



# Town Council Agenda Report

**SUBJECT:** Ordinance

**CONTACT PERSON/NUMBER**

Name: Mark A. Kutney, AICP  
Phone: (954) 797-1101

**TITLE OF AGENDA ITEM:**

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-208, ENTITLED "REQUIREMENTS FOR OFF-STREET PARKING," AND SECTION 12.210, ENTITLED "USE OF REQUIRED OFF-STREET PARKING BY ANOTHER BUILDING," TO REVISE THE PARKING RATIO REQUIREMENTS FOR SELECTED USES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

**REPORT IN BRIEF:** The proposed changes to the Land Development Code, to revise parking ratios for select uses, is based on staff research and indication from Council that these ratios need to be revisited. A survey was conducted of surrounding municipalities, as well as reports from Planning Advisory Services and Urban Land Institute, to determine the parking ratios which best suit the existing and future developments of the Town. A major rewriting of the entire parking section is anticipated for the near future. This proposal addresses several of the uses from which variances are most frequently requested.

**PREVIOUS ACTION:** The Town Council tabled this item to the November 15, 2000 meeting (motion carried 5-0, November 1, 2000).

**CONCURRENCES:** The Planning and Zoning Board reviewed this item as separate uses and had the following recommendations:

- Game Room, Arcade, Pool Hall; Commerce Center; Hotels; Manufacturing, Wholesale Warehousing, Distribution Center, and Industrial Uses; Child care, Day Nursery, Kindergarten, Preschool; Office; Research and Development; Restaurants (General, Specialty); Retail; Shopping Centers; and Shared Parking were all recommended for approval as recommended by staff.
- Beauty Salon was recommended, by a vote of 4-0, to be revised to require three (3) parking spaces for each chair and/or customer service station.
- Day Spa was recommended by a vote of 3-1 (Ms. Moore dissenting) to be revised to require one (1) parking space for each 125 square feet.
- Home Improvement was recommended by a vote of 3-1 (Ms. Moore dissenting) to be revised to require one (1) parking space for each 200 square feet.
- In conclusion, the Planning and Zoning Board, one a vote of 3-1 (Ms. Moore dissenting), voted to require that for any decrease in parking lot requirements there be an equal increase in green space.

**FISCAL IMPACT:** None.

**RECOMMENDATION(S):** Motion to approve Ordinance.

**Attachment(s):** Ordinance and Staff Report

ORDINANCE \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF DAVIE, SECTION 12-208, ENTITLED "REQUIREMENTS FOR OFF-STREET PARKING," AND SECTION 12.210, ENTITLED "USE OF REQUIRED OFF-STREET PARKING BY ANOTHER BUILDING," TO REVISE THE PARKING RATIO REQUIREMENTS FOR SELECTED USES; PROVIDING FOR SEVERABILITY; AND, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie encourages the efficient and orderly development of commercial and industrial properties; and

WHEREAS, the proposed parking ratios are intended to provide adequate on-site parking, eliminating excess parking spaces, allowing for less asphalt upon the landscape ; and,

WHEREAS, the proposed parking ratios are comparable to most municipalities in Broward County and represent a more realistic parking ratio based on new trends in parking patterns.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That Section 12-208, Requirements for off-street parking," of the Town Code is hereby amended as follows:

(A) Minimum Requirements.

...(3) Child care center, day nursery, kindergarten, preschool. ~~One (1) space for each two hundred (200) square feet of gross floor area. One (1) space for each 5 children based on licensed child care capacity plus 1 space per 300 square feet of office area.~~ In addition, a minimum of three stacking spaces shall be provided adjacent to the front entrance....

...(5a) ~~Commerce Center.~~ Flexible space office/warehouse developments. One (1) space for each four hundred and fifty (450) square feet of gross floor area. For developments over 400,000 square feet in floor area and constructed prior to November, 2000, ~~One one (1) space for each five hundred and forty (540) square feet of gross floor area. for centers with more than four hundred thousand (400,000) square feet of gross floor area. For centers with less than four hundred thousand (400,000) square feet of gross floor area, parking shall be calculated according to the uses contained therein.~~ Developments qualifying for this use shall contain a multiple-tenant mix of offices and active or passive warehouses within any given building, and may contain research and development uses, with office comprising not more than fifty percent (50%) of the gross floor area of the development. Principal retail and food service uses comprising more than five percent (5%) of the gross floor area of the development shall be calculated separately. ....

...(9) Game room, amusement arcade, pool hall. One (1) space for each two hundred (200)  ~~fifty (50)~~ square feet of gross floor area....

...(14) Manufacturing, wholesale warehousing, distribution centers, fabrication and industrial uses. One

(1) space for each six hundred (600) three hundred (300) square feet of floor area of the building plus one

(1) space for each three hundred (300) square feet of office use. ...

...(15) Medical, dental, chiropractic, etc. clinic: One space for each two hundred (200) square feet of gross floor area.

~~(a) Separate Building with no In Patient Facilities: One (1) space for each one hundred twenty-five (125) square feet of gross floor area;~~

~~(b) Within an Office Building or Shopping Center: One (1) space for each two hundred (200) square feet of gross floor area....~~

...(17) Motels, ~~maximum twenty five (25) units~~; tourist homes one (1) space for each guest room plus one (1) space for each two hundred (200) square feet of office area plus parking as required for accessory uses...

...(18) ~~Motels, more than twenty five units;~~ Hotels. One (1) space for each two (2) guest rooms, ~~plus one (1) space for each ten rooms, or fraction thereof, for employee parking~~; plus one (1) space for each three (3) persons to the maximum designed capacity of each public meeting room, plus, one-half (1/2) the requirements for accessory uses, such as restaurants and bars...

...(22) Offices, business, profession, governmental, financial institutions and commercial bank, Telemarketing centers. One (1) space for each ~~two hundred (200)~~ three hundred (300) square feet of gross floor area. Telemarketing centers shall be one (1) space for each one hundred (100) square feet of gross floor area...

...(28) Restaurants (general, speciality). One (1) space for each ~~fifty (50)~~ eighty (80) square feet of dining area. ~~and one (1) space for each two hundred (200) square feet of non dining service area...~~ For the purpose of this section, restaurants that serve beer and or liquors having more than 10% of the seating around a bar shall adhere to the parking requirements for bar, etc.

...(29) Retail stores, personal service shops, household repair or equipment shops, interior decoration shops, gift and card shops, grocery stores. ~~Use following scale:~~ One (1) space for each two hundred and fifty (250) square feet of gross floor area.

(a) Shopping Centers.

(1) Up to 50,000 square feet, then uses per code.

(2) 50,000 square feet to 400,000 square feet, then one (1) space for each two hundred and twenty five (225) square feet of gross floor area (allowing up to 10% office and 5% restaurants/bars)

(3) 400,000 to 600,000 square feet of gross floor area, then one (1) space for each two hundred and seventy-five (275) square feet of gross floor area (allowing up to 10% office and 5% restaurants/bars).

(4) Greater than 600,000 square feet, then one (1) space for each three hundred and twenty-five (325) square feet of gross floor area (allowing up to 10% office and 5% restaurants/bars)....

number of parking spaces.

...(37) Warehouses (long-term), self-storage facilities, and storage buildings having no other use, and in which no business of any type is conducted. One (1) space for every one thousand (1,000) ~~six hundred (600)~~ square feet for warehouses and storage buildings and one (1) space for every two thousand (2,000) square feet of self-storage facilities area. Long-term storage, as indicated, on a site plan, may be considered an accessory to an industrial use at the discretion of the Development Services Director...

...(38) Wholesale stores. Home Improvement, Wholesale Clubs. One (1) space for each two hundred and fifty (250) ~~three hundred (300)~~ square feet of gross floor area...

...(40) Research and Development. One (1) space for each three hundred (300) square feet of gross floor area devoted to Research and one (1) space for each six hundred (600) square feet devoted to Development, as indicated on an approved site plan...

...(41) Beauty salons, Day spas, Beauty salons and/or similar types of uses shall be a five (5) spaces for each licensed stylist or similar. Day spas shall be one (1) space for each one hundred and fifty (150) square feet of gross floor area devoted to such use...

...12.210 Shared Parking. ~~Use of required off street parking by another building.~~ Recognizing that certain combination of uses required less parking than traditional parking ratios based on off-peak hour parking, an applicant may submit a request to allow staff to analyze the validity of such request, based on the following two options:

(1)A petitioner shall submit a formal request, "Parking Study" to be reviewed by the Development Services Director and indicate tenant uses, square footage, the required parking per code, and ratio used, and hours of operation. The total parking, uses utilizing shared parking, overlap hours of operation, and the requested reduced number of spaces are to be included. Upon approval, the shared parking study submitted to the Town shall be in the form of a restrictive covenant and recorded by Town Clerk. Recordation costs are to be reimbursed by the applicant. The Covenant will provide that the Town may collect costs and attorney fees, if litigation is necessary to enforce them.

(2) A Parking Study may also provide alternative parking ratios for specific uses based on the unique characteristics of the site and/or use. Such alternative parking ratios shall be presented to the Development Services Director, in the manner as stated above, and shall provide verifiable documentation of the appropriateness of the ratios.

SECTION 2. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000

PASSED ON SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000

\_\_\_\_\_

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2000

# DEVELOPMENT SERVICES DEPARTMENT

## Planning & Zoning Division

MEMORANDUM  
PZ 10-23-00

TO: Tom Willi, Interim Town Administrator  
THRU: Mark A. Kutney, Development Services Director  
THRU: Jeff Katims, AICP, Planning and Zoning Manager  
FROM: Marcie Oppenheimer Nolan AICP, Planner II  
DATE: October 23, 2000

**RE: Proposed Parking Revisions to the Land Development Code**

The following information represents proposed changes to the parking code for those uses identified as priority code changes. The majority of this information comes from reviewing other municipalities of similar size and character as Davie and establishing similar guidelines. Where this information was obtained from other sources, it is noted.

### **Game Room, Amusement Arcade, Pool Hall**

Current: The current parking standard is one (1) space for each 50 square feet of gross floor area.

Proposed: One (1) space for each 200 square feet of gross floor area.

Analysis: The proposed change is based on a survey of surrounding municipalities parking requirements and analysis of existing arcades/amusement centers floor plans.

### **Beauty Salon, Day Spa**

Current: The current parking standard is one (1) space for each two hundred square feet of gross floor area.

Proposed: Beauty salons and/or similar types of uses shall be at 5 parking spaces for each licensed stylist or similar. Day Spa shall be one (1) space for 150 square feet of gross floor area.

Analysis: This is a more reasonable number based on other municipal codes.

### **Commerce Center**

Existing: The existing ratio for commerce center is one space for each 540 square feet. There is no definition of a commerce center and no one model for a commerce center by which to justify such as parking ratio.

Proposed: Staff proposes eliminating the existing 'use' of commerce center and renaming the

category.

~~Commercer Center. Flexible space office/warehouse developments. One (1) space for each four hundred and fifty (450) square feet of gross floor area. For developments over 400,000 square feet in floor area and constructed prior to November, 2000, One one (1) space for each five hundred and forty (540) square feet of gross floor area. for centers with more than four hundred thousand (400,000) square feet of gross floor area. For centers with less than four hundred thousand (400,000) square feet of gross floor area, parking shall be calculated according to the uses contained therein. Developments qualifying for this use shall contain a multiple-tenant mix of offices and active or passive warehouses within any given building, and may contain research and development uses, with office comprising not more than fifty percent (50%) of the gross floor area of the development. Principal retail and food service uses comprising more than five percent (5%) of the gross floor area of the development shall be calculated separately.~~

## Home Improvement, Wholesale Stores/Clubs

Proposed: The proposed standard is 1 space for each 300 square feet of gross floor area.

Analysis: This is a relatively new use phenomenon. While these buildings are larger than most retail stores, item storage and display areas require more square footage than traditional stores. Currently, there is no separate parking ratio for this use. This ratio provides a less restrictive ratio than straight retail, acknowledging the large amount of floor area utilized for display storage. This ratio is consistent with the Institute of Transportation Planners, 2nd Edition Parking generation published in 1987.

## Hotels

Current: The current parking standard is one (1) space for each one (1) room, plus an additional one (1) space for each 10 rooms. In addition, one (1) space for each three (3) seats per meeting room and 1/2 the code requirement for other accessory uses is required.

Proposed: 1 space for each 2 rooms (these may be shared off-site), 50% for all accessory uses (open to the public) based on the code requirements, excluding banquet areas which shall provide seating at existing code requirement for places of public assembly (1:3 seats), and excluding areas for the exclusive use of hotel guests.

Analysis: The proposed change is based on a survey of surrounding municipalities parking requirements and an inventory of existing hotels and their parking needs.

## EXAMPLE

	<u>250 room hotel</u>	<u>4,000 sq.ft. dining</u>	<u>25,000 conference/banquet (1200 seats)</u>	
Davie:	275 (1:1)	40 (50% of code)	400	Total: 715
Sunrise:	84 (1:3)	40 (50% of code)	240	Total: 364
Broward	187.5 (3:4)	52 (65% of code)	240	Total: 479.5
Plantation	275 (1:1)	80 (100% of code)	480	Total: 835
<b>Proposed</b>	<b>125 (1:2)</b>	<b>40 (50% of code)</b>	<b>400 (1:3 seats)</b>	<b>Total: 565</b>

This change is consistent with the industry requirements of large scale luxury hotels such as

companies. In sub-urban areas, such as Davie, Hotels do not have the luxury of having adjacent parking areas nearby for guests and visitors. This parking requirement is more restrictive than urban areas but keeping in line with neighboring communities.

**Note:** Hotels that are part of a mixed use facility such as office buildings may utilize shared parking provisions and/or cross access agreements to reach the required total of spaces, resulting in more open landscape area and less asphalt on the landscape. In no instance, may the required parking for accessory uses be part of the shared parking calculations, due to the fact that, accessory uses such as meeting rooms and restaurants can be used throughout the day and the weekend.

## **Manufacturing, Wholesale Warehousing, Distribution Center, and Industrial Uses.**

Current: This parking ratio relates to uses that have a limited level of traffic from employees. The current ratio of one space for each 300 sq.ft. is much more restrictive than most municipalities.

Proposed: The proposed change to 1 space for each 600 sq.ft. of gross floor area is utilized by several municipalities within Broward County with industrial parks. A loading zone shall be provided adjacent to each overhead door, in addition to meeting the code requirements for loading zones based on square footage.

**Note:** Wholesale means places where the public does not visit to purchase goods. There is a corresponding increase in the number of loading zones for wholesale and distribution uses. Distribution center, also considered short-term warehousing, shall also utilize this ratio.

### **Manufacturing, Wholesale Warehousing and Distribution Center Loading Zone**

Proposed: A loading zone shall be provided adjacent to each overhead door, in addition to meeting the code requirements for loading zones based on square footage.

## **Child Care Center, Day Nursery, Kindergarten, Preschool**

Current: The current standard of 1 space for each 200 sq.ft. of gross floor area is the most restrictive in Broward County.

Proposed: 1 space for each 5 children based on maximum licensed child care capacity plus 1 space per 300 square feet of office area. In addition, a minimum of three stacking spaces shall be provided adjacent to the front entrance.

Analysis: Based on a survey of the municipalities within the County and a review of parking standards prepared by the American Planning Association, Planners Advisory Services, a ratio based on the maximum number of children licensed is the best means of regulating the needed number of parking spaces.

## **Office**

Current: The current code requirement is 1:200 square feet for professional offices and 1 per 1:125 square feet of medical offices. This standard is more restrictive than most municipalities.

Proposed: 1 space for each 300 square feet of gross floor area for office space. 1 space for each 1:200 square feet of gross floor area for medical and dental offices, chiropractic offices. 1 space for each 100 sq.ft. for telemarketing offices/centers.

Analysis: This is a more reasonable number based on other municipal codes as well as existing site plans of office/professional buildings with and without parking problems.

<u>Example:</u>	<u>25,000 sq.ft. office</u>	<u>25,000 sq.ft. medical</u>
Current	125 spaces	200 spaces
Proposed	83.3	125 spaces

Note: If a medical use locates to a strip center with aggregate parking based on retail, the use must meet the parking based on the office use parking ratio.

## **Research and Development**

Current: There is currently no separate category for this use. It is considered similar to manufacturing.

Proposed: The proposed change to 1 space for each 300 sq.ft. of gross floor area for areas devoted to Research and 1 space for each 600 square feet for areas devoted to Development.

## **Warehouse Storage, (long-term)**

Current: The existing square footage parking requirement is the same for the manufacturing parking ratio, 1 per 300 sq.ft.

Proposed: The proposed parking requirement of 1 space for each 1,000 square feet of long-term storage for buildings designed as warehouse storage facilities. Long term warehouse storage as indicated on a floor plan, may be considered accessory to an industrial use at the discretion of the Development Services Director. Long-term storage and warehouse storage shall be defines as areas in which no business of any type will be conducted.

## **Restaurants (General, Specialty)**

Current: The current standard is 1 space for each 50 sq.ft. of customer service area and 1 space for each 200 sq.ft. on non-dining service area.

Proposed: The proposed standard is 1 space for each 80 sq.ft. of gross floor area. For the purpose of this section, restaurants that serve beer and or liquors having more than 10% of the seating around a bar shall adhere to the parking requirements for bar, etc.

Analysis: The existing standard is the most restrictive standard in Broward County. The proposed change is consistent with three municipalities of similar size and character as Davie. Based on a study of restaurants within the Town of Davie, the proposed parking requirement would result in a small decrease of spaces required by the developer, resulting in about half the current code requirement for non-service area.

## **Retail**

Current: The current standard is based on the overall square footage of a center to

determine the required amount of parking spaces. Under 200,000 sq.ft. the parking ratio for retail is 1 space for each 200 sq.ft. Over 200,000 sq.ft. the parking ratio is 1 space for each 225 sq.ft. Under 500,000 sq.ft. the parking requirement is 1 space for each 275 sq.ft. 500,000 square feet to 1,000,000 square feet, the parking ration is one (1) space for each 275 square feet. Over 1,000,000 sq.ft. the parking requirement is 1 space for each 325 sq.ft.

Proposed: The proposed parking requirement is 1 space for each 225 sq.ft. of gross floor area. This requirement would also apply to retail uses in shopping centers under 50,000 sq.ft.

Analysis: This proposed parking ratio is consistent with most municipalities in Broward County and ratios identified in the Planning Advisory Service report entitled "Off-Street Parking Requirements."

## **Shopping Centers**

Current: The current standard is the same as stated above.

Proposed: <50,000 then uses per code  
>50,000 to 400,000 then 1:225 (allowing up to 10% office and 5% restaurants/bars)  
>400,000 to 600,000 then 1:275 (allowing up to 10% office and 5% restaurant/bars)  
600,000 and over then 1:325 (allowing up to 10% office and 5% restaurants/bars)

If the percentage of office and restaurant/bar exceeds the allowable amount, then the use must meet the code requirement. If the total allowable square footage for restaurants and/or bars exceeds the 5% then the use must provide parking ratio as stated in the Code. Parking spaces identified as valet parking, for a fee, shall not be used toward the required number of parking spaces.

Analysis: The Town's current shopping center criteria apply to retail centers only. The proposed change includes mixed uses of restaurants and offices that may wish to locate within one center. The proposed standard is based on an analysis of surrounding municipalities and their parking requirements for shopping centers and also conversations with other local planners to identify strengths and weakness within existing parking ratios used.

## **Shared Parking Regulations**

Current: The existing code requirements are currently administrated by the Planning and Zoning Division and do not state where, and what level of detail should be received from the applicant to provide staff with sufficient data by which to evaluate a shared parking study.

Proposed: A petitioner will submit a formal request, "Parking Study" to be reviewed by Development Services Director and indicate tenant uses, square footage, required parking per code and ratio used, and hours of operation. The total parking, parking utilizing shared parking, overlap hours of operation, and the requested reduced number are to be included. Upon approval, the shared parking study submitted to the Town shall be in the form of a restrictive covenant and recorded by Town Clerk. Recordation costs are to reimbursed by the applicant. The Covenant will provide that the Town may collect costs and attorney fees, if

A Parking Study may also provide alternative parking ratios for specific uses based on the unique characteristics of the use. Such alternative parking ratios shall be presented to the Development Services Director, in the manner as stated above, and shall provide verifiable documentation of these ratios in use regarding any such proposed alternative parking ratios.

Analysis:

Three municipalities out of the six surveyed had shared parking regulations. The proposed language incorporates the current Town policy and additional language found in other municipal codes.

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## **Planning and Zoning Board**

The Planning and Zoning Board met and discussed this item at its October 25, 2000 meeting. The Board had the following comments for the proposed parking changes. They voted on these items relative to each individual use, as follows:

- Game Room, Arcade, Pool Hall; Commerce Center; Hotels; Manufacturing, Wholesale Warehousing, Distribution Center, and Industrial Uses; Child care, Day Nursery, Kindergarten, Preschool; Office; Research and Development; Restaurants (General, Specialty); Retail; Shopping Centers; and Shared Parking were all recommended for approval as recommended by staff.
- Beauty Salon was recommended, by a vote of 4-0, to be revised to require three (3) parking spaces for each chair and/or customer service station.
- Day Spa was recommended by a vote of 3-1 (Ms. Moore dissenting) to be revised to require one (1) parking space for each 125 square feet.
- Home Improvement was recommended by a vote of 3-1 (Ms. Moore dissenting) to be revised to require one (1) parking space for each 200 square feet.
- In conclusion, the Planning and Zoning Board, on a vote of 3-1 (Ms. Moore dissenting), voted to require that for any decrease in parking lot requirements there be an equal increase in green space.