

1 | **ORDINANCE NO. 16-**

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3
4 **AN ORDINANCE OF THE CITY OF BOYNTON BEACH, FLORIDA**
5 **AMENDING THE LAND DEVELOPMENT REGULATIONS**
6 **CHAPTER 4, ARTICLE V “MINIMUM OFF-STREET PARKING**
7 **REQUIREMENTS”, SECTION 3, “SPECIAL REDUCTIONS IN**
8 **REQUIRED OFF-STREET PARKING”; AMENDING CHAPTER 4,**
9 **ARTICLE V “MINIMUM OFF-STREET PARKING**
10 **REQUIREMENTS”, SECTION 4, “EXCEPTIONS TO REQUIRING**
11 **OFF-STREET PARKING”; PROVIDING FOR CONFLICTS,**
12 **SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**
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15 **WHEREAS**, staff is proposing amendment to the Land Development Regulations
16 (LDR) to Chapter 4, Article V, entitled “Minimum Off-Street Parking Requirements”,
17 Sections 3 and 4 to include lowering the heat island effect as an additional eligibility
18 criterion for infill or redevelopment projects and to allow in limited circumstances, parking
19 spaces on both sides of the street to count toward project parking requirements; and

20 **WHEREAS**, the proposed amendments endorse sustainable building practices by
21 expanding their use from the City’s voluntary program and incentivizing their use within the
22 City’s parking regulations; and

23 **WHEREAS**, the new provisions recognize independently-prepared parking studies
24 showing anticipated parking needs valued lower than the City’s current minimum parking
25 ratios, which warrant a reduced parking requirement for a given project and allow for the
26 counting of on-street parking, adjacent parking spaces toward the minimum required spaces
27 for a given project which, in part, minimizes the construction of excess parking spaces,
28 thereby reducing impervious surfaces.

29 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF**
30 **THE CITY OF BOYNTON BEACH, FLORIDA, THAT:**

31 **Section 1.** The foregoing whereas clauses are true and correct and are now ratified
32 and confirmed by the City Commission.

33 **Section 2.** City of Boynton Beach Land Development Regulations, Chapter 4,
34 “Site Development Standards”, Article V “Minimum off-street parking requirements”, Sec.
35 3 “Special Reductions in Required Off-Street Parking” is hereby amended as follows:

36 Sec. 3. Special Reductions in Required Off-Street Parking.

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40 G. *Parking Reductions for Sustainability.* To promote or recognize sustainable design or
41 operation, including increased pervious area, reduced parking fields, promotion of mass
42 transit and uses of renewable energy sources, lower parking requirements will be granted to
43 eligible developments as follows:

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Use	Minimum Number of Required Parking Spaces ¹
Building area is based on gross floor area unless specifically expressed otherwise.	
Efficiency or one (1)-bedroom apartment	1.33
Two (2) or more bedroom apartment	1.66
Shopping center	1 per 250
Office - Retail complex	1 per 250
Grocery store	1 per 250
(Reserved)	(Reserved)

46 ¹ [Only represents the base minimum parking ratios. Other requirements may also apply](#)
47 [including parking for guests and recreation areas as described in other sections of the Land](#)
48 [Development Regulations.](#)

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51 1. Applicability. Eligible developments must be able to provide sustainable design and
52 operation, and, except where noted below, must be located within one-half (1/2) mile from a
53 regional transportation facility (e.g. Transit Area), or within five hundred (500) feet of a bus
54 stop with direct access to a regional transportation facility, measured from property line to
55 property line.

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57 2. Application and Development Requirements. Requests for parking reduction must
58 occur at time of site plan review, and must include a parking demand study prepared by a
59 professional engineer and/or based on findings from an existing development or other
comparable projects experienced by the applicant that include, in part, projects designed to

60 meet lower parking requirements as allowed by this section. The study must provide
61 evidence that the project would not be deficient of parking, that the reduced ratios would not
62 adversely affect the project in any way, or increase the demand for parking spaces upon
63 public streets in the immediate vicinity, or would not increase the demand for parking spaces
64 on private properties in the immediate vicinity unless in conjunction with an approval for
65 shared parking pursuant to city regulations.

66 Eligible applicants must demonstrate that proposed parking design or resources would be
67 adequate, and shall satisfy the following requirements meeting sustainable design and
68 operation (where basic mathematical calculations are involved, rounding will be based on
69 the traditional mathematical rule):

70 a. Describe, in quantifiable terms, how the project provides an increase in green space
71 (pervious area) which otherwise would be paved for parking spaces, or how the proposed
72 project provides a lower urban heat island effect if the proposed development is an urban
73 infill or redevelopment project. At minimum, the elements to be included for compliance
74 are all building roofs, parking and other hard surfaces, and tree canopies.

75 b. Accommodate fuel efficient vehicles through provision of covered and well-
76 illuminated locations with apparatus for parking and locking of bikes and low-powered
77 mopeds and scooters, and designated spaces for motorcycles and compact vehicles. Covered
78 storage facilities shall be located on the project site in close proximity to the destination of
79 the residents, employees, or visitors.

80 c. No more than three percent (3%) of the required parking spaces are represented by
81 spaces dedicated to motorcycles, which should be covered as an incentive for use.

82 d. No more than ten percent (10%) of the required parking spaces are represented by
83 spaces dedicated to compact vehicles, and disbursed throughout the project to maximize
84 accessibility and convenience.

85 e. Provide efficiency in parking design including consideration for space-conserving
86 tandem spaces when functionally feasible.

87 f. Provide vehicle charging stations and dedicated spaces for at minimum Level 2
88 charging power (one (1) per fifty (50) dwelling units and one (1) per every fifty thousand
89 (50,000) square feet for non-residential developments in excess of seventy-five thousand
90 (75,000) square feet).

91 g. Design for maximized pedestrian interconnectivity for internal circulation and
92 efficient ingress and egress minimizing travel distance for pedestrians and
93 bike/moped/scooter riders.

94 h. Include a parking contingency plan to show areas on the proposed site plan where
95 parking spaces may be added in the event that a shortage is subsequently realized for average
96 daily parking demand. If such future spaces do not equal or exceed the total deficiency
97 determined by the standard parking requirements for the use, provide operational rules,
98 procedures or strategies at time of site plan approval to off-set the realized deficiency.

99 i. Facilitate a ride-sharing/car pool program by screening, recording and maintaining
100 participants' travel destination information, schedules and routes for controlled access by
101 residents and employees.

102 j. Maintain bus and train schedules in the management office, accessible to residents
103 and employees. The management shall designate employees who will maintain and

- 104 distribute schedule and route information enabling them to advise residents and employees
 105 as necessary.
- 106 k. Consider a shuttle service/program providing transportation to the nearest transit
 107 facility, whether as an incentive or fee-based. Residents should be polled for interest.
 - 108 l. Include marketing goals and practices targeting residents who work atypical shifts,
 109 including incentives for those in fields such as law enforcement, medical, security, etc.
 - 110 m. Provide the following information to residents at time of lease, and post it on a
 111 permanent sign visible from a common location and at entry to the management office: "This
 112 development offers sustainable living (or working) environment that facilitates a reduction
 113 in required parking spaces while accommodating bikes, low-powered mopeds and scooters,
 114 motorcycles, compact vehicles and electric vehicles. Contact the management for further
 115 information".
 - 116 n. Establish and implement operational rules that regulate the maximum number of
 117 vehicles per unit, provide incentives for minimizing total vehicles and maximizing compact
 118 and electric vehicles, and restrict where lesser used vehicles such as recreational, work, or
 119 utility vehicles and equipment can be parked or stored. Incentives shall be provided for
 120 single vehicle households or to those regularly using or dependent on public transportation.
 - 121 o. Implement an operational rule prohibiting operators, residents, employees, visitors,
 122 etc. from using any parking space, including interior garage spaces, for any purpose other
 123 than for the temporary parking of vehicles as intended and designed for the project.
 - 124 p. Consent to providing a report containing evidence of continued compliance with
 125 the requirements herein upon request by the city.

126

127 **Section 3.** City of Boynton Beach Land Development Regulations, Chapter 4,
 128 "Site Development Standards", Article V "Minimum off-street parking requirements", Sec.
 129 4 "Exceptions to Providing Required Off-Street Parking" is hereby amended as follows:

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131 Sec. 4. Exceptions to Providing Required Off-Street Parking.

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- 136 *C. On-Street Parking.*
- 137 1. Applicability. The minimum number of required off-street parking spaces for a use
 138 or project may be satisfied, in part, by the use of on-street parking spaces located within the
 139 public right-of-way abutting that same lot or parcel.
 - 140 2. Conditions. The provision for on-street parking space to be used to meet the
 141 minimum number of required off-street parking spaces shall be subject to the following
 142 conditions:
 - 143 a. The on-street parking provision is applicable to all existing or proposed
 144 development located within the Community Redevelopment Area;

145 b. Only the on-street parking spaces located within the public right-of-way that abut
146 the frontage of a use or project may be used to count toward meeting the minimum number
147 of required off-street parking spaces. The on-street parking spaces must be located on the
148 same side of the street as the subject use or project except if the land use on the opposite side
149 of a two-lane street would not be eligible for a parking reduction under this section, or if the
150 existing land use is any residential use that does not rely upon on-street parking to meet its
151 minimum parking requirement then the parking spaces on the opposite side of the street
152 from the subject property may also be tabulated for the purpose of this section;
153 c. The design of the on-street parking spaces must be approved by the City Engineer
154 in order to satisfy parking demand according to Section B.1. herein; and
155 d. On-street parking spaces utilized under this provision shall not be reserved,
156 temporarily or permanently, for any given use.
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159 **Section 4.** Each and every other provision of the Land Development Regulations
160 not herein specifically amended, shall remain in full force and effect as originally adopted.

161 **Section 5.** All laws and ordinances applying to the City of Boynton Beach in
162 conflict with any provisions of this ordinance are hereby repealed.

163 **Section 6.** Should any section or provision of this Ordinance or any portion
164 thereof be declared by a court of competent jurisdiction to be invalid, such decision shall not
165 affect the remainder of this Ordinance.

166 **Section 7.** Authority is hereby given to codify this Ordinance.

167 **Section 8.** This Ordinance shall become effective immediately.

168

169 FIRST READING this ____ day of _____, 2016.

170 SECOND, FINAL READING AND PASSAGE this ____ day of _____, 2016.

171 CITY OF BOYNTON BEACH, FLORIDA

172

173

YES NO

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Mayor – Steven B. Grant

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Vice Mayor – Mack McCray

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Commissioner – Justin Katz

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Commissioner – Christina L. Romelus

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Commissioner – Joe Casello

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VOTE

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188 ATTEST:

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193 _____
Judith A. Pyle, CMC

194 Interim City Clerk

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198 (Corporate Seal)