

ORDINANCE NO. 60-20

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF the CITY OF DELRAY BEACH CODE OF ORDINANCES, CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.9, "OFF-STREET PARKING REGULATIONS," BY AMENDING SUBSECTION (D), "DESIGN STANDARDS," TO ESTABLISH REGULATIONS THAT GOVERN CERTAIN ASPECTS OF RESERVED PARKING SPACES SUCH AS MARKINGS, SIGNAGE AND PERCENTAGE ALLOWED; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Land Development Regulations ("LDRs") of the City of Delray Beach ("City") Code of Ordinances provide authority for the City Commission to amend, change, supplement, or repeal the LDRs from time to time; and

WHEREAS, the adopted LDRs do not provide regulations that govern the markings and signage that designates the temporary use of parking spaces within parking lots or garages; and

WHEREAS, with the changes in the commercial industry and the high demand for temporary parking spaces, it is necessary to adopt regulations to govern the markings and signing intended to designate parking spaces within parking lots or garages; 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, considered this item at a public hearing on October 19, 2020, and voted 4 to 3 to recommend these proposed text amendments be approved, finding 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 this Ordinance is consistent with the Comprehensive Plan, meets the criteria set forth the Land Development Regulations, and is in the best interests of the City.

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 4.6.9, "Off-street Parking Regulations", Subsection (D), "Design standards," of the Land Development Regulations of the City of Delray Beach, Florida, be and the same is hereby amended as follows:

- (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) **General design concepts.** The following concepts shall be applied in the layout and design of parking lots:
- (a) Parking spaces should be located and arranged in such a manner as to facilitate pedestrian access to the uses they are intended to serve. In general, parking spaces should be distributed proportionately to needs.
 - (b) Employee parking should be located in the area least desirable for customer or short-term parking.
 - (c) Compact car parking, where allowed, should be integrated throughout a parking lot in such a manner that compact and standard cars have equal access to desirable parking spaces.
 - (d) Handicapped spaces are to be provided in accordance with the Florida Accessibility Code for Building Construction and shall be located as close as is practical to the entrances of the buildings they are intended to serve. To the greatest extent possible, they shall be oriented so that a user does not have to go past the rear of other parking spaces or cross an aisle in order to reach the building's main entrance.
 - (e) Single level mechanical parking lifts ("Lifts"), if utilized, shall be integrated into an existing or proposed building for the uses they serve and enclosed with three walls and a roof. A maximum of 50 percent of the required parking within a non-residential or the non-residential portion of a multi-use development may utilize Lifts.
- (2) **Provisions for ingress and egress.** Each required parking space shall be accessible at all times. Access which conforms with minimal aisle standards and which includes maneuvering area so that a vehicle must be able to enter and exit the parking area onto a street or alley in a forward manner shall be provided, except in the following situations.
- (a) When the land use is a single family detached dwelling, a townhouse (fee simple ownership), or a duplex;
 - (b) When the parking is adjacent to an alley and the parking space and alley have a combined minimum depth of 42 feet and a minimum width of ten feet and the location of parked vehicles does not impair sight distance of pedestrians or vehicles utilizing the alley;
 - (c) When the street is a private street within a planned development and the street, at the location of the parking, has less than 200 ADT.
- (3) **Point of access to the street system.**
- (a) **Maximum width.** The point of access to a street or alley shall be a maximum of 24 feet unless a greater width is specifically approved as a part of site and development plan approval. However, in no event shall such point of access be greater than 36 feet.
 - (b) **Minimum width.** The point of access to a street or alley shall not be less than: ~~24 feet for a normal two-way private street or parking lot driveway aisle.~~

- ▲(1) ~~Twenty-four~~ 24 feet for a normal two-way private street or parking lot driveway aisle.
- ▲(2) ~~Twenty~~ 20 feet for a private driveway which has less than 200 ADT.
- ▲(3) ~~Twelve~~ 12 feet for a one-way driveway or parking lot aisle.

(c) **Stacking distance.** Provisions must be made for stacking and transition of incoming traffic from a public street, such that traffic may not backup into the public street system.

- (1) The minimum distance between a right-of-way and the first parking space or aisleway in a parking lot shall be as outlined in the following table:

NUMBER OF SPACES	ACCESS STREET CLASSIFICATION	MINIMUM STACKING DISTANCE
20 or fewer	Local	5 feet
21—50	Local	20 feet
50 or fewer	Non-Local	20 feet
51 or more	All Streets	50 feet*

* For parking lots designed and operated with two or more access points, this standard may be reduced to a minimum stacking distance of 20 feet, subject to a staff performance analysis.

- (2) Provisions must be made to provide for 100 feet of clear stacking from the first point of transaction for each lane of a drive-thru facility and in advance of all guardhouses or security gates.
- (3) Greater stacking distance may be required as a condition of site plan approval. The length of the stacking area may be reduced when supported by a traffic study.

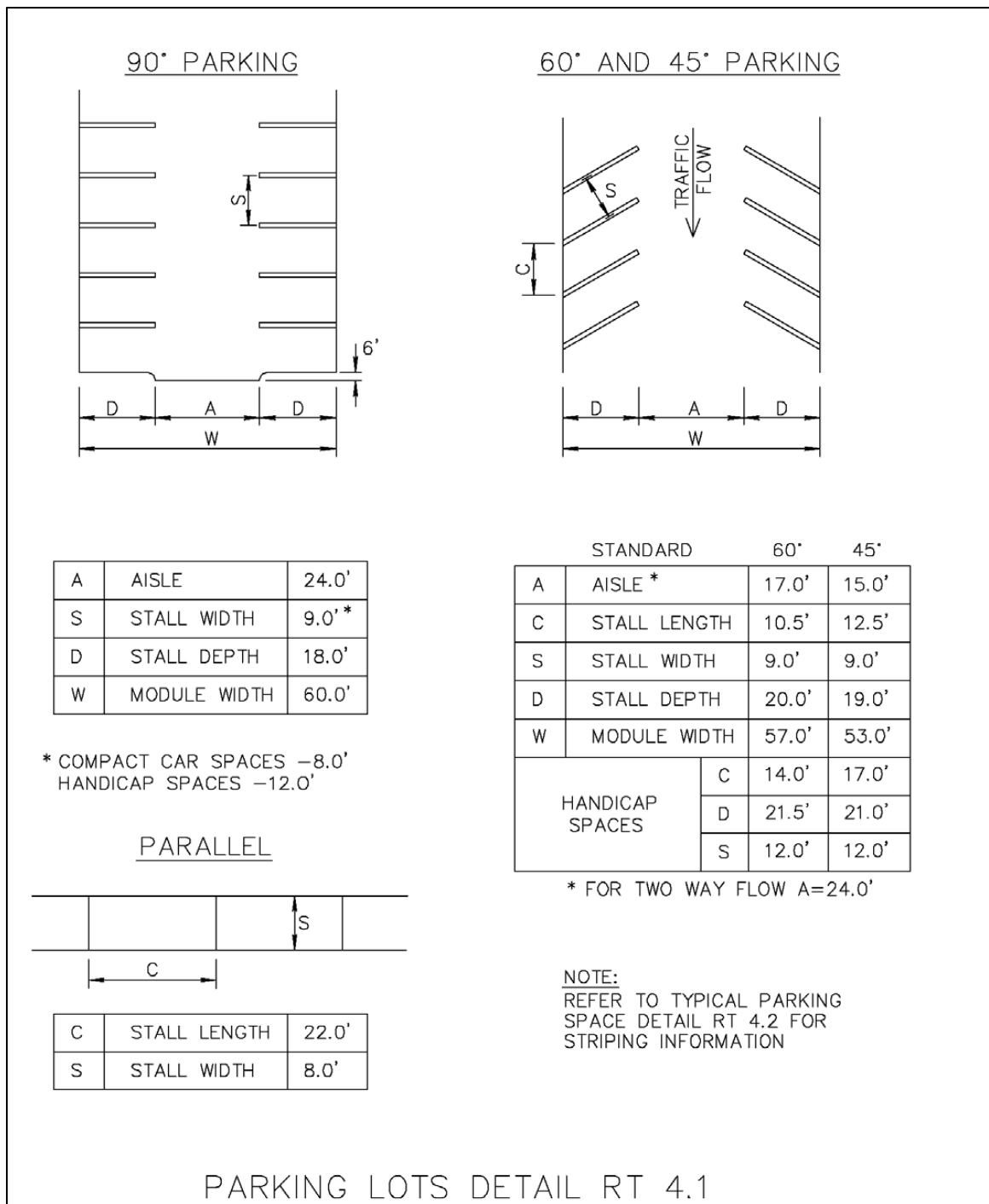
(4) ***Maneuvering area, aisle width, space width.***

- (a) The standard parking space is nine feet in width and 18 feet in length in a perpendicular configuration. Parallel parking spaces shall be eight feet in width and 22 feet in length. Parking space dimensions for other types of spaces are:

- ▲(1) Compact Car Spaces at eight feet x 16 feet
- ▲(2) Handicapped Spaces at 12 feet x 18 feet
- ▲(3) Diagonal Spaces per Subsection (4)(c)

- (b) Wheel Stops shall be provided for all parking, other than parallel, in the form of concrete or asphalt wheel stops or a continuous concrete curb which is located so that there is two feet of clear distance from the front edge of the device to the front of the parking space. Treated wood, stones, or similar landscape features may be allowed upon approval through the site plan review process. The requirement for wheel stops may be waived through the site plan review process when the parking spaces are on stabilized sod.

- (c) Dead-end Parking Bays are discouraged, but when site conditions dictate that there be dead-end parking bays, they shall be designed so that there is a 24 feet wide by six feet deep maneuvering area at the end of the bay. This maneuvering area shall not encroach upon required landscape areas.
- (d) The standard aisle width is 24 feet for normal traffic flow with perpendicular parking. The maximum aisle width is 26 feet. Exceptions may be made at the time of site plan approval in order to accommodate pickup or drop-off areas. The width of aisles associated with diagonal parking is per Subsection (4)(e). Two-way traffic flow must be used when perpendicular parking spaces are used. The minimum aisle width for two-way traffic flow is twenty feet but this dimension can only be used for short distances where there are no parking spaces entering therein.
- (e) Alternative Parking Lot Designs: Parking lot designs which incorporate one-way aisles, two-way aisles, and diagonal parking may be used in lieu of the standard (perpendicular, two-way aisle) parking lot design. Diagrams depicting these designs are provided below.



- (5) **Landscaping requirements.** All parking lots shall be landscaped in accordance with the provisions of Section 4.6.16.

- (6) ***Marking and signing signage.*** Parking spaces required to be striped shall comply with the Minimum Construction Standards and Specifications document developed by the City Engineer and Figure 4.6.9(D)(6)-1, Typical Parking Space Detail RT 4.2, as further identified:
- (a) ~~With the exception of stabilized sod parking, a~~ All parking stalls, ~~with the exception of stabilized sod parking, shall be clearly demarcated as follows: shall be clearly outlined on the surface of the parking facility: parallel parking stalls shall use a single line; all other parking stalls shall be striped in accordance with the Minimum Construction Standards and Specifications document developed by the City Engineer and set forth in subsection (6)(c) below.~~
1. Parallel parking stalls shall use a single line surface striping.
 2. Diagonal, perpendicular, and other parking stalls shall use a double line surface striping.
 3. Handicapped spaces shall be striped and marked as shown in Figure 4.6.9(D)(6)-1, Typical Parking Space Detail RT 4.2, and in accordance with the Florida Accessibility Code for Building Construction. Each handicapped space shall have a sign at the head of the stall reserving it for handicapped parking only.
- (b) ~~Handicapped spaces shall be striped and marked in accordance with the Florida Accessibility Code for Building Construction and the Minimum Construction Standards and Specifications document developed by the City Engineer as shown in subsection (6)(c) below.~~
In addition, each handicapped space will have a sign at the head of the stall reserving it for handicapped parking only. Parking spaces intended for operational uses, such as curbside pick-up and drop-off, or to reserve or limit the use of parking spaces, other than handicapped spaces, are subject to the following:
1. A maximum of five percent of the total number of required spaces, or one space, whichever is greater, may be designated for operational uses.
 2. Signs are limited to a maximum of four square feet and six feet in height. Signs shall be mounted to a wall or a fixed pole located in front or to the side of the space.
 3. Markings on the parking space surface are discouraged. When necessary, such markings shall only include references to the space designation without business logos or symbols and are limited to a maximum of 25 percent of the total parking space area.
- (c) ~~For parking facilities containing 21 or more parking spaces, all aisles, approach lanes, and maneuvering areas shall be clearly marked with~~ Drive aisles, approach lanes, and maneuvering areas within parking lots and facilities containing more than 20 parking spaces shall include directional arrows and lines as approved by the City Engineer. The City Engineer may require additional signage to insure the smooth and safe flow of traffic.

- (d) All signs and markings shall comply with the design criteria as set forth in the M.U.T.C.D. (Manual of Uniform Traffic Control Devices), except that the City Engineer, or his designee, may waive such compliance on a case-by-case basis. Any decision by the City Engineer or his designee may be appealed pursuant to Section 2.4.7 of the Land Development Regulations of the Code of Ordinances of the City of Delray Beach, Florida.
- (e) ~~Parking space striping details.~~ Parking spaces required to be striped shall comply with the Minimum Construction Standards and Specifications document developed by the City Engineer and Figure 4.6.9(D)(6)-1, Typical Parking Space Detail RT 4.2.

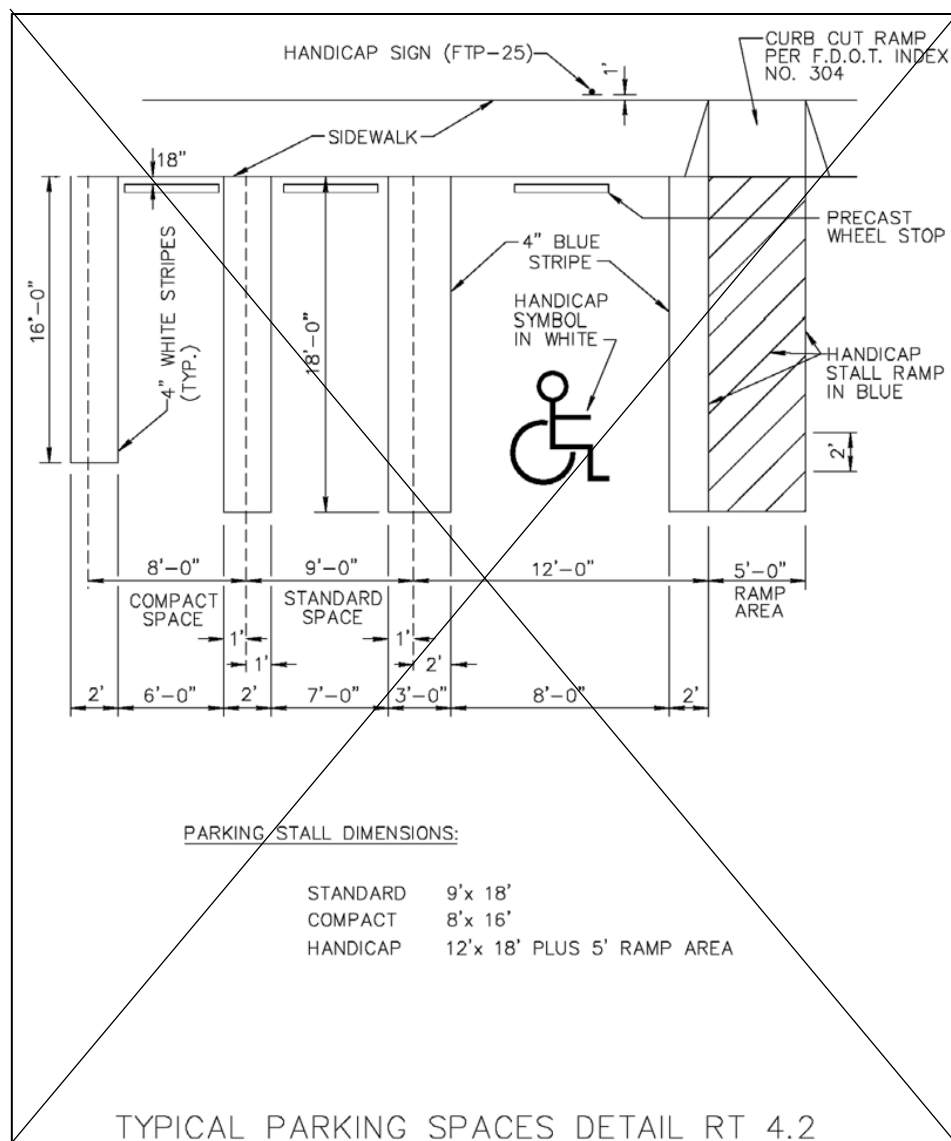
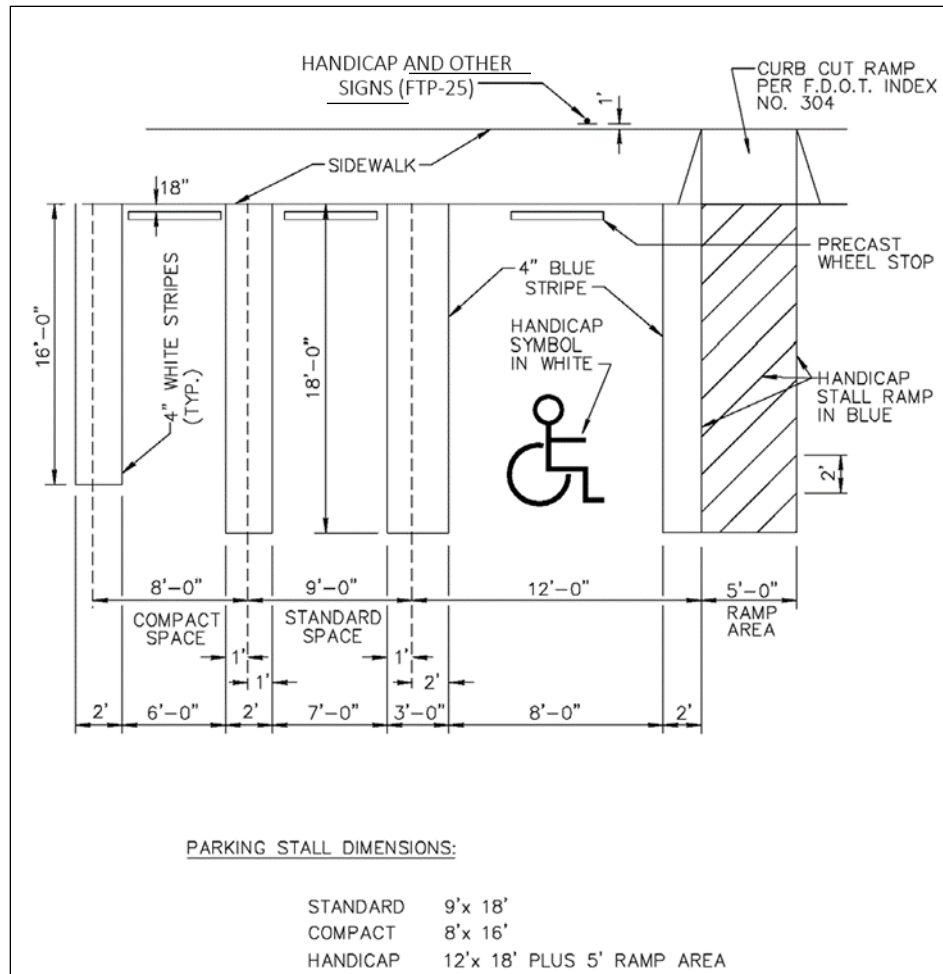


Figure 4.6.9(D)(6)-1, Typical Parking Space Detail RT 4.2



- (7) **Compact car parking areas.** Compact car parking areas, where permitted, shall be clearly marked with markings as follows: [See Subsection (1)(g) as to approval for use of Compact Car Spaces].
- All compact spaces shall have "compact car only" painted on the required wheel stops.
 - Alternate signage for compact car parking may be approved by the Chief Building Official when comparable to the standards set forth above.
- (8) **Parking surfaces and drainage.**

- (a) All parking lots and parking spaces, including car storage and display areas, shall be improved either with a paved surface meeting Engineering Department standards, or with a hard surface material (such as brick or turf block on a base course laid in accordance with approved manufacturer's recommendations), or with some other type of surface material acceptable to the City Engineer. Parking lots and parking spaces on historic sites or within historic districts may be improved with a surface material other than pavement, where there are 12 or less parking spaces, subject to approval by the Historic Preservation Board.
 - (b) A surface of sod over stabilized base shall be acceptable for required guest parking in multiple-family projects, as well as for parking used on a once-a-week or occasional basis. Parking lots and spaces proposed to be constructed of stabilized sod may be allowed through the site plan approval process.
 - (c) In paved parking lots, that portion of the parking space extending beyond the car stop may be sodded. When this option is selected, a continuous curb at least six inches in height may be substituted for the wheel stops.
 - (d) Handicapped parking spaces shall be paved and properly marked. A paved route shall be provided between the handicapped parking space and the building entrance. Where an abrupt grade change occurs, as between the surface of the parking area and a curb cut, a ramp shall be provided for handicap access. The ramp or curb cut with ramp shall be designed in accordance with the Florida Accessibility Code for Building Construction.
 - (e) The City Engineer shall approve the drainage and grading plans for parking spaces and parking lots. He shall also conduct inspections during and after construction of the parking area and its drainage system to ensure that it is constructed in accordance with the approved paving and drainage construction plans.
 - (f) Parking lots, parking spaces and driveways that exist at the time of adoption of this ordinance that are not in compliance with Section 4.6.9(D)(8) shall be required to come into compliance with this section within 3 years of the adoption of this ordinance. This includes, but is not limited to, all duplexes, multi-family, and commercial property, but excludes single family homes.
- (9) ***Lighting.*** Lighting of parking lots shall be pursuant to Section 4.6.8(B).
- (10) ***Operations and maintenance.***
- (a) All required parking facilities shall be maintained for the duration of the use requiring such facilities. Such facilities shall be used exclusively for the parking of vehicles. With the exception of vehicle rental or sales, parking facilities shall not be used for the storage or sale of merchandise, nor shall they be used for the storage or repair of vehicles or equipment. Parking facilities may be used for the sale of merchandise on a temporary basis for special events when approved in accordance with the provisions of Subsection (F)(2).
 - (b) It shall be the responsibility of the owner or operator of a specific use to ensure that the parking facilities are kept in good operating condition and that the parking facilities are

periodically swept and cleaned. All parking lots and spaces shall be maintained so as not to create a hazard, eyesore, or nuisance. This includes, but is not limited to, removing glass and litter; pruning, nourishing, and watering vegetation; resurfacing and restriping surface markings; reanchoring or replacing loose and broken wheel stops; and replacing or painting signs.

(11) ***Mechanical parking lifts.***

- (a) Single level mechanical parking lifts ("Lifts") shall be integrated into a structure for the uses they serve, constructed with at least three walls and a roof, in accordance with Section 4.4.13(F)(8), to provide adequate screening and containment of sound from operation of the lifts for the benefit of adjacent land uses.
- (b) Lifts may be utilized to provide up to but not more than 50 percent of the required non-residential parking for commercial or mixed-use developments.
- (c) Lifts and the spaces below them must be operated by an attendant during all hours of operation. Upon closing, the parking attendant shall remove all vehicles from atop and beneath the Lifts and park them in an area where the customer may retrieve their vehicle. At no time shall the general public be permitted to operate the Lifts.
- (d) On-site staging spaces must be provided for the maneuvering of vehicles to facilitate the parking and retrieval of vehicles. At no time shall vehicles be staged within the adjacent public right-of-way. A minimum of two staging spaces shall be provided for the first 20 Lifts or less. One additional staging space shall be provided for every 20 additional Lifts or part thereof.
- (e) Lifts must be manufactured with a full bottom panel to contain fluids which may be emitted from vehicles while parked (oil, condensation from air conditioners, etc.) No wheel or chassis lift mechanisms (historically used at service stations) are permitted.
- (f) The balance of the required non-residential spaces shall be provided as "self-park" spaces.
- (g) For each lift provided, a minimum of 75 square feet of landscaped area over and above the minimum required by code must be provided and shall be located to provide a view corridor for the general public. Lots of record having a width less than 50 feet shall be exempt from the requirement of this additional landscape/open space;
- (h) The Lifts shall be regularly and routinely maintained to ensure safety and dependability of operation and minimization of operational noise levels. Maximum sound levels shall not exceed applicable thresholds as stipulated in Chapter 99 of the City Code of Ordinances.

Section 3. All ordinances or parts of ordinances in conflict herewith be, and the same are, hereby repealed.

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. Specific authority and direction is hereby given to the City Clerk to codify this Ordinance.

Section 6. That 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 the _____ 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