

SUNRISE, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SUNRISE, FLORIDA AMENDING CHAPTER 16 "LAND DEVELOPMENT CODE," AMENDING ARTICLE VI "SUPPLEMENTAL REGULATIONS" SECTION 16-126 "TEMPORARY BUILDINGS" TO REGULATE REAL ESTATE TRAILERS; AMENDING ARTICLE VII "OFF-STREET PARKING AND LOADING" SECTION 16-144 "AMOUNT OF OFF-STREET PARKING" TO REGULATE PARKING FOR HEALTH CLUBS; SECTION 16-150 "LIGHTING REQUIREMENTS" AND SECTION 16-151 "ESTABLISHMENT OF OFF-STREET PARKING AND LANDSCAPING REQUIREMENTS FOR LARGE SHOPPING CENTER DEVELOPMENTS" TO PROVIDE REGULATIONS FOR LIGHT POLES IN REGIONAL MALLS; PROVIDING THAT ALL OTHER PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF SUNRISE, FLORIDA, SHALL REMAIN IN FULL FORCE AND EFFECT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS the City Commission desires to revise the Land Development Code to allow for site plans for temporary real estate trailers to be approved administratively, consistent with the method of approval of construction trailers; and

WHEREAS the City Commission desires to revise the Land Development Code to allow for taller light fixtures within regional shopping centers, consistent with the height that of existing light fixtures in place at Sawgrass Mills Mall; and

WHEREAS the City Commission desires to revise the Land Development Code to provide a reduced parking ratio for health clubs that operate exclusively by appointment with a personal trainer; and

WHEREAS, the City's Local Planning Agency has reviewed this Ordinance and recommended its approval to the City Commission; and

WHEREAS, the City Commission held a noticed public hearing, at which all citizens so desiring had an opportunity to be heard; and

WHEREAS, the City Commission finds that this Ordinance is consistent with the City's adopted Comprehensive Plan and necessary for the preservation of the public health, safety and welfare of the City's residents.

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

Section 1. The foregoing Whereas clauses are hereby ratified and incorporated as the legislative intent of this Ordinance.

Section 2. That section 16-126 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Sec. 16-126 Temporary Buildings

(c) Any temporary real estate sales trailer shall require administrative site plan approval in accordance with section ~~16-31~~ 16-32. Any such temporary trailer shall be removed upon completion of the construction project.

Section 3. That section 16-144 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Sec. 16-144 Amount of Off-Street Parking

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

- (29) *Health and body membership clubs:* One (1) parking space per each two hundred (200) square feet of gross floor area ~~occupied by guests, customers, patrons or members,~~ except as provided below:

a. Where a club operates exclusively by scheduled appointments with a personal trainer, the owner of the property may submit a parking study to the department demonstrating that fewer parking spaces are needed. The department may choose to approve the reduced parking standard if the study provides clear and convincing evidence that the reduced parking standard is appropriate.

b. If a parking reduction is approved pursuant to subsection (29)a. above, the required number of parking spaces shall not be reduced by more than fifty (50) percent.

Section 4. That section 16-150 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Sec. 16-150. Lighting requirements.

All off-street parking facilities shall be illuminated according to the standards contained herein. Open off-street parking facilities shall include the surface of open-to-the-sky parking spaces, drive aisles, driveways and accessways. Enclosed off-street parking facilities shall include multilevel parking garages and covered grade-level parking facilities.

- (1) *Design requirements*

- f. The maximum height of an outdoor light fixture, including the luminaire, shall not exceed twenty-five (25) feet above grade. Light fixtures within a regional shopping center shall not exceed forty (40) feet above grade.

Section 5. That section 16-151 of the Code of the City of Sunrise, Florida, is hereby amended to read as follows:

Sec. 16-151. Establishment of off-street parking, lighting, and landscaping requirements for large regional shopping centers developments.

The off-street parking, lighting, and landscaping requirements for regional shopping centers, as defined in section 16-277, with over five hundred thousand (500,000) square feet of gross floor area shall be as follows:

(a) *Amount of off-street parking required.* See section 16-144.

(b) *Parking lot location, character, and size.* Parking lot location, character and size shall be as required in section 16-142, except that:

- (i) ~~p~~ Parking space size shall be nine (9) feet in width and eighteen (18) feet in length;
- (ii) ~~w~~ Wheelstops shall not be required between head-to-head rows of parking; and
- (iii) ~~l~~ Landscape islands shall not be required between head-to-head rows of parking.

(c) Lighting required. See Section 16-150.

~~(b)~~ (d) Minimum landscape requirements. Minimum landscape requirements shall be as follows:

~~(d)~~ (e) In the event of conflict between the provisions of this section and other code provisions, this section shall control. All other requirements of the Land Development Code not specifically modified by this section shall remain applicable to large regional shopping centers developments.

Section 6. Conflict. All ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

Section 7. Severability. Should any provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

Section 8. Inclusion in the Code. 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 the City of Sunrise, Florida.

Section 9. Effective Date. This Ordinance shall be effective immediately upon its passage.

PASSED AND ADOPTED upon this first reading this 12TH DAY OF NOVEMBER, 2013.

PASSED AND ADOPTED upon this second reading this ____ DAY OF _____, 2013.

Mayor Michael J. Ryan

Authentication:

Felicia M. Bravo
City Clerk

FIRST READING

SECOND READING

MOTION: SCUOTTO
SECOND: SOFIELD

MOTION: _____
SECOND: _____

KERCH: YEA
ROSEN: ABSENT
SCUOTTO: YEA
SOFIELD: YEA
RYAN: YEA

KERCH: _____
ROSEN: _____
SCUOTTO: _____
SOFIELD: _____
RYAN: _____

Approved by the City Attorney
As to Form and Legal Sufficiency.

Kimberly A. Kisslan