

ORDINANCE NO. 29-20

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, BY AMENDING CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.4, "BASE ZONING DISTRICT"; SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT", SUBSECTION (G), "CIVIC OPEN SPACES" AND SUBSECTION (I), "CBD PARKING SPACES", TO AMEND REQUIREMENTS FOR BICYCLE PARKING IN CIVIC OPEN SPACES, TO AMEND THE MINIMUM NUMBER OF BICYCLE PARKING SPACES, TO PROVIDE SPACE LOCATION AND STREETScape, AND TO PROVIDE FOR SPACING REQUIREMENTS TO MEET SECTION 4.6.9 FOR LOCATION OF BICYCLE PARKING; AMENDING SECTION 4.6.9, "OFF-STREET PARKING REGULATIONS," SUBSECTION (C), "NUMBER OF PARKING SPACES REQUIRED," SUBSECTION (D), "DESIGN STANDARDS," AND SUBSECTION (E), "LOCATION OF PARKING SPACES", TO AMEND REQUIREMENTS FOR THE NUMBER OF BICYCLE PARKING SPACES REQUIRED, CREATE BICYCLE PARKING TYPOLOGIES FOR SHORT AND LONG TERM PARKING, AND PROVIDE LOCATION AND SPACING REQUIREMENTS FOR BICYCLE PARKING; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on February 4, 2020, the City Commission of Delray Beach adopted Resolution No. 19-19, updating the Comprehensive Plan for the City, including the Mobility Element, to maintain and improve the City's transportation system and enhance the travel choices for current and future residents, visitors, and workers; and

WHEREAS, the City of Delray Beach, Florida ("City") Always Delray Comprehensive Plan, Mobility Element provides direction to staff to amend the Land Development Regulations related to active transportation, especially Policy MBL 2.5.8 related to development, and 3.4.1 related to contextualizing the parking requirements for different areas of the City; and

WHEREAS, the Association of Pedestrian and Bicycle Professionals recommends creating clear and consistent requirements for bicycle parking to legitimize the bicycle as a viable mode of transportation, while contributing to an orderly streetscape, which would provide riders the flexibility to park in more locations which would increase consumer traffic to local businesses; and

WHEREAS, creating a bicycling-friendly community has been shown to improve community health, well-being, and quality of life, growing the economy of cities, and especially in Florida, attracting tourism dollars, improving traffic safety, supporting student learning outcomes, and reducing pollution, congestion, and wear and tear on our streets and roads; and

WHEREAS, the City of Delray Beach, Florida (“City”) has actively promoted active transportation options, such as bicycling by declaring Florida Bicycle Month in Delray Beach in March 2020, and in previous years; and

WHEREAS, the bicycle is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation, transportation, and enjoyment of Delray Beach’s scenic beauty by residents and visitors; and

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 -- Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the proposed amendments were reviewed by the Downtown Development Authority on June 15, 2020, Parking Management Advisory Board on August 25, 2020, Site Plan Review and Appearance Board on August 26, 2020, and Green Implementation Advancement Board on September 17, 2020; and

WHEREAS, pursuant to Florida Statutes 163.3174(4)(c), the Planning and Zoning Board for the City of Delray Beach, sitting as the Local Planning Agency, reviewed the proposed text amendment to the Land Development Regulations at a public hearing on September 21, 2020 and voted Seven to Zero to recommend that the proposed text amendments be approved with amendments to consider safety in planning and design of shower and indoor bicycle parking, finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations; and

WHEREAS, the City Commission of the City of Delray Beach finds the Ordinance is consistent with the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the recitations set forth above are incorporated herein.

Section 2. That Section 4.4.13, “Central Business District,” Subsection (G), “Civic Open Spaces,” and Subsection (I) “CBD parking standards,” of the Land Development Regulations of the City of Delray Beach, Florida, be and the same is hereby amended to read as follows:

(G) ***Civic Open Spaces.*** Civic open spaces are privately maintained outdoor spaces which are accessible by the general public, improve the pedestrian environment, are aesthetically pleasing, and serve as an amenity for the city as a whole as well as for occupants of the building which the open space serves.

(1) – (3) (These subsections shall remain in full force and effect as previously adopted)

(4) ***Additional standards.*** Civic open spaces shall meet the following minimum standards:

(a) - (e) (These subsections shall remain in full force and effect as previously adopted)

(f) Each civic open space shall provide the following ~~street-furniture~~ elements, specifications subject to approval by the City of Delray Beach ~~Engineering~~ Public Works Department:

1. Seating for at least two people per 350 square feet of area. Seating may be provided on benches, chairs, or other horizontal surfaces designed for people to sit upon, including retaining walls, planter edges, tiers and other similar surfaces. Seating surfaces shall have a maximum height of 24 inches and have a minimum depth of 16 inches.
2. One drinking fountain with dual pet water fountain feature;
3. ~~One bicycle rack with no less than four spaces~~ At least one bicycle rack, and but no more than two racks, as part of the required bicycle parking requirement; ~~a~~ Any additional bicycle parking required by Table 4.4.13(M) shall be provided in other locations on the site;
4. One trash receptacle;
5. One pet clean up station.

(g)- (i) (these subsections shall remain in full force and effect as previously adopted)

(5) (This subsection shall remain in full force and effect as previously adopted)

(H) (This subsection shall remain in full force and effect as previously adopted)

(I) *CBD parking standards*

- (1) ***Purpose of revised standards.*** This section provides modified regulations for off-street parking and bicycle parking and facilities within all Sub-districts of the CBD. These regulations reflect the needs of the urban, mixed use downtown and recognize that ~~the downtown~~ it is a compact, interconnected area with multimodal transportation options; ~~and that~~ Improper placement of parking and mandatory duplication of the parking supply on each building site separates the various land uses from each other ~~that~~ This separation reduces the viability of the mixed-use districts and harms the walkability of the streets in throughout the downtown area. When in conflict with the regulations in Section 4.6.9, this section shall rule.

(2) – (3) (These subsections shall remain in full force and effect as previously adopted)

- (4) ***Bicycle parking and facilities.*** The requirements for ~~B~~bicycle parking and facilities ~~shall be provided within the CBD Sub-districts.~~ include the provision of bicycle racks, bicycle storage rooms or lockers, and showers.
- (a) ***Minimum Requirements ~~Number of Bicycle Parking Spaces.~~*** Table 4.4.13(M), Minimum Number of Bicycle Parking Spaces and Facilities Required in the CBD, identifies the minimum number of on-site bicycle parking spaces and facilities required per use. Any uses not listed in the table shall use the requirements in Section 4.6.9(C).
1. ~~All new non-residential uses shall provide at least two bicycle parking spaces. For mixed use projects, both the non-residential and residential requirements shall be met. Calculations for mixed use projects are cumulative.~~
 2. ~~For mixed use projects, both the non-residential and residential requirements shall be provided.~~
 3. 2. Bicycle Parking requirements are applied to new development, expansion of an existing use, and changes of use.
 3. The required facilities associated with the provision of bicycle parking include showers and changing areas. When showers are required, an associated changing area must also be provided. Residential uses and public spaces are not required to provide any facilities.

<i>Table 4.4.13(M)</i> <i>Minimum Number of Bicycle Parking Spaces Required in the CBD</i>	
<i>Commercial Uses</i>	
Hotels/Motels	1 space per 10 guest rooms plus 1 space per 5,000 sf. of restaurant, meeting rooms, and shops; if more than 10 spaces are required, then 50% shall be in lockers or secured, inside storage area
Professional Office < 50,000 sf.	1 space per 2,000 sf. of net floor area
Professional Office > 50,000 sf.	1 space per 2,000 sf. of net floor area; 50% in lockers plus shower facilities or secured, inside storage area plus shower facilities

<p align="center"><i>Table 4.4.13(M)</i> <i>Minimum Number of Bicycle Parking Spaces Required in the CBD</i></p>	
Retail, Restaurant, and Commercial Uses	1 space per 1,000 sf. of gross floor area
<i>Residential</i>	
Residential ≤ 50 units	1 space per 4 units
Residential > 50 units	1 space per 4 units; 50% in lockers or inside storage area
Live/Work Unit	1 space per 2 units
Townhouses and Single-family Homes	—

<p align="center"><i>Table 4.4.13(M)</i> <i>Minimum Number of Bicycle Parking Spaces and Showers Required*</i></p>			
<i>Commercial Uses</i>			
<u>Category</u>	<u>Type I</u>	<u>Type II</u>	<u>Showers</u>
<u>Hotels/Motels</u>	<u>1 space per 15 guest rooms plus requirements for Type I based on use (e.g. restaurant, meeting rooms, and retail)</u>	<u>< 50 rooms: Not required.</u> <u>≥ 50 Rooms: Required at a rate of 2 per 50 rooms plus requirements for Type II based on use (e.g. restaurant, meeting rooms, and retail)</u>	<u>< 50 rooms: Not required</u> <u>≥ 50 Rooms: Required at a rate of 2 per 50 rooms (no minimum)</u>
<u>Professional Office < 50,000 sf.</u>	<u>1 space per 5,000 sf.</u>	<u>< 30,000 sf.: Not required</u> <u>2 spaces for 30,001 – 50,000 sf.</u>	<u>< 30,000 sf.: Not required</u> <u>30,001 – 50,000 sf.: 2</u>
<u>Professional Office ≥ 50,000 sf.</u>	<u>5 spaces minimum plus 2 spaces per 10,000 sf.</u>	<u>5 spaces,</u> <u>plus 2 spaces per 10,000 sf.</u>	<u>2, plus 2 per every additional 50,000 sf.</u>
<u>Retail, Restaurants and Bars, Grocery Stores</u>	<u>1 space per 2,500 sf.</u>	<u>< 10,000 sf.: Not required</u> <u>≥ 10,000 sf.: 2 spaces per 10,000 sf</u>	<u>< 10,000 sf.: Not required</u> <u>≥ 10,000 sf.: 2 per 10,000 sf</u>
<i>Residential</i>			
<u>Multifamily Dwelling with individual garage for each unit</u>	<u>1 space per 10 units</u>	<u>Not required</u>	<u>Not required</u>
<u>Multifamily Dwelling without individual garage for each unit</u>	<u>1 space per 10 units</u>	<u>1 space per 6 units.</u>	<u>Not required</u>
<u>Live/Work Unit</u>	<u>1 space per 2 units</u>	<u>Not required</u>	<u>Not required</u>

<u>Single-family attach Homes</u>	<u>Not required</u>		
<u><i>Other uses</i></u>			
<u>Community Facilities (Libraries, Government Buildings)</u>	<u>2 spaces per 8,000 sf. of floor area.</u>	<u>2 spaces per 10 employees</u>	<u>< 20,000 sf or 25 employees: Not required ≥ 20,000 sf or ≥ 25 employees: 2 per 20,000 sf or every 25 employees, whichever is greater</u>
<u>Public Space (Parks, Beaches, Public Amphitheaters)</u>	<u>2 spaces for 5% of maximum expected daily attendance</u>	<u>< 20 employees: Not required ≥ 20 employees: 2 spaces per 20 employees</u>	<u>Not required</u>
<u>Medical offices, clinics and similar facilities</u>	<u>2 spaces per 20 employees or one space for each 25,000 sf. of floor area, whichever is greater</u>	<u>< 20,000 sf.: Not required ≥ 20,000 sf.: 2 spaces per 20,000 sf.</u>	<u>< 20,000 sf or 25 employees: Not required ≥ 20,000 sf or ≥ 25 employees: 2 per 20,000 sf or every 25 employees, whichever is greater</u>

* Square feet shall be measured as gross square feet.

(b) ***Bicycle Space Design and Location Requirements.*** Visitor, employee, and resident bicycle parking facilities shall be located on-site and visible to the intended users and provided in a safe, accessible, and convenient location within 100 feet of a primary building entrance. When there is more than one building entrance, bicycle parking shall be distributed to serve all entrances. In addition to the requirements of this subsection, bicycle parking facilities shall follow the requirements of Section 4.6.9(E)(7), Location and Spacing Requirements for Bicycle Parking. Any conflicts between this subsection (b) and the standards and regulations set forth in Section 4.6.9 shall be governed by the provisions of this subsection.

1. ~~Visitor, employee, and resident bicycle parking facilities shall be visible to the intended users within a location shown on the site plan that meets the following standards:~~
 - a. ~~Provided in a safe, accessible and convenient location within 300 feet of a main building entrance; when there is more than one building entrance, bicycle parking shall be distributed to serve all entrances.~~
 - b. ~~If bicycle parking is proposed within the minimum streetscape area (see Section 4.4.13(E)(2)), it shall not encroach within the minimum pedestrian clear zone.~~
 - c. ~~If bicycle parking is proposed within the right-of-way, a maintenance agreement (in a form acceptable to the City Attorney) is required.~~

- ~~d. If lockers or a secured inside storage area are required, then a specification shall be included within the plan set illustrating the enclosure details.~~
- 1. If bicycle parking is proposed within the minimum streetscape area (see Section 4.4.13(E)(2)), the bicycle rack or any parked bicycles shall not encroach within the minimum pedestrian clear zone.
- 2. ~~**Shower facilities**. Offices greater than 50,000 square feet shall provide at least two shower and changing facilities. Each changing facility shall be installed adjacent to showers in a safe and secured area.~~
- 2. Up to 50 percent of the required Type I bicycle parking may be located within a public right-of-way if the approving body with support from the City Engineer and the Development Services Director determines that existing conditions, such as the existing building location or configuration, limit bicycle parking from being located on site. Bicycle parking placed within the public right-of-way must meet the following requirements:
 - a. All bicycle parking shall use the City standard rack, as approved by the City Engineer.
 - b. A maintenance agreement (in a form acceptable to the City Attorney) is required.
- 3. ~~Unless otherwise provided by law, residential condominium covenants are encouraged not to prohibit the storage of bicycles inside individual dwelling units.~~
- 3. If an improved alley is present or will be improved at the time of development, up to 20% of provided bicycle parking may be placed adjacent to the alley.
- 4. The acting body may approve bicycle parking spaces located further than 100 feet from the primary building entrance(s) if the applicant demonstrates this requirement is not feasible due to existing building or site conditions and provided a safe alternative is identified.

Section 3. That Section 4.6.9, “Off-street Parking Regulations,” Subsection (C), “Number of Parking Spaces Required,” Subsection (D), “Design Standards,” and Subsection (E), “Location of Parking Spaces,” of the Land Development Regulations of the City of Delray Beach, Florida, be and the same is hereby amended to read as follows:

(C) **Number of parking spaces required.** The number of parking spaces required for new buildings, new uses, additions, enlargements, or changes shall be determined by the following standards for uses and categories of use and types of parking spaces.

(1) **General provisions.** The following apply in the application of this Subsection:

(a) **Fractions.** When the determination of the number of required parking spaces results in a requirement of a fractional space, any fraction less than one-half space shall be rounded down to the nearest whole number and any fraction of one-half space or more shall be rounded up.

(b) **Handicapped spaces.** Special parking spaces designed for use by the handicapped shall be provided pursuant to the provisions of Florida Accessibility Code for Building Construction. Such spaces shall not be in addition to, but shall substitute for, required parking.

(c) **Bicycle parking and Showers.** ~~Bicycle parking facilities shall be provided in a designated area and by a fixed or stationary bike rack for the following uses: Bicycle parking is required to meet recreational, transportation, or leisure purposes. Two types of bicycle parking and associated facilities may be required to meet the needs of different types of bicyclists.~~

1. Bicycle parking shall be provided at the rate defined in Table 4.6.9(C)-1.

2. Type I bicycle parking is required and is intended to be used for short term bicycle parking by visitors.

3. Type II bicycle parking is required at certain thresholds and provides long term storage options for people who reside, work, or are visiting for an extended duration.

4. For uses not listed, new non-residential uses shall provide at least two Type I bicycle parking spaces and Type II bicycle parking spaces may be required for buildings greater than 20,000 square feet as determined by the Development Services Director, and based on a calculation required for a similarly intense use.

5. If required, showers and Type II bicycle parking shall be co-located in a building and provided in a safe, access restricted area or otherwise not accessible to the public at large. Design shall consider crime prevention as a part of design. Specifications for these facilities shall be included within the site plan.

1. ~~In shopping centers at the rate of five spaces per 100,000 square feet of gross floor area;~~
2. ~~At fast food restaurants, government offices and community centers, and commercial and private recreation facilities at the rate of five spaces per facility.~~
3. ~~For all uses in the CBD zoning district, see Section 4.4.13(I)(4).~~
4. ~~Any non-residential use within the City's TCEA which, through the development review process, is determined to generate a demand.~~

<i>Table 4.6.9(C)-1</i>			
<i>Minimum Number of Bicycle Parking Spaces and Showers*</i>			
Category	Type I	Type II	Showers
<u>Commercial</u>			
<u>Hotel/Motel</u>	<u>1 space per 25 guest rooms plus requirements for Type I based on use (e.g restaurant, meeting rooms, and retail)</u>	<u>< 50 guest rooms: not required</u> <u>≥ 50 guest rooms: 2 spaces per 50 guest rooms plus requirements for Type II based on use (e.g restaurant, meeting rooms, and retail)</u>	<u>< 50 guest rooms: Not required</u> <u>> 50 guest rooms: 2 per 50 rooms (no minimum) plus requirements for Type II based on use (e.g restaurant, meeting rooms, and retail)</u>
<u>Professional Office less than 50,000 sf.</u>	<u>1 space per 10,000 sf.</u>	<u>2 spaces for 30,001 – 50,000 sf.</u>	<u>< 30,000 sf.: Not required</u> <u>30,001 – 50,000 sf.: 2</u>
<u>Professional Office more than 50,000 sf.</u>	<u>6 spaces plus 1 space per 20,000 sf.</u>	<u>6 spaces plus 2 spaces per 10,000 sf.</u>	<u>2, plus 2 per every additional 50,000 sf.</u>
<u>Retail, Restaurants and Bars, Grocery Stores</u>	<u>2 spaces per 10,000 sf.</u>	<u>< 20,000 sf.: Not required</u> <u>≥ 20,000 sf.: 2 spaces per 20,000</u>	<u>< 20,000 sf.: Not required.</u> <u>≥ 20,000 sf.: 2 per 20,000 sf</u>
<u>Manufacturing, industrial, warehouse, production</u>	<u>2 spaces minimum, additional spaces to be determined by the Development Services Director</u>	<u>< 15,000 sf.: Not required</u> <u>≥ 15,000 sf.: 1 per 15,000 sf.</u>	<u>Not required</u>
<u>Automotive sales, rental, delivery, servicing, repair, cleaning or storage</u>	<u>6 spaces or 1 space per 25,000 sf. combined parking and floor area</u>	<u>< 50,000 sf.: Not required.</u> <u>≥ 50,000 sf.: 2 plus 2 per 50,000 sf. of combined parking and floor area</u>	<u>< 50,000 sf.: Not required.</u> <u>≥ 50,000 sf.: 2 plus 2 per 50,000 sf. of combined parking and floor area</u>
<u>Residential</u>			

<u>Single Family Residential (including single family attached or detached homes)</u>	<u>Not required</u>		
<u>Planned Residential or Planned Unit Development (including Single and Multifamily Dwellings)</u>	<u>4 spaces per 50 dwelling units located at a common area or clubhouse</u>	<u>Not required</u>	
<u>Multifamily Dwelling with individual garage per unit</u>	<u>1 space per 20 units</u>	<u>Not required</u>	<u>Not required</u>
<u>Multifamily Dwelling without individual garage per unit</u>	<u>1 space per 25 units</u>	<u>0.25 spaces per unit</u>	<u>Not required</u>
<u>Senior Housing</u>	<u>0.1 spaces per bedroom</u>	<u>0.25 spaces per bedroom unit</u>	<u>Not required</u>
<u>Civic/Cultural</u>			
<u>Non-assembly cultural (library, government buildings, etc.)</u>	<u>1 space per 5,000 sf.</u>	<u>< 10 employees: <Not required.</u> <u>≥ 10 employees: 1 space per 10 employees</u>	<u>< 10,000 sf. or < 10 employees: Not required.</u> <u>> 10,000 sf. or > 10 employees: 2 plus 2 per 10,000 sf. or 10 employees, whichever is greater.</u>
<u>Assembly (church, theaters, stadiums, parks, beaches, etc.)</u>	<u>1 space per 20 employees</u>	<u>1 space per 20 employees</u>	<u>Not required</u>
<u>Health care/Hospitals</u>	<u>1 space per 20,000 sf.</u>	<u>< 25,000 sf. or < 20 employees: Not required.</u> <u>≥ 25,000 sf. or ≥ 20 employees: 2 per 25,000 sf. or 20 employees, whichever is greater.</u>	<u>< 25,000 sf. or < 20 employees: Not required.</u> <u>≥ 25,000 sf. or ≥ 20 employees: 2 per 25,000 sf. or 20 employees, whichever is greater.</u>
<u>Education</u>			
<u>Public, parochial, or private day-care centers for more than 15 children</u>	<u>1 space per 20 Students</u>	<u>< 20 employees: Not required.</u> <u>≥ 20 employees: 1 space per 20 employees</u>	<u>< 20 employees: Not required.</u> <u>≥ 20 employees, 2 per 20 employees.</u>
<u>Public, private, or charter schools (grades 1-3)</u>	<u>1 space per 20 Students</u>	<u>< 20 employees: Not required.</u> <u>≥ 20 employees: 1 space per 20 employees</u>	<u>< 20 employees: Not required.</u> <u>≥ 20 employees, 2 per 20 employees.</u>
<u>Public, private, or charter schools (grades 4-6), and junior and high schools</u>	<u>1 space per 20 employees plus 1 space per 20 Students</u>	<u>< 20 employees: Not required.</u> <u>≥ 20 employees: 1 space per 20 employees</u>	<u>< 20 employees: Not required.</u> <u>≥ 20 employees, 2 per 20 employees.</u>
<u>Colleges and Universities</u>	<u>1 space per 10 in-person students</u>	<u>< 20,000 sf.: Not required;</u> <u>≥ 20,000 sf.: 1 space per 20,000 sf. if over 20,000 sf.</u>	<u>< 50 employees: Not required.</u> <u>> 50 employees, 2 per 50 employees.</u>
<u>Other Uses</u>			
<u>Trolley or bus stop</u>	<u>2 spaces maximum</u>	<u>NA</u>	<u>Not required</u>

<u>Rail stop</u>	<u>1.5% of am peak period daily ridership</u>	<u>5% of projected am peak period daily ridership</u>	<u>Not required</u>
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* Square feet shall be measured as gross square feet.

- (d) ***Uses not listed.*** Any use, or use category, which is not specifically listed herein shall have its parking requirement established at the time of approval of the site and development action associated with the new use or structure.
- (e) ***Design requirements apply, exceptions.*** The Design Requirements for parking lots as provided for in Section 4.6.9(D) shall apply to all parking spaces ~~which are~~ required in this subsection, except for specific provisions to the contrary ~~which are~~ contained herein.
- (f) ***Requirements are cumulative.*** In situations where a combination of uses are developed on a site, parking requirements shall be determined for each of the uses according to the parking requirements set forth herein. An exception to this rule may be made, pursuant to Subsection (C)(8), Multiple Uses.
- (g) ***Compact car parking.*** Up to 30 percent of the required parking for any use may be designated for compact cars. Such approval may be granted concurrent with approval of the site and development plan. Spaces which are provided in excess of the number required may also be designated and designed as "compact car parking".

(2) – (8) (These subsections shall remain in full force and effect as previously adopted)

(D) ***Design standards.*** All parking spaces ~~which are~~ created ~~in order~~ to fulfill requirements of this Section (i.e. required parking spaces) shall conform to the design standards of this subsection.

(1) – (11) (These subsections shall remain in full force and effect as previously adopted)

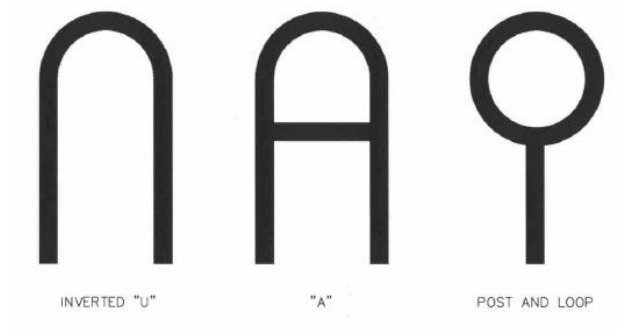
(12) ***Bicycle Parking Typology.*** A bicycle space is a permanently affixed bicycle rack for the purpose of parking a bicycle. The City of Delray Beach requires two distinct types of bicycle parking to meet the needs of different types of people who use a bicycle. All bicycle racks must be installed using the manufacturers standard detail.

- (a) ***Type I Bicycle Parking.*** A Type I Bicycle Parking space is a convenient bicycle space visible and publicly accessible from the street. Type I Bicycle Parking is used for a short period of time, approximately four hours. A Type I Bicycle Rack accommodates two spaces for the purposes of meeting the minimum number of required bicycle parking spaces. Type I

Bicycle Racks placed on private property to meet the minimum requirements for off-street bicycle parking shall follow the form identified as a Typical Type I Bicycle Rack in Figure 4.6.9(D)-1 unless a variation is approved through the Site Plan approval process. Variations from a Typical Type I Bicycle Rack may be approved if the rack meets all of the following requirements:

- i. Supports bicycle by making two points of contact with the bicycle, preventing it from falling over;
- ii. Allows locking of the frame and one or both wheels with a u-lock;
- iii. Allows two bicycles to be parked per rack.

Figure 4.6.9(D)(12) - 1, Typical Type I Bicycle Racks



- (b) Up to 50 percent of the required Type I bicycle parking may be located within a public right-of-way if the approving body with support from the City Engineer and the Development Services Director determines that existing conditions, such as the existing building location or configuration, limit bicycle parking from being located on site. Bicycle parking placed within the public right-of-way must meet the City Standard and a maintenance agreement must be provided in a form acceptable to the City Attorney.
- (c) If an improved alley or loading area is present or will be improved at time of development, up to 20% of Type I bicycle parking may be placed adjacent to such an area.
- (d) Bicycle racks shall not interfere with the sight visibility requirements of Land Development Regulation 4.6.14 (B). Placement of racks shall also not be placed in sight visibility triangles of County, State, or Federal rights-of-way as required by 4.6.14 (B) (5).

- (e) **Type II Bicycle Parking.** A Type II Bicycle Parking space is an access restricted space providing for the long-term storage of bicycles, typically greater than four hours or overnight. Types of Type II bicycle parking include bicycle lockers or an enclosed, secure room. Generally, bike rooms are adjacent to showers, if required.
- (f) If required, showers and Type II bicycle parking shall be co-located in a building and provided in a safe, access restricted area or otherwise not accessible to the public at large. Design shall consider crime prevention as a part of design. Specifications for these facilities shall be included within the site plan..

(E) ***Location of Parking Spaces***

(1) – (6) (These subsections shall remain in full force and effect as previously adopted)

(7) **Location and Spacing Requirements for Bicycle Parking.** Bicycle parking shall be placed in a manner to avoid conflicts between vehicles, buildings, and pedestrian clear zones or sidewalks. Bicycles are considered for site planning purposes to be six feet long by two feet wide.

(a) **Type I.** Type I bicycle parking facilities shall be visible to the intended users within a location shown on the site plan that meets the following standards:

1. All bicycle parking shall be provided in a safe, accessible and convenient location within 100 feet of a primary building entrance; when there is more than one primary building entrance or multiple buildings on a site, bicycle parking shall be distributed to serve all main entrances. The acting body may approve bicycle parking spaces located further than 100 feet from the primary building entrance if the applicant demonstrates this requirement is not feasible and does not create an unsafe condition or permit a special privilege.
2. Bicycle parking shall not be placed on walkways or other pedestrian paths.

(b) **Type I Bicycle Rack Placement in Site Design.** All bicycle racks shall meet the minimum distances for placement according to the City Standards published by the Public Works Department on a Site Plan.

(c) Bicycle racks placed at bus shelters shall use City of Delray Beach Standard Bicycle Rack.

(d) Unless otherwise provided by law, residential condominium covenants are encouraged not to prohibit the storage of bicycles inside individual dwelling units.

Section 4. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 5. All ordinances or parts of ordinances in conflict herewith be, and the same are hereby repealed.

Section 6. This Ordinance shall become effective immediately upon its passage on second and final reading.

PASSED AND ADOPTED in regular session on second and final reading on this _____ day of _____, 2020.

ATTEST:

Katerri Johnson, City Clerk

Shelly Petrolia, Mayor

First Reading _____

Second Reading _____

Approved as to form and legal sufficiency:

Lynn Gelin, City Attorney