individual uses for a significant portion of the City's commercial/industrial areas and coordinating appropriate sections of the code with adopted engineering, fire, disabled parking and lighting standards to eliminate contradictions in an effort to bring these code sections into current industry standards.

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

SECTION 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of the Ordinance upon adoption hereof.

SECTION 2: That the City of Tamarac Code of Ordinances Chapter 24, Article V entitled "Off-Street Parking and Loading" and Chapter 14, Article II entitled "Motor Vehicles and Traffic" is hereby amended to read as follows:

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Chapter 14, Article II entitled "Motor Vehicles and Traffic"

Sec. 14-29. - Parking places for disabled persons.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

(1) Designated parking space means any parking space posted with a sign with lettering such as "Parking by Disabled Permit Only," and bearing the internationally accepted wheelchair symbol.

(2) Disabled person means a severely physically disabled individual with a permanent mobility problem which substantially impairs his or her ability to ambulate, who has been issued an exemption entitlement parking permit pursuant to F.S. section 320.0848.

(3) Motor vehicle means any vehicle which is self-propelled by any means whatsoever.

(b) Public parking space required. The minimum number of disabled persons' parking spaces on private property on which the owner, lessee or person in control of such property provides spaces for use by members of the public other than employees of such owner, lessee or person, including but not limited to parking spaces at shopping centers, stores, offices, motels, malls, restaurants and marinas shall be provided as set forth in F.S. section 316.1955. ~~and section 24-576 et seq. of this Code.~~

(c) Prohibitions. It is unlawful for any person to stop, stand or park a vehicle within a specially designated and marked parking space provided in accordance with this section unless such vehicle displays a parking permit issued pursuant to F.S. section 320.0848 and such vehicle is transporting a person eligible for the parking permit. However, any person who is chauffeuring a disabled person shall be allowed, without need for an identification parking permit, momentary parking in any such parking space for the purpose of loading or unloading such disabled person. No penalty shall be imposed upon the driver for such momentary parking.

(d) Violation. Whenever a law enforcement officer or a parking enforcement specialist finds a vehicle in violation of this section, that officer may charge the operator or other person in charge of having the use of the vehicle in violation of this section punishable as provided herein.

(e) Penalty. Any person issued a citation for violating the provisions of this section shall be subject to a fine as mandated by Florida State Statutes. ~~of two hundred fifty dollars (\$250.00) for each such citation. Any person cited under this provision shall be entitled to the appeal provisions of section 14-38.~~

(Code 1975, § 15-5.1; Ord. No. 87-63, § 1, 12-23-87)

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Cross reference— Off-street parking spaces for disabled persons, § 24-583.

State law reference— Parking spaces for disabled persons, F.S. § 316.1955 et seq.

Sec. 14-37. - Parking violation enforcement.

(a) Violation. Any person parking in conflict with this article shall be guilty of a non-criminal parking infraction.

(b) Ticketing procedure. Vehicles parked in violation of this article shall be ticketed by the ~~police department~~ sheriff's office. The ticket shall be affixed to the windshield of the offending vehicle. ~~The owner or operator of the vehicle shall appear at the police department within seventy-two (72) hours and pay a penalty in accordance with the schedule established in subsection (c) of this section.~~

~~(c) Fine. If a citation issued for violation of this article shall [be] paid prior to the issuance of a "notice to appear" or municipal information, the fine shall be twenty dollars (\$20.00); if such fine is paid after the issuance of a notice to appear or municipal information, but prior to the date of arraignment for such violation, the fine shall be twenty five dollars (\$25.00); and if such fine is paid on or after the date of arraignment but prior to the date of trial set for the cause, the fine shall be fifty dollars (\$50.00). If the cause is brought to trial, the maximum penalty shall be one hundred dollars (\$100.00). Notwithstanding anything to the contrary contained herein, as to citations issued in connection with disabled parking spaces, the fines set forth in section 14-29(e) shall be assessed for violations of section 14-29.~~

~~(d)~~ (c) Refusal to accept and sign citation or notice to appear. Any person who willfully refuses to accept and sign a citation or notice to appear issued pursuant to this section shall be guilty of a misdemeanor, and that person may be arrested by any law enforcement officer of the city.

(Code 1975, §§ 15-3.1, 15-4(c), 15-6(c)—(f); Ord. No. 91-18, § 1, 5-22-91; Ord. No. 91-29, § 1, 8-28-91)

Sec. 14-38. Appeals.

~~Any motor vehicle owner or operator cited with a parking violation of this article who wishes to contest the issuance of the citation or the correctness of the citation itself may do so as follows:~~

~~(1) Within seventy-two (72) hours of the issuance of the citation, the owner or operator appealing the ticket shall state his objections or defenses, in writing, to the police chief or his designee. If the objections or defenses are submitted by mail, they shall be postmarked no later than three (3) days after the issuance of the citation.~~

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~~(2) The police chief or his designee shall decide the appeal within three (3) days of receipt of the owner's or operator's list of objections or defenses. The police chief or his designee shall decide and notify the driver or operator of the outcome of the appeal within seventy-two (72) hours of receipt of the objections or defenses. Notice that an appeal is denied shall be sent to the driver or operator (appellant) by certified mail, return receipt requested, or by hand delivery. If the appeal is denied, then the appellant shall pay the fine for the citation within three (3) days after receiving notice that his appeal was denied. Decisions of the police chief or his designee in deciding appeals as provided in this subsection are final.~~

~~(3) The decisions of the police or his designee are reviewable by the circuit court in its appellate capacity as provided by law.~~

~~(4) Failure or refusal to timely pay the fine for a parking citation upon notice that an appeal has been denied shall be a violation of this article as provided in section 14-37(e) (d).~~

~~(Code 1975, § 15-3.2)~~

Sec. 14-39 38. - Prohibited parking and display of motor vehicles, trailers and boats for sale.

Sec. 14-40 39. - Imposition of surcharge for violations of parking ordinances.

Secs. 14-44 40-14-55. - Reserved.

Chapter 24, Article V, entitled "Off-Street Parking and Loading"

ARTICLE V. OFF-STREET PARKING  
AND LOADING\*

**\*Cross references:** Stopping, standing and parking, § 14-26 et seq.; parking and storage of construction trailers limited, § 14-31; planning and development, Ch. 17; streets and sidewalks, Ch. 20; subdivision regulations, Ch. 21.

Sec. 24-576. Off-street parking required.

(a) Every building, use or structure, instituted or erected after the effective date of this chapter shall be provided with off-street parking facilities in accordance with the provisions of this chapter for the use of occupants, employees, visitors or patrons.

(b) Such off-street parking facilities shall be maintained and continued as an accessory use as long as the main use is continued.

(c) Whenever a building or use constructed or established after the effective date of this chapter is changed or enlarged in floor area, number of dwelling or rental sleeping units, seating capacity, or otherwise, to create a requirement for an increase in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.

(d) It shall be unlawful for an owner or operator of any building, structure or use affected by this chapter to discontinue, change, limit the use of or dispense with, or to cause the 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 this chapter. It shall be unlawful for any person to utilize such building, structure or use without providing the off-street parking facilities to meet the requirements of and be in compliance with this chapter. In no case shall an existing carport or garage on a residential dwelling, which has been included as a portion of the required off-street parking, be converted to enclose storage or habitable space unless equal off-street parking facilities have been provided which comply with ~~section 24-578(a), (b)~~ this chapter.

(e) The off-street parking facilities required under this chapter shall be located on the same plot or parcel of land such facilities are intended to serve. However, where two (2) or more adjoining parcels of land are being used for business (B district) purposes and are owned by different owners, then such parcels of land shall be considered the same plot or parcel of land for parking computations only if:

(1) Such parcel owners and all other parties with an interest in the property, including, without limitation, all mortgagees entered into a binding, noncancellable, reciprocal parking easement of no less than twenty (20) years' duration and binding upon all successors and assigns, wherein each owner is granted the right by the other owner to have mutual rights of ingress and egress for vehicular and pedestrian traffic and vehicular parking on each owner's parcel for the benefit of each owner, his tenants, subtenants, invitees, customers, licensees, agents and employees;

(2) The combined number of parking spaces equal or exceed minimum parking requirements;

(3) Any driveway or potential driveway connecting the adjoining parcels shall not be computed for calculation of required numbers of parking spaces;

(4) The parcels shall be joined in such a way that vehicles may travel from one (1) parcel to the other without going onto the public right-of-way; ~~the traffic pattern between the two (2) parcels shall be approved by the city commission prior to the granting of any credit for parking spaces on another parcel;~~ and

(5) A copy of such parking easement is recorded in the public records of the county and filed with the city.

The form of the reciprocal parking easement must be approved in writing by the city attorney prior to its being effective in the city.

(f) Where one (1) of the parcel owners to a reciprocal parking easement complying with subsection (e) above is, on the date of the recording of such reciprocal parking easement in the public records of the county, a governmental body or agency of the United States, the state, county, or city, the parking requirements for the parcel owned by the governmental body included within the reciprocal parking easements shall not be greater than the parking requirements required under this section provided the parcel continues to be owned by the governmental body and is used solely for governmental purposes as of the date of the recording of such reciprocal parking easement in the public records of the county, notwithstanding anything to the contrary stated in this article.

(g) On all public rights-of-way in the city, parking shall be prohibited between the hours of 2:00 a.m. and 6:00 p.m.

(h) Permitted parking. All parking spaces required by this chapter and all supplemental parking (parking facilities provided but not required) may be used for the intermittent parking of the licensed vehicles of employees, occupants, owners, tenants or customers utilizing the building.

(i) Prohibited parking. The following types of parking shall be prohibited in both required and supplemental parking:

(1) Parking to serve an off-site building unless such parking is in accordance with an off-site parking agreement approved by the city in accordance with this chapter.

(2) Parking vehicles for storage, repair or display of equipment or merchandise, except as provided by the City of Tamarac through a temporary permit.

(3) Parking of a vehicle, which, due to its size, shape, contents or location creates an obstruction or safety hazard, or which cannot be contained within a single parking space.

(4) Parking in commercial districts of commercial vehicles which are owned, operated or used in, at, or from the permitted business unless approved by Section 14-30. ~~use when that parking is located:~~

~~a. In the street front or street side, or side interior parking if rear yard parking is provided on the approved site plan; or~~

~~b. Within thirty (30) feet exclusive of required landscape buffer areas, of any street front or side street or side interior property lines; or~~

~~c. Within ten (10) feet of the rear property lines, if vehicle exceeds six (6) feet in height, and the property abuts any residential, community facility, institutional or recreational parcel except that if visually impenetrable buffers (landscape or permitted walls) of sufficient height are provided along the property line, this does not apply.~~

(j) Definitions as used in this section:

(1) *Intermittent parking*: The periodic parking of licensed vehicles of employees, occupants, owners, tenants or customers utilizing a commercial building during business hours (not to exceed a period of twenty-four (24) hours).

(2) *Personal care services*: is an establishment (not having as its primary function the sale of retail goods) primarily engaged in providing appearance care such as but not limited to beauty salons, barber shops, nail salons, massage and spas to individual customers.

~~(2)~~ (3) *Temporary permit*: A permit for a special event (festival, carnival etc.) issued by the Tamarac Building Department and Community Development Department.

~~(3) Commercial vehicle~~: ~~Any vehicle used in the operation of a business.~~

(Code 1975, § 18-1; Ord. No. 90-14, § 1, 4-25-90)

Sec. 24-577. Interpretation of off-street parking requirements.

(a) The parking required in this article is in addition to space for storage of trucks or other vehicles used in connection with a business, commercial or industrial use.

~~(b) Where fractional spaces result, the parking spaces required shall be construed to be the highest whole number. When units or measurements determining number of required off-street parking spaces result in requirement of a fractional space, any fraction equal to or greater than one-half shall require a full off-street parking space.~~

(c) Except as otherwise provided, the number of employees shall be compiled on the basis of the maximum number of persons employed on the premises at one (1) time on an average day or average night, whichever is greater.

(d) The parking space requirements for a use not specifically listed in section 24-581 shall be the same as for a listed use of similar characteristics of parking demand generation.

(e) In the case of mixed uses, uses with different parking requirements occupying the same building or premises, or in the case of joint use of a building or premises by more than one (1) use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately except that parking requirements for permitted accessory uses in an apartment building, hotel, motel or motor lodge and containing one hundred (100) or more dwelling units and/or rental sleeping units, shall be provided as follows:

One (1) space per six hundred (600) square feet of retail, personal care services or office floor space;

One (1) space per five (5) seats of total, combined seating capacity in public eating and drinking facilities and assembly and meeting rooms for the first one thousand (1,000) seats; and

One (1) space per eighteen (18) seats of such seating capacity in excess of one thousand (1,000) seats.

~~(f) Whenever a building or use, constructed or established after the effective date of this chapter is changed or enlarged in floor area, number of dwelling or rental sleeping units, seating capacity or otherwise, to create a requirement for an increase in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement for change.~~

~~(g)~~ (f) For the purposes of this chapter, "gross floor area" shall mean the gross floor area inside of the exterior walls excluding elevators, stair wells, common corridors, trash rooms, common lobbies, common restrooms, meter rooms and power equipment rooms. ~~;~~ in hospitals, bassinets shall not count as beds. In stadiums, sport arenas, churches, and other places of assembly in which occupants utilize benches, pews or other similar seating facilities, each twenty (20) lineal inches of such seating facilities shall be counted as one (1) seat for the purpose of computing off-street parking requirements.

(Code 1975, § 18-2)

Sec. 24-578. Parking lot design.

(a) Parking lot design shall conform to the following requirements:

(1) For the purpose of this section, all off-street parking spaces shall be drained and paved as provided for in section 10-182, ~~except that six (6) inches compacted thickness of limerock base shall be allowable instead of eight (8) inches.~~

(2) The project designer shall provide a sufficient combination of lane width and edge of pavement radii to allow all passenger vehicle turning movements (into, out of and within the site) to occur without encroaching into other lanes. The minimum edge of pavement radii for passenger vehicles shall be twenty (20) feet unless excess lane widths are provided and an alternate design is approved by the city engineer. Alternate design shall show design vehicle paths on scale drawings.

(3) The paths for turning movements of loading and emergency vehicles shall also be indicated on scale drawings. These paths may encroach onto other lanes but may not leave the paved surface or cross over parking stalls.

(4) All parking spaces shall be at a thirty-, forty-five-, sixty- or ninety-degree angle, ~~as shown in figure A following this section; except that the~~ The planning board may recommend and the city commission may waive this provision in accordance with the provisions of section 24-584 to allow zero-degree angle parking.

- (5) ~~Minimum parking stall dimensions shall be as shown on figure B following this section, and each Each parking stall shall be marked by a painted four-inch-wide line on each side. The width of the stall shall be measured from centerline to centerline of the painted lines. Each stall shall be provided with wheel stops, as per figure B except as provided otherwise in subsection (b)(2) below.~~
- (6) All parking bays shall have a forward means of egress, except that all ninety-degree parking bays less than ten (10) cars in length without a forward means of egress shall have a six-foot backup area at the end of the bay in lieu of a forward means of egress.
- (7) ~~Handicap~~ Disabled parking spaces shall comply with section 24-583 of this Code.
- (8) A minimum distance of twenty-five (25) feet is required between the right-of-way line and parallel interior drives.
- (9) A minimum backup distance of twenty (20) feet is required between property lines or interior drives and the first parking stall ~~as indicated on figure A.~~
- (10) All off street parking facilities required by this article shall be drained so as not to cause any nuisances 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 City's Minimum Engineering standards.
- (b) Landscaping of parking areas shall conform to the following requirements:
- (1) All off-street parking areas for all uses except single-family residences shall be landscaped in accordance with chapter 11 of this Code. The planning board and the city commission shall determine from the landscaping plan submitted whether the requirements of this Code have been met.
- (2) ~~Wheelstops or continuous concrete curbs shall protect landscaped areas from encroachment by vehicles. A landscaped strip with a continuous concrete curb may be provided instead of wheelstops. The strip shall be seven (7) feet wide except for thirty degree parking, when it shall be six (6) feet wide, for all internal parking bays. Landscaped areas and walks shall require protection from vehicular encroachment through the use of continuous class "D" or "F" type curbing in lieu of individual wheel stops unless specific reasons for the use of wheel stops can be justified through the city engineer. This will allow sixteen (16) feet of pavement and a two-foot car bumper overhang. The two-foot car bumper~~

overhang shall be in addition to the required landscape area, required buffer area or to a sidewalk.

~~(c) Off-street parking spaces shall be separated from walkways, sidewalks, streets or alleys by a wall, fence, six-inch curb or required landscaping. Marked directional lanes and controls such as signs, change of grade or other devices to mark points of turn to separate parking areas shall be used to control traffic movement.~~

~~(d) Banks, savings and loans, and restaurants having drive-in window facilities are required to provide one hundred foot stacking lanes for each window as required in section 24-434, free of adjacent parking stalls and associated backup lanes.~~

(d) Stacking lengths for the provisions of drive-through lanes shall be determined using the following requirements:

<u>Banks and other financial institutions</u>	<u>100 feet.</u>
<u>Restaurant for food or beverage sales</u>	<u>100 feet.</u>
<u>Laundry or dry cleaning</u>	<u>70 feet</u>
<u>Automatic car wash</u>	<u>70 feet</u>
<u>Gatehouse for residential (the sum of resident and visitor lanes)</u>	<u>100 feet</u>

Inbound stacking requirements shall be determined from the first stopping point. Restaurant stacking requirements shall begin at the pickup window. Any business not listed shall have the same requirements as the most similar use described above as determined by the City Manager or his/her designee.

(e) Markings and curbing shall be as follows:

(1) Parking lots shall be marked by painted lines or raised concrete curbs or other means to indicate individual spaces.

(2) Posted signs and markers shall be used as necessary to ensure sufficient traffic operation of the lot.

(3) All painted lines, curbs, wheelstops and sign markings shall be maintained in a legible condition.

(4) All ingress and egress lanes shall be marked by appropriate painted lines, arrows and stop signs. The arrows shall be painted with plastic silicone reflective paint.

(5) All painted lines and signs shall be maintained in a clearly legible condition. Curbs and wheelstops shall be maintained unbroken and in place.



(6) Portland cement concrete curbing or combination curb and gutter shall be installed in parking areas and for their appurtenant improvements.

(f) Adequate parking lot lighting shall be provided and maintained in accordance with section 24-579.

(Code 1975, § 18-3; Ord. No. 88-19, § 1, 8-10-88; Ord. No. 99-03, § 2, 2-10-99)

GRAPHIC LINK: [Click here](#)

Sec. 24-579. Lighting standards.

~~(a) All parking facilities to be developed in the future that serve Groups A, B, C (exclusive of public schools), D, E, F, G, H (exclusive of single-family, duplex and triplex units), and Divisions 3 (stadiums, reviewing stands, grandstands, enclosed grandstands, arenas and enclosed domed structures) and 8 (open storage yards, including lumberyards and contractors' storage yards) of Group J occupancies (as described in the South Florida Building Code) shall be illuminated according to the standards contained in this section. All parking facilities used for commercial and industrial purposes in the groups listed above, and existing on June 27, 1979, the effective date of this section, which will be used one-half hour after sundown shall, within eighteen (18) months from the effective date, be illuminated according to standards contained in this section. Such standards are as follows:~~

~~(1) For the purposes of this section, exterior parking facilities shall include the parking surface of open parking lots and access thereto, and parking areas and other nonenclosed areas at grade level for which the parking facilities are a requirement. Garage parking facilities shall include underground, multilevel parking garages, and enclosed grade level parking facilities.~~

~~(2) Intensity.~~

~~a. For exterior parking facilities, the intensity of illumination shall provide an average of one (1) footcandle equal to one (1) lumen per square foot, and shall be well distributed on the pavement areas; however, at no point shall illumination be less than one-fourth footcandle.~~

~~b. Garage parking facilities shall provide an average intensity of illumination of fifty (50) footcandles at the entrance, ten (10) footcandles in traffic lanes and five (5) footcandles in storage areas.~~

e. a. The most current edition of the IESNA Lighting Handbook, published by the Illuminating Engineers Society of North America, is the standard to be used by the architect or engineer as a guide for the design and testing of parking facility lighting. The standards contained therein shall apply unless standards developed

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and adopted by this section or subsequent amendments are more severe, in which case the more restrictive standards shall apply.

~~(3) All site plans for buildings to be constructed after June 27, 1979, the effective date of this section, to be used for Groups A, B, C (exclusive of public schools), D, E, F, G, H (exclusive of single family, duplex and triplex units), and Divisions 3 (stadiums, reviewing stands, grandstands, enclosed grandstands, arenas and enclosed domed structures) and 8 (open storage yards, including lumberyards and contractors' storage yards) of Group J occupancies as set forth in the South Florida Building Code, must be accompanied by a parking facility lighting plan submitted by a registered architect or a registered engineer. The lighting plan shall be certified by the registered architect or registered engineer as providing illumination in accordance with the applicable minimum standards set forth in paragraph (2) above. Subsequent construction must comply with such lighting plan. If there exists a question concerning whether the work was done in accordance with specifications, the building official may require as a prerequisite to the issuance of a certificate of occupancy that the architect or engineer who prepared the plans certify that all work was done in accordance with specifications.~~

~~(4) All required illumination shall be controlled by automatic devices.~~

~~(5) For business uses with exterior or garage parking facilities, the required illumination shall be provided at least thirty (30) minutes after the closing time of any establishment served by the parking facility.~~

~~(6) Any parking facility that serves a residential use must maintain the minimum levels of illumination established by this section through the use of natural or artificial light twenty-four (24) hours per day.~~

(7) (b.) In order to minimize offensiveness to persons on neighboring property and to eliminate distractions to and temporary blinding of drivers of vehicles passing illuminated property, in addition to the lighting standard established in this section, all artificial parking lot lighting shall either be shaded or screened in a manner that will limit spillover of lighting onto adjacent property and rights-of-way. Spillover shall not exceed 0.2 vertical footcandles adjacent to single family or two (2) family zoning districts, three (3) footcandles vertical and one (1) vertical footcandle next to multi-family zoning districts and 3.0 vertical footcandles next to all other zoning districts. This shall also be applicable to horizontal illumination on adjacent properties or structures measured at grade. An outdoor lighting installation shall not be placed in permanent use until a letter of compliance signed and sealed by a registered engineer or architect is provided to the city stating that the lights have been field tested and meet the standards set forth above.

~~(b)~~ (c.) All owners or tenants of property with an illuminated exterior or garage parking facility, regardless of the date of installation of the facility, must replace or repair any light that becomes nonfunctional. A city inspector or law enforcement officer shall give the property owner or tenant written notice of any such malfunction, which must be corrected within ~~five (5) calendar days of such notice~~ a reasonable time frame.

(d.) All off street parking facilities lighting shall be arranged and designed as to prevent any glare or excessive light on adjacent or public property.

~~(e)~~ (e.) Noncompliance with the dictates of this section shall subject the offending party to a fine of not more than five hundred dollars (\$500.00) ~~and/or sixty (60) days in jail or both for each day of noncompliance.~~

(Code 1975, § 18-3.1; Ord. No. 2004-02, § 3, 1-14-04)

Sec. 24-580. Specifications.

(a) *Definitions.* For the purposes of this definition, the following definitions shall apply:

(1) *Driveway* means every entrance or exit used by vehicles to enter or exit from properties connected to a public or private roadway and intended to provide vehicular access into that property in a manner that will not cause the blocking of any sidewalk, border area, or street roadway.

(2) *Driveway entrance* means the portion of a driveway which immediately abuts the public right-of-way or a private street.

(3) *Full circulation parking lot* means a parking lot design which permits a car entering a parking lot to circulate in front of all parking stalls and restart the same movement again without using the public right-of-way.

(4) *Off-street loading area* means an area provided off the public right-of-way for the temporary parking of trucks being loaded or unloaded.

(5) *Parking aisle* means the area immediately adjacent to the car parking stalls which permits maneuvering of the cars entering and leaving a parking stall, and which connects the parking stalls to the driveway.

(6) *Parking stall* means the space that is necessary to park a car, excluding aisles and driveways.

(7) *Partial circulation parking lot* means a parking lot design which permits a car entering a parking lot to circulate in front of all parking stalls without using the public right-of-way.

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(8) *Trafficway* means a public right-of-way, the primary though not necessarily the sole purpose or use of which is to facilitate through movement of vehicles in substantial volume, rather than the providing of direct access to abutting properties as delineated on the county trafficways plan or the city's transportation element as may be amended.

(b) *General design requirements:*

(1) Internal site circulation shall follow a functional classification and hierarchical design criteria to assure that the movements between the public right-of-way, which is the high-speed movement facility, and the parking stall, which is the terminal facility, are conducted in an efficient and orderly form. All streams of departing traffic from the parking stalls in a parking lot shall be assembled and delivered to an internal collector facility that combines them into a few concentrated streams which will then be connected to the public right-of-way at a few properly spaced access locations.

(2) Size and character of required parking:

a. Size ~~[,residential]~~: Each residential parking space required and provided pursuant to the provisions of this section shall be not less than nine (9) feet in width and eighteen (18) feet in length, except that angled parking and parallel parking shall meet the minimum dimension requirements of Figure B the City's Minimum Engineering Standards. This requirement is intended to be the minimum parking space size requirement and is not intended to require existing parking spaces to be decreased in size to meet this minimum requirement. In the alternative, larger parking spaces than required are always acceptable when measured against a minimum size requirement.

~~b. Size [,nonresidential]: Each nonresidential parking space required and provided pursuant to the provisions of this section shall be not less than ten (10) feet in width and eighteen (18) feet in length, except that angled parking and parallel parking shall meet the minimum dimension requirements of Figure B. This requirement is intended to be the minimum parking space size requirement and is not intended to require existing parking spaces to be decreased in size to meet this minimum requirement. In the alternative, larger parking spaces than required are always acceptable when measured against a minimum size requirement.~~

~~**Editor's note:** Ord. No. 89-40, § 1, adopted Nov. 22, 1989, amended § 24-580(b) to read as hereinabove set out; however, it should be noted that Figure B referenced therein is not set out herein, but is on file with the city and available for inspection.~~

(c) *Functional elements of on-site circulation system.* Car parking stalls, parking aisles, driveways, reservoir areas and entrances are the basic functional elements of the on-site circulation system.

(d) *Parking stalls and aisles.*

(1) All required parking stalls shall have direct and unobstructed access from a parking aisle.

(2) No parking aisle in a parking lot shall be greater than three hundred fifty (350) feet in length.

(3) Access for emergency fire vehicles shall be in accordance with subsections (m) ~~and (o)~~ of this section.

(4) All off-street parking areas shall be so arranged and marked as to provide for orderly, safe loading, unloading, parking and storage of vehicles, with individual parking stalls clearly defined with discretionary arrows and traffic signs provided as necessary for traffic control.

(e) *Driveways. Single-family residential.* In properties developed for residential use, driveway widths shall conform to the following requirements:

(1) Driveway width minimums shall be nine (9) feet.

(2) In no case shall any driveway in a single-family residential zoning district exceed a maximum width of twenty-four (24) feet.

(3) No circular driveway may be constructed on property with less than fifty (50) linear feet of road frontage. All circular driveways must maintain a minimum of fifteen (15) feet between interior driveway opening points, with a minimum 7.5-foot radius.

(4) A three-foot side yard setback is required for driveways.

(5) Driveways for residential lots shall not encroach into the street corner radius of two intersecting streets, or to be closer than 25 feet to the intersection of extended right of way lines.

~~(5)~~ (6) Any driveway constructed prior to the adoption of this ordinance in conformance with the zoning regulations in effect at the time of issuance of a building permit shall be considered a legal non-conforming use.

(f) *Driveways. All others.*

(1) All parking aisles shall connect to a driveway.

(2) A parking lot which exceeds sixty (60) parking stalls shall be designed with at least one (1) two-way directional driveway loop system connecting the entrances to the parking stalls and the principal building.

(3) The minimum distance from a driveway to a principal building or property line shall be five (5) feet.

(4) Two-way driveways shall be a minimum of twenty-four (24) feet wide. Required widths shall be increased if the city engineer determines that the number of parking stalls connected or the number of trips generated justifies such increase.

(5) Any off-street parking facility shall have either driveway approaches of sufficient width to allow for two-way traffic, or one-way driveways connected to aisles, parking areas or maneuvering areas in such a manner as to permit traffic to both enter and leave the property, facing forward, at the same time. A driveway which is only wide enough for one-way traffic shall not be used for two-way access.

(6) Driveways for multifamily and non residential parking lots shall not intersect a street corner radius, or be closer than 50 feet to the intersection of extended right of way lines. The 50 foot separation requirement between driveways and the intersection of extended right of way lines shall be increased if the City Engineer determines that the number of trips generated or the existing traffic conditions justifies such increase.

(g) *Circulation design.* A parking lot abutting a trafficway shall be designed for full circulation. A parking lot abutting a street other than a trafficway may be designed for partial circulation.

(h) *Number and location of driveway entrances.* In order to provide the maximum safety with the least interference to the traffic flow on public streets, and to provide ease and convenience of ingress and egress to private property, the number and location of driveways shall be regulated relative to the intensity or size of the property served and the amount of frontage which that property has on a given street as follows:

(1) One (1) driveway shall be permitted for ingress and egress purposes to a single property or development.

(2) Two (2) or both driveways entering on a particular street from a single property or development may be permitted if all other requirements of this section are met and if the distance between any existing or proposed driveway equals or exceeds two hundred (200) feet.

(3) Three (3) driveways entering on a particular street from a single property or development may be permitted if all other requirements of this section are met and if the distance between any existing or proposed driveway equals or exceeds two hundred (200) feet.

(4) In general, not more than three (3) driveways will be permitted from a single property or development. However, in the case of extensive property development (property exceeding ten (10) acres in total land area or containing more than one thousand (1,000) parking stalls), additional driveways may be permitted provided all other requirements of this section are met and the minimum distance between adjacent driveways equals or exceeds three hundred (300) feet.

(i) *Driveway entrance width according to type.*

(1) *Ramp-type or swale-type driveway entrance.* Except as provided in (2) below, all driveways shall be constructed with the standard ramp-type or swale-type driveway entrance and shall conform to the following requirements:

TABLE INSET:

	Minimum (feet)	Maximum (feet)
One-Way	12	16
Two-Way	24	48

(Widths to be measured at the street right-of-way line)

The width of the curb opening shall not exceed the driveway width by more than five (5) feet on each side.

(2) *Street-type driveway entrance.* Construction of a street-type driveways shall be required for entrances of any development which includes a parking area for three hundred (300) or more vehicles, or where the development anticipates substantial loading or trucking operations. Such driveway shall be a minimum width of thirty (30) feet and a maximum width of sixty (60) feet.

(j) *Limitations on driveway entrance improvements.*

(1) No driveway shall be constructed in the radius return of an intersection.

~~(2) No driveway shall be constructed closer than twenty five (25) feet to the intersection of street right of way lines.~~

~~(3)~~ (2) No driveway entrance shall include any public facility such as traffic signal standards, catch basins, crosswalks, loading zones, utility poles, fire alarm supports, meter boxes, sewer cleanouts or other similar-type structures.

~~(4)~~ (3) Within the right-of-way limits, the maximum recommended driveway grade is approximately three (3) percent. The maximum allowable grade is four and two-tenths (4.2) percent or one-half inch per foot. The maximum slope immediately beyond the right-of-way line shall not change in excess of five (5) percent for either angle of approach or breakover angle.

~~(5)~~ (4) Existing driveway approaches shall not be relocated or altered without approval by the city commission for relocation or alteration of such driveway approaches. When the use of any driveway approach is changed, making any portion or all of the driveway approach unnecessary, the developer of the abutting property shall obtain a permit from the city to abandon the driveway approach and shall, at his expense, replace all necessary curbs, gutters and sidewalks.

~~(6)~~ (5) Parking spaces serving multiple-family residences (excluding single-family and duplex buildings as defined in the South Florida Building Code) shall be located so as to minimize conflicting movements between vehicles maneuvering in parking aisles and those vehicles traveling into, out of or through the site. The use of parking aisles as the principal means of on-site vehicular circulation is prohibited. Individual parking spaces shall not have direct access to local or collector streets or a primary parking aisle connecting into a public or private street. Bays, clusters and minor loops are the recommended methods for handling parking design.

(k) *Sight distance.*

(1) If a driveway intersects a public right-of-way, there shall be no sight obstruction within a triangular area of property on both sides of a driveway formed by the intersection of each side of the driveway and the public right-of-way line, with two (2) sides of each triangle being ten (10) feet in length for residential properties and twenty-five (25) feet in length for nonresidential properties from the point of intersection and the third side being a line connecting the ends of the two (2) other sides.



(2) For public or private right-of-way intersections, refer to the City's Minimum Engineering Standards for sight distance requirements.

~~(2)~~ (3) If a crosswalk intersects a vehicular access aisle, driveway or a public right-of-way, there shall be no sight obstruction within a triangular area of property on both sides of a crosswalk or walkway formed by the intersection of each side of the walkway and the public right-of-way or aisle, with two (2) sides of each triangle being ten (10) feet in length from the point of intersection and the third side being a line connecting the ends of the two (2) sides.

~~(3)~~ (4) Sight triangles.

a. Within the triangular areas described above, it shall not be permissible to install, set out or maintain, or to allow the installation, setting out or maintenance of, either temporarily or permanently, any vehicular parking space, sign, wall, hedge, shrubbery, tree, earth mound, natural growth or other obstruction of any kind which obstructs cross-visibility at a level between thirty (30) inches and eight (8) feet above the level of the center of the adjacent intersection. Any wall or fence within the sight triangle must be constructed in such a manner as to provide adequate cross-visibility over or through the structure between thirty (30) inches and eight (8) feet in height above the driving surface.

b. The following will be permitted within that portion of the triangular area described above that is not in the public right-of-way:

1. Trees having limbs and foliage trimmed in such a manner that no limbs or foliage extend into the area between thirty (30) inches and eight (8) feet above the level of the center of the adjacent intersection. Trees must be so located so as not to create a traffic hazard. Landscaping, except required grass or ground cover, shall not be located closer than five (5) feet from the edge of any roadway pavement, and three (3) feet from the edge of any alley or driveway pavement.

2. Fire hydrants, public utility poles, street markers and traffic-control devices.

(l) *Access for vehicles other than automobiles.*

(1) Structures intended for principal uses shall be made accessible to the following type of vehicles:

a. Residential uses, other than single-family or duplex: Single-unit truck (SU);

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- b. Commercial uses: Single-unit truck and semitrailer (WB-40) combination intermediate;
- c. Industrial use: Single-unit truck (SU) and semitrailer-full trailer combination (WB-60).

Definitions of, as well as required specifications for, the above vehicle types shall be those found in AASHTO Geometric Highway Design.

- (2) Required parking spaces, parking aisles and driveways shall not be used as loading or parking areas for any type of vehicle, including emergency vehicles other than automobiles.
- (m) *Accessibility for fire apparatus.*
- (1) *Fire access areas.*

- a. The distance of separation between the side of the building and all other habitable buildings and structures shall be a minimum of thirty (30) feet.

- b. ~~Fire access areas shall be no closer than ten (10) feet nor further than thirty (30) feet from the building.~~ Required fire lanes shall be provided with the inner edge of the roadway no closer than 10 feet and no further than 30 feet from the building.

- c. Fire access areas connecting to public streets, roadways, or private streets shall be provided with curb cuts extending at least two (2) feet beyond each edge of the fire access area.

- d. Fire access areas shall be free of all obstructions including, but not limited to, trees, dumpsters, walls, fences, ornamental structures, plumbing devices, and parking.

- e. Fire access signs shall be properly posted at the entrance to the access area and shall not be blocked by any structure or landscaping.

- f. ~~The final configuration and location of the fire access areas shall be indicated on the final site plan and approved by the fire chief.~~ Where required by the AHJ, approved signs or other approved notices shall be provided and maintained to identify fire department access roads or to prohibit the obstruction thereof or both.

(2) *Fire lanes access road.*

a. A fire lane access road is a road, path or other passageway that allows the passage of fire apparatus through developed property other than single family and duplex residences. ~~A fire lane a minimum of twenty (20) feet wide, shall be provided to service all structures that do not abut directly onto a public street or roadway.~~ Fire department access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches.

b. ~~The fire lane surface shall be constructed of asphalt.~~ Fire access roads shall be surfaced with solid pavement, grass turf reinforced by concrete grids, or by similar type surfaces approved by the authority having jurisdiction, designed to accommodate fire apparatus weighing a minimum of 32 tons.

c. A private driveway or roadway may be utilized as a fire lane access road provided that:

1. Striping shall be required where there is continuous curbing, on the paved surface for the length of the structure and extending fifty (50) feet beyond the structure or to the edge of the pavement, whichever is less. The pavement shall be painted with parallel four-inch-wide yellow striped lines every five (5) feet on center extending at least three (3) feet from the edge of pavement.

2. ~~NO PARKING FIRE LANE~~ Approved no parking fire lane signs and/or other designation (striping) indicating that parking is prohibited shall be provided at normal and emergency access points to structures and within ten (10) feet of each fire hydrant, sprinkler or standpipe riser.

3. Fire lane sign size shall be (minimum) 12 inches by 18 inches, white background with red letters and shall be a maximum of 7 feet in height from the roadway to the bottom portion of the sign. Stating: "NO PARKING FIRE LANE BY ORDER OF THE FIRE DEPARTMENT."

(3) *Maintenance of fire lanes, fire access areas; duty to maintain, enforcement penalties.*

a. The land developer or owner shall provide to the city a recordable instrument granting perpetual access to the subject property for public safety purposes, either as a dedicated plat, if applicable, or in the form of an easement, which shall be approved

by the city attorney prior to final site plan approval, and accepted by resolution of the city commission.

b. No certificate of occupancy shall be issued until an inspection reveals appropriate fire lane and fire access area designations and markings.

(4) *Speed controls and security devices.*

a. Traffic limiting devices, including, but not limited to speed bumps, rumble strips and gates, must not create delays for emergency response vehicles. All traffic limiting devices must be approved through the site plan process. For public rights-of-way, the use of speed control devices shall be administered through the City's Traffic Calming Policy which is administered through the City Engineer's office.

b. All manual security devices, if provided with locks, must have ~~fire department~~ Tamarac Fire Rescue approved locking devices.

c. All automatic security devices must have a ~~fire department~~ Tamarac Fire Rescue approved key override, an audio (yelp) override system, a numerical key pad with ~~fire department~~ Tamarac Fire rescue approved access codes, and a backup system to allow for operation in the event of power failure.

~~GRAPHIC LINK:~~ [Click here](#)

(Code 1975, § 18-4; Ord. No. 89-40, § 1, 11-22-89; Ord. No. 93-17, § 1, 6-24-93; Ord. No. 97-17, § 2, 10-22-97; Ord. No. 2004-32, § 2, 11-10-04; Ord. No. 2006-06, § 2, 2-8-06)

Sec. 24-581. Amount of off-street parking required.

(a) The off-street parking required by this article shall be provided and maintained on the basis of the following minimum requirements:

(1) *Accessory uses:* Parking for accessory ~~commercial and professional~~ uses in the LI-1 (Light Industry) zoning district shall be computed as though they existed separately.

(2) *Agricultural uses:* One (1) space per employee on the shift of greatest employment with a minimum of five (5) spaces.

(3) *Ambulance service:* One (1) space per employee plus one (1) parking space for each emergency vehicle which is stored or on call at the location.

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(4) Amusement Center: One (1) space per three hundred (300) square feet of gross floor area.

~~(4) (5) Animal hospital or grooming: One (1) space per two hundred (200) three hundred (300) square feet of gross floor area.~~

~~(5) (6) Animal kennel or boarding: One (1) space per three hundred (300) square feet of gross floor area.~~

~~(6) (7) Art gallery and museum: One (1) space per two hundred fifty (250) five hundred (500) square feet of gross floor area.~~

(8) Assembly with fixed seats including theatres: One (1) space per four (4) seats. However, theaters in shopping centers of ten thousand (10,000) square feet of gross commercial floor area, not including restaurants or other theaters, may compute required off-street parking at one (1) space per six (6) seats.

(9) Assembly without fixed seats including banquet facilities and other similar facilities: One (1) space per one hundred and fifty (150) square feet of gross floor area.

(10) Auto car wash (stand alone facility): A minimum of three (3) parking spaces.

(11) Auto and motorcycle repair: Two (2) spaces per service bay.

~~(7) (12) Auto sales, leasing and rental: One (1) space per three hundred (300) square feet of gross floor area plus one (1) space per vehicle offered for sale, lease or rental.~~

~~(8) (13) Auto service area associated with gas stations:~~

a. ~~Self-serve gasoline stations (no bays or convenience store):~~  
Minimum of three (3) spaces.

~~b. Other than self-serve station: Three (3) spaces per service bay (service bay not to be considered a parking space).~~

b. Auto care bays associated with gas stations: require two (2) additional spaces per bay.

c. Convenience stores associated with gas stations: require additionally one space per two hundred (200) square feet of gross floor area.

~~(9)~~ (14) *Auto tag agency and/or license bureau*: One (1) space per fifty (50) square feet of customer service area plus one (1) space per three hundred (300) square feet of noncustomer service area.

(15) *Bar, lounge, nightclub and similar uses*: one (1) space per one hundred (100) square feet of gross floor area.

~~(10)~~ (16) *Bowling alley*: Five ~~(5)~~ Six (6) spaces per lane. plus required parking for restaurants, lounges and accessory recreational activities.

~~(11)~~ (17) *Bus or other mass transit station*: One (1) space per one hundred (100) square feet of waiting room area.

(18) *Catering service (food preparation only)*: One (1) space per five hundred (500) square feet of gross floor area.

~~(12)~~ a. ~~(19)~~ *Clubhouse, or community centers or recreation centers, public and private (no fixed seats)*: One (1) space per one hundred fifty ~~(150)~~ two hundred (200) square feet of gross floor area.

b. ~~Commercial spas~~: One (1) space per one hundred (100) square feet of deck floor area, plus one (1) space per thirty (30) square feet of surface water area.

~~(13)~~ a. ~~Commercial recreation without fixed seats (other than any other creation enumerated in this section)~~: One (1) space per one hundred (100) square feet.

b. ~~(20)~~ Commercial recreation establishments, Athletic clubs, and gymnasiums indoors:

4. a. Freestanding facility shall be provided with parking spaces meeting the greater of the two (2) following standards:

One (1) space per ~~one hundred fifty (150)~~ two hundred (200) square feet of gross floor ~~space~~ area; or

The cumulative total of all individual uses located within the facility including, but not limited to, ~~uses such as~~ restaurants, retail areas, assembly areas, swimming pools and court facilities shall be computed as though they existed separately as required under this section.

2. b. Located in a shopping center with more than thirty thousand (30,000) square feet of leasable area--one (1) space per ~~one hundred fifty (150)~~ three hundred (300) square feet of gross floor ~~space~~ area.

~~3. c.~~ For purposes of this section, court facilities ~~for either racquet or handball sports~~ shall require two (2) parking spaces per court.

d. For purposes of this section, swimming pools shall require thirty (30) square feet of surface water area and require one (1) space per thirty (30) square feet of surface water area.

~~(14) Commercial swimming pool: One (1) space per thirty (30) square feet of surface water area.~~

~~(15) Commercial tennis clubs: Two (2) spaces per court; twenty five (25) percent of required parking area may be grassed.~~

~~(16)~~ (21) *Day care centers and other preschool facilities:* A minimum of three (3) spaces for pickup and dropoff, plus one (1) space per five hundred (500) square feet of gross floor area. Such facilities shall provide a dropoff area adjacent to the building.

(22) Dry cleaning establishments: One space per three hundred (300) square feet of gross floor area.

~~(17)~~ (23) *Educational uses:*

~~a. College and university: One half space per student plus one (1) space per employee plus one (1) space per four (4) seats in auditorium and other places of public assembly.~~

~~b a.~~ College, Universities and Senior high schools: One (1) space per one thousand (1,000) square feet of gross floor area, except for those areas used for public assembly, which shall be calculated separately as required by this section and total requirement, plus one (1) space per classroom.

~~e. b.~~ Elementary and middle schools, public, private or parochial: One (1) space per two thousand (2,000) square feet of gross floor area, except for those areas used for public assembly, which shall be calculated separately as required by this section, and added to the total requirement, plus one (1) space per classroom.

~~d. c.~~ Private vocational and technical schools: One (1) space per four (4) seats or one (1) space per one hundred fifty (150) square feet of gross floorarea, whichever is greater.

~~(18)~~ (24) *Farmers' market (open air):* One (1) space per ~~two hundred~~ three hundred (300) square feet of the retail sales areas open to the public plus one (1) space per leased stall or stand area; twenty-five (25) percent of spaces may be grassed.

~~(19)~~ (25) *Financial institutions:*

a. *Commercial banks:* One (1) space per two hundred (200) square feet of gross floor area.

b. *Savings and loan associations:* One (1) space per two hundred (200) square feet of gross floor area.

~~(20)~~ (26) *Funeral homes, mausoleums, crematories:* One (1) space per four (4) seats or one (1) space per thirty (30) square feet in assembly or chapel area, whichever is greater, plus one (1) space per one hundred fifty (150) square feet of other gross floor area.

~~(24)~~ (27) *Furniture, appliance store, machinery, equipment, boat, trailer sales and service:* One (1) space per three hundred (300) square feet of gross floor area for the first five thousand (5,000) square feet; then one (1) space per each one thousand (1,000) square feet thereafter.

~~(22)~~ (28) *Golf course, public or private, playing courses:* A minimum of seventy-five (75) spaces per course plus additional required spaces for restaurants, bars and lounge areas, and other indoor and outdoor accessory uses to such golf courses as required by this section; twenty-five (25) percent of the required parking area may be grassed within the required area.

~~(23)~~ (29) *Government offices and services:* One (1) space per ~~two hundred (200)~~ three hundred (300) square feet of gross floor area, plus one (1) space per ~~four (4)~~ five (5) seats in auditoriums and places of public assembly or one (1) space per one hundred fifty (150) feet of gross floor area, whichever is greater; twenty-five (25) percent of the required parking area may be grassed.

(30) *Grocery store and convenience store:* One (1) space per two hundred (200) square feet of gross floor area.

~~(24)~~ (31) *Hospitals:* Two (2) spaces per patient bed.

~~(25)~~ (32) *Hotels, motels and motor lodges:* One ~~and one-fourth (1 1/4)~~ (1) spaces per rental sleeping unit, dwelling unit or suite; plus requirements for all accessory uses, if any, must be met per Section 24-577 (e). This would not include athletic rooms, swimming pools areas or other similar areas that provide amenities for guests only of the facility.

~~(26)~~ (33) *Laboratories, ~~medical, dental~~ or chemical testing (no customer service):* One (1) space per four hundred (400) square feet of gross floor area.



(34) Laundry: One space per two hundred (200) gross square feet.

~~(27) Leased storage units, community garage~~: One (1) space per storage unit, provided that exterior areas adjacent to overhead doors may be utilized for off-street parking as long as an adjacent storage unit is not blocked, or on-site circulation of vehicles is not obstructed.

~~(28)~~ (35) Libraries: One (1) space per two hundred fifty (250) feet of gross floor area.

~~(29)~~ (36) Manufacturing and industrial uses, bottling establishments, printing and engraving shops, wholesale establishments and commercial laundries: One (1) space per five hundred (500) square feet of gross floor area.

~~(30)~~ (37) Medical, dental, chiropractic, optometry, podiatry, psychology: Six (6) spaces per doctor or one (1) space per one hundred fifty (150) square feet of floor area, whichever is greater. One (1) space per two hundred (200) feet of gross floor area.

~~(31)~~ (38) Miniature golf course: Three (3) spaces per hole of play.

~~(32) Museums~~: One (1) space per two hundred fifty (250) square feet of floor area.

~~(33)~~ (39) Nurseries and greenhouses: One (1) space per ten thousand (10,000) square feet of lot area with minimum of three (3) spaces.

~~(34)~~ (40) Nursing, convalescent homes, sanitariums and other similar institutions for the aged or infirm: One and one-fourth (1 1/4) spaces per three (3) patient beds; twenty-five (25) percent of required parking area may be grassed.

~~(35)~~ (41) Offices, business, professional (nonmedical), studio: One (1) space per two hundred (200) three hundred (300) square feet of gross floor area.

~~(36)~~ (42) Personal care services, such as barbershops and the like: One (1) space per one hundred fifty (150) two hundred (200) square feet of floor area, with a minimum of five (5) spaces.

~~(37)~~ (43) Post office, parcel delivery station/office, mail or packing store: One (1) space per fifty (50) two hundred (200) square feet of customer service area plus one (1) space per two hundred (200) square feet of noncustomer service area gross floor area.

~~(38) Postal substation~~: Three (3) spaces in addition to other requirements.

~~(39) *Public places of assembly:* (other than those covered by another category in this section): One (1) space per four (4) fixed seats or one (1) space per one hundred fifty (150) square feet, whichever is greater.~~

(44) *Recreational schools such as dance schools, karate schools and similar non academic schools:* One space per two hundred (200) square feet of gross floor area.

~~(40)~~ (45) *Religious uses:*

a. ~~*Churches, synagogues or temples*~~ *Places of worship:* One (1) space per four (4) seats or one (1) space per fifty (50) square feet, whichever is greater, in area of worship or auditorium plus one (1) space per two hundred (200) square feet of gross floor area in remainder of building; twenty-five (25) percent of required parking area may be grassed.

b. *Convents and cloisters:* One (1) space per each ten (10) residents.

c. *Rectory:* One (1) space for each priest, minister or rabbi, plus two (2) additional spaces.

(46) *Repair shops such as shoes, bicycle, lawn mower, electronics, locksmith and tailor shop:* one space per three hundred (300) square feet of gross floor area.

~~(41)~~ (47) *Residential uses:*

a. *Single-family detached dwellings and duplexes:*

1. One- and two-bedroom units--One (1) exterior paved parking space eighteen (18) feet in length and not less than nine (9) feet in width.

2. Three- or more bedroom units--Two (2) exterior paved parking spaces eighteen (18) feet in length and not less than nine (9) feet in width.

~~3. Each multiple family residential parking space shall be not less than eighteen (18) feet in length and not less than nine (9) feet in width.~~

b. *Multiple-family dwellings (three or more units):*

Efficiency--One and one-half (1.5) paved parking spaces per dwelling unit.

One-bedroom--Two (2.0) paved parking spaces per dwelling unit.

Two-bedroom--Two (2.0) paved parking spaces per dwelling unit.

Three- or more bedroom--Two and one-half (2.5) paved parking spaces per dwelling unit.

1. In addition to the requirements set forth for townhouses and multiple-family dwellings, an additional ten (10) percent of the required spaces shall be designated on the site development plans and posted on the parking spaces for guest use only. The guest parking spaces shall be paved or may be constructed with either paving blocks or grassed with ~~a six-inch~~ an eight-inch compact subbase.

2. Tandem parking will void the use of the first vehicle in as a required parking space.

~~2.~~ 3. The requirements for ~~handicapped~~ disabled parking spaces shall be in conformance with the ~~South~~ Florida Building Code.

c. *Roominghouse, boardinghouse or lodging house:* One (1) space per rental sleeping unit plus two (2) additional spaces.

d. *Dormitories, fraternities:* One (1) space per two (2) beds plus two (2) additional spaces.

~~(42)~~ (48) *Restaurants:*

a. *Carryout food services including over-the-counter food service (food served for consumption off-premises only):* One (1) space per ~~fifty (50) one hundred and fifty (150) square feet of customer service area, plus one (1) space per two hundred (200) square feet of noncustomer service area.~~ square feet of gross floor area. Seating for eat in customers shall be limited to a counter top or tables that provide seating for no more than four (4) patrons.

b. *Restaurant, cafeterias, lounges or other establishments for the consumption of food or beverage on premises:* One (1) space per ~~fifty (50) one hundred~~ square feet of customer service gross floor area, plus one (1) space per two hundred (200) square feet of noncustomer service area. However, restaurants in shopping centers of over ten thousand (10,000) square feet of gross commercial floor area, not including other restaurants or theaters, may compute required off-street parking at one (1) space per one hundred twenty-five (125) square feet of gross floor area:

~~If the owner of the restaurant does not designate the percentage of customer service area and noncustomer service area at the time of application for a local business license or sooner, this computation shall be made on the basis of fifty (50) percent customer service area and fifty (50) percent noncustomer service area.~~

~~(43)~~ (49) *Retail store, showroom or wholesale* : One (1) space per ~~two hundred (200)~~ three hundred (300) square feet of gross floor space area.

(50) Self storage facility: One (1) space per storage unit, provided that exterior areas adjacent to overhead doors may be utilized for off-street parking as long as an adjacent storage unit is not blocked, or on-site circulation of vehicles is not obstructed plus one (1) space per three hundred (300) square feet of office area. For self storage facilities with internal storage bays, one (1) space per five hundred (500) square feet of gross floor area.

~~(44)~~ (51) *Shopping centers*: Off-street parking requirements in shopping centers:

a. The total number of off-street parking spaces for a building or use shall not be less than parking requirements for each building or use computed separately.

b. The director of community development shall be required to verify the amount of parking spaces provided in each shopping center. The local business license officer shall receive verification in writing from the Director of Community Development that all contemplated uses have adequate parking spaces provided according to this Code prior to issuing a local business license. No license shall be issued to a proposed tenant in a shopping center if adequate parking spaces are not provided.

~~(45)~~ (52) *Stadia, racetracks, fairgrounds, circus grounds or arena*: One (1) space per four (4) seats, or one (1) space per two hundred (200) square feet of gross floor area, whichever is greater.

(53) Telemarketers or call centers: One (1) space per one hundred (100) gross square feet of floor area.

~~(46)~~ (54) *Telephone exchange buildings, other buildings housing automatic or special equipment*: Where no customers or patrons are served on the premises or are permitted to visit the premises, one (1) space per five hundred (500) square feet of gross floor area.

~~(47) *Theaters and other places of assembly having fixed seats:* One (1) space per four (4) seats. However, theaters in shopping centers of ten thousand (10,000) square feet of gross commercial floor area, not including restaurants or other theaters, may compute required off-street parking at one (1) space per six (6) seats.~~

(48) (55) *Utility services, public or private:* One (1) space per ten thousand (10,000) square feet of lot area, with a minimum of five (5) spaces.

(49) (56) *Warehouses and storage (non self-storage):* One (1) space per one thousand (1,000) square feet of gross floor area. ~~Exterior areas adjacent to overhead doors may be utilized for parking for warehouses.~~

~~(b) For the purposes of this section, the following definitions shall apply:~~

~~*Customer service area* means floor area normally open to the public where no special permission from the owner or operator is required to enter.~~

~~*Floor area* means gross floor area unless otherwise stated.~~

~~*Gross floor area* means the total number of square feet within the walls of the building or bay as applicable. Each level of a multilevel structure shall be computed separately.~~

~~(c) Site plans for property containing restaurants shall contain the percentage of area used for customer service and for noncustomer service. If this is not shown, computations shall be based on a 50:50 customer service service/noncustomer service ratio.~~

(d) (b) In areas allowing parking on grass instead of paving, that area shall be adequately irrigated; such irrigation system shall be protected from damage by parked vehicles and designated and marked as overflow parking area only.

(Code 1975, § 18-5; Ord. No. 89-40, § 2, 11-22-89)

Sec. 24-582. Off-street loading.

(a) *Off-street loading required.* Except as otherwise provided in this chapter, when any building or structure is erected, structurally altered to the extent of increasing the floor area by fifty (50) percent or more, or converted in use, accessory off-street loading spaces shall be provided in accordance with the following schedule:

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Words in underline are addition to existing law

(1) For each retail building, department store, restaurant, wholesale house, warehouse, repair, dry cleaning, funeral home, general service, manufacturing or similar use, which has an aggregate floor area in square feet of:

a. Over ~~two thousand (2,000)~~ five thousand (5,000) but not over ten thousand (10,000)--One (1) space.

b. Over ten thousand (10,000) but not over twenty thousand (20,000)--Two (2) spaces.

c. Over twenty thousand (20,000) but not over forty thousand (40,000)--Three (3) spaces.

d. Over forty thousand (40,000) but not over sixty thousand (60,000)--Four (4) spaces.

e. For each additional fifty thousand (50,000) over sixty thousand (60,000)--Two (2) spaces.

(2) For each hotel or motel, hospital or similar institution, place of public assembly, or similar use, which has an aggregate floor area in square feet of:

a. Over five thousand (5,000) but not over ten thousand (10,000)--One (1) space.

b. Over ten thousand (10,000) but not over one hundred thousand (100,000)--Two (2) spaces.

c. Over one hundred thousand (100,000) but not over two hundred thousand (200,000)--Three (3) spaces.

d. For each additional one hundred thousand (100,000) over two hundred thousand (200,000)--Three (3) spaces.

(3) There will be no separate off-street loading requirements for apartment buildings.

~~(4) For each office building and separate bank or savings and loan association- building there shall be required one (1) loading zone with the dimensions of twelve (12) feet by twenty (20) feet and shall be so marked as a loading zone.~~

(b) *Interpretation of requirements.*

(1) The loading space requirements apply to all districts.

(2) The loading requirements in this section do not limit special requirements which may be imposed in connection with the granting of special exceptions.

(c) *Design standards.*

(1) *Size and location.* For the purpose of these regulations a loading space is a space within the main building or on the same lot, logically and conveniently located for bulk pickups and deliveries. A loading space shall be a minimum of twelve (12) feet in width, by ~~sixty (60)~~ twenty-five (25) feet in length, ~~with the exception of the loading space for office buildings, banks and savings and loan association buildings, which shall be twelve (12) feet in width by twenty (20) feet in length and shall be so marked as a loading zone,~~ and shall be directly accessible from a street or alley without crossing or entering any other required off-street loading or off-street parking spaces. Properties that accommodate uses that require semi-truck trailers for loading shall be required to appropriately increase the length of the loading zone to accommodate this type of vehicle. The size will be determined through the site plan process. It shall be arranged for convenient and safe ingress and egress by delivery vehicles, both motor truck and/or trailer combination.

(2) *Drainage and maintenance.* Off-street loading facilities shall be drained to prevent damage to abutting property and/or public streets and alleys and, paved with a minimum of eight (8) inches shell rock or lime rock base and two (2) inches hot plant mix (asphalt), type S-1, bituminous concrete surface course or equivalent base and surface. Off-street loading areas shall be maintained in a clean, orderly and dust-free condition at the expense of the owner or lessee and not used for the sale, repair, dismantling, or servicing of any vehicles, equipment, materials or supplies.

(3) *Entrances and exits.* Location and design of entrances and exits shall be in accordance with all applicable traffic regulations and standards. Where the entrance or exit of a building is designed for truck loading and unloading, such entrance or exit shall be designed to provide at least one (1) off-street loading space.

(Code 1975, § 18-6)

Sec. 24-583. Parking space for disabled persons; requirements.

(a) *Generally.* All applicable state and federal laws and city ordinances relating to parking spaces for certain disabled persons in all public and private parking areas greater than ten (10) spaces, including minimum dimensions, requirements, location and posting of signs, shall be adhered to on all proposed developments and parking facilities which require revisions.

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(b) *Minimum standards.* The following standards represent the minimum requirements for any parking space required pursuant to this section:

(1) *Location.* All spaces shall be placed in the immediate vicinity of the major entrances to the buildings with accessibility to curb ramp (minimum of one-foot to twelve-foot slope) or curb cut, and shall be located so that users will not be compelled to wheel behind parked vehicles. Accessible parking spaces serving a particular building shall be located on the shortest safely accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

(2) *Minimum dimension.* ~~Parking spaces shall be a minimum of twelve (12) feet wide and twenty (20) feet deep for zero-degree or ninety-degree parking and twelve (12) feet wide and eighteen (18) feet deep for diagonal parking.~~ Each parking space must be no less than 12 feet wide and 18 feet in length. Parking access aisles must be no less than 5 feet wide and must be part of an accessible route to the building or facility entrance. Two accessible spaces may share a common access aisle. The access aisle shall be striped diagonally to designate it as a no-parking zone. Curb ramps must be located outside of the disabled parking spaces and access aisles.

(3) *Striping and signage.* ~~Each such space shall be outlined with a color of paint and posted with a sign of a color and design approved by the department of transportation with the internationally accepted wheelchair symbol placed on a post or wall centered at the back of the parking space at eye level.~~ Each such parking space must be prominently outlined with blue paint, and must be repainted when necessary, to be clearly distinguishable as a parking space designated for persons who have disabilities and must be posted with a permanent above-grade sign of a color and design approved by the Department of Transportation which is placed on or at a distance of 84 inches above the ground to the bottom of the sign and which bears the international symbol of accessibility, ADAAG Section 4.30.7 and the caption "PARKING BY DISABLED PERMIT ONLY." Such sign erected after October 1, 1996, must indicate the penalty for illegal use of the space.

(4) *Minimum amount of parking spaces.* ~~A minimum of one (1) disabled person space shall be designated in all parking areas greater than ten (10) spaces but less than twenty one (21) spaces. One (1) additional space shall be required for the next eighty (80) spaces or fraction thereof, and then one (1) space for each additional one hundred (100) spaces or fraction thereof. The parking requirements for disabled person parking is~~



~~in addition to other parking requirements set forth in regulations of the city. However, the requirements for spaces for disabled persons in multiple-family residential areas shall be in conformance with the South Florida Building Code, 1984 Broward County Edition, as may be amended from time to time.~~

<u>Total Parking in Lot</u>	<u>Required Minimum Number of Accessible Spaces</u>
1 to 25 .....	1
26 to 50 .....	2
51 to 75 .....	3
76 to 100 .....	4
101 to 150 .....	5
151 to 200 .....	6
201 to 300 .....	7
301 to 400 .....	8
401 to 500 .....	9
501 to 1000 .....	2%
<u>of total</u>	
1001 and over .....	20 plus 1 for each 100 over 1000

The above parking requirements, as outlined in the Florida Building Code, 2007, will be amended from time to time.

(5) *Vehicles permitted to occupy spaces.* Only vehicles with plates imprinted with designation H.P., DV, or with the internationally accepted wheelchair symbol may use these spaces.

(6) *Failure to comply.* All parking areas which are not now in compliance with this section may be cited by the Building Department and be required to appear at a special magistrate hearing. ~~shall, within six (6) months after notification by the police department, comply with this section. Upon failure, neglect or refusal to comply with the provisions of this section, the violator shall be subject to the penalties of section 14-29(e). The city commission, upon application of the owner to the commission, may waive the requirements of this section, wherein the commission finds undue hardship marking it unnecessary, unreasonable or impossible for the owner to comply with the parking provisions. The cost or expense of installing disabled person parking spaces shall not be considered as cause for hardship.~~

(Code 1975, § 18-7; Ord. No. 89-40, § 3, 11-22-89)

**Cross references:** Parking places for disabled persons, § 14-29.

Sec. 24-584. Exceptions--Authorized; procedure.

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The provisions of this article may be waived or modified in the event of a hardship in the following manner:

- (1) An application for a limited waiver from this article shall be filed for initial review by the planning board. The application shall set forth the hardship claimed by the applicant. The hardship alleged may not be self-imposed.
- (2) Any use that seeks relief by a limited parking waiver must ensure the following actions are completed or are proposed to be completed through a site plan revision or building permit prior to approval by the city commission:
  - a. The entire site plan in which the use is located shall be in compliance with current landscape requirements to the greatest extent possible as stated in Chapter 11, Landscaping.
  - b. All vehicular use areas shall be in compliance with current requirements to the greatest extent possible as stated in Chapter 9, Health, Sanitation and Nuisances, Chapter 24, Zoning and in the city's engineering standards.
  - c. The entire site shall be void of any pre-existing code violations.

~~(2)~~ (3) Notice of a public hearing before the planning board shall be advertised in a newspaper of general circulation at least one (1) time prior to the hearing of the planning board.

~~(3)~~ (4) The planning board shall hold a public hearing to consider the application.

~~(4)~~ (5) The standards to be employed in the consideration of an application by the planning board and by the city commission shall include the following:

- a. A cross parking agreement has been provided by adjacent or abutting property owner;
- b. The uses of the site are limited, by note on the site plan, to uses which can be accommodated by the available parking;
- c. Granting of the limited waiver is the minimum waiver that will make possible the reasonable use of the land, building or structure;
- d. Granting of the limited waiver will be in harmony with the general intent and purpose of this chapter and other ordinances and such limited waiver will not be injurious to the area involved or otherwise detrimental to the public welfare;
- e. Hardship exists as follows:

1. Special conditions and circumstances exist which are peculiar to the land and building involved and which are not applicable to other lands, or buildings in the same zoning district;

2. That the special conditions and circumstances do not result from the actions of the applicant;

3. That granting the variance required will not confer on the applicant any special privilege that is denied by any law or ordinance to other lands or buildings in the same zoning district;

4. That literal interpretation of the provisions of this chapter or other ordinances would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the term of such provisions and would work unnecessary and undue hardship on the applicant.

~~(5)~~ (6) The planning board, after allowing the public and the applicant and his representatives to speak, shall make a recommendation to the city commission to approve, deny or approve with conditions the application.

~~(6)~~ (7) Notice of a public hearing before the city commission shall be advertised in a newspaper of general circulation at least one (1) time prior to the hearing of the city commission.

~~(7)~~ (8) The city commission, after allowing the public and the applicant and his representatives to speak, shall approve, deny or approve with conditions the application, including conditions pertaining to the time period for construction to commence.

~~(8)~~ (9) The decision of the city commission is final and no reapplication may be made for six (6) months after the decision of the city commission. Appeal from a decision of the city commission shall be made by filing a petition for a writ of certiorari in circuit court within thirty (30) days of the date the city commission makes its decision.

(Code 1975, § 18-9; Ord. No. 89-40, § 4, 11-22-89; Ord. No. 99-03, § 2, 2-10-99)

Sec. 24-585. Same--Fees.

The city commission may, by resolution, set application fees for a limited waiver authorized under section 24-584 of this Code.

(Code 1975, § 18-10)

Secs. 24-586--24-610. Reserved.

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SECTION 3: It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Tamarac, Florida, and that the Sections of this Ordinance may be renumbered, relettered and the word "Ordinance" may be changed to "Section", "Article" or such other word or phrase in order to accomplish such intention.

SECTION 4: All Ordinances or parts of Ordinances, and all Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6: This Ordinance shall become effective immediately upon its passage and adoption.

PASSED, FIRST READING this            day of    , 2011.

PASSED, SECOND READING this       day of    , 2011.

\_\_\_\_\_  
PAMELA BUSHNELL,  
MAYOR

ATTEST:

\_\_\_\_\_  
PETER RICHARDSON, CMC  
CITY CLERK

I HEREBY CERTIFY that I  
have approved this  
ORDINANCE as to form.

\_\_\_\_\_  
SAMUEL S. GOREN,  
CITY ATTORNEY