

ORDINANCE NO. C-18-45

AN ORDINANCE OF THE CITY OF FORT LAUDERDALE, FLORIDA, AMENDING SECTION 47-20 ENTITLED "PARKING AND LOADING REQUIREMENTS" OF THE CITY OF FORT LAUDERDALE UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR), TO ADD STANDARD PARKING SPACE REQUIREMENTS FOR AFFORDABLE HOUSING UNITS, TO PERMIT PARKING REDUCTIONS FOR AFFORDABLE HOUSING DEVELOPMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCE PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Lauderdale, Florida, desires to amend the City of Fort Lauderdale Unified Land Development Regulations ("ULDR"), to create a standard parking requirement for affordable housing units, permit parking reductions for affordable housing developments, and provide a review process for affordable housing parking reductions applications; and

WHEREAS, the Planning and Zoning Board, acting as the local planning agency, at its properly noticed public hearing of October 17, 2018 (PZ Case T-18008), found that the proposed text amendments are consistent with the City of Ft. Lauderdale Comprehensive Plan ("Comprehensive Plan") and recommended to the City Commission that the amendments to the ULDR are consistent with the Comprehensive Plan; and

WHEREAS, the City Commission, at a properly noticed public hearing on December 4, 2018, considered the recommendation of the Planning and Zoning Board, the report of City staff and the comments of the public and passed the proposed text amendments on first reading; and

WHEREAS, the City Commission, at a properly noticed public hearing on December 18, 2018, considered the recommendation of the Planning and Zoning Board, the report of City staff and the comments of the public and determined that it was in the interest of the general health, safety and welfare of the people of the City to adopt the text amendments.

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

SECTION 1. That Table 1 of subsection 47-20.2 entitled "PARKING AND LOADING ZONE REQUIREMENTS" of the ULDR is amended as follows:
Sec. 47-20.2. - Parking and loading zone requirements.

CODING: Words, symbols, and letters ~~stricken~~ are deletions; words, symbols, and letters underlined are additions.

- A. The off-street parking and loading required by this section shall be provided and maintained on the basis of the minimum requirements in the Table of Parking and Loading Zone Requirements ("Table"). Table 1 identifies uses and the parking and Table 2 identifies loading requirements for each use in all zoning districts except Downtown Regional Activity Center (RAC) districts, Central Beach Districts and districts within the North Beach Area as defined in Section 47-20.2.D.
- B. For the purpose of calculating parking spaces, gross floor area shall not include: covered or enclosed parking areas; exterior unenclosed private balconies; floor space used for mechanical equipment for the building; and, elevator shafts and stairwells at each floor. Customer service area is the area of an establishment available for food or beverage service or consumption, or both, calculated by measuring all areas covered by customer tables and bar surfaces and any floor area within five (5) feet of the edge of said tables and bar surfaces, measured in all directions where customer mobility is permitted. Customer service area shall include any outdoor or patio floor area used or designed for food or beverage service or consumption, or both, measured as specified above. Areas between tables or bars which overlap in measurement with another table shall only be counted once.
- C. Table 3 identifies the parking and loading requirements for the RAC and Central Beach districts.
- D. Table 4 identifies the parking and loading requirements for the North Beach Area defined as the area north of Oakland Park Boulevard, west of A-1-A, east of the Intracoastal Waterway, and south of N.E. 34th Street.

TABLE 1. PARKING AND LOADING ZONE REQUIREMENTS

Use	Standard Requirements	
	Parking Space Requirement	Loading Zone Requirement
Adult bookstore, products, sales, entertainment establishments	See Section 15-154 of Volume I of the Code.	See Table 2.
Adult Gaming Center, stand alone	½ gaming machines	See Table 2

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Adult Gaming Center, as part of a shopping center or shared parking	½ gaming machines (no more than 10% of total parking spaces)	See Table 2
Amphitheater, stadium	1/4 seats	NA
<u>Affordable Housing Unit</u>	<u>1 per dwelling unit</u>	<u>NA</u>
Aquarium	1/400 sf gfa	1 Type I loading zone

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SECTION 2. That subsection 47-20.3 entitled “Reductions and exemptions” of the ULDR is amended as follows:

Sec. 47-20.3. – Reductions and exemptions.

A. *General parking reduction.*

1. Notwithstanding the off-street parking requirements provided in this Section 47-20, a parking reduction may be approved in accordance with the provisions of this section.
2. *Restrictions.* A parking reduction shall not be permitted for a residential use for:
 - a. Residential developments located in an area with an RAC zoning designation; or
 - b. Multifamily residential developments which provide affordable housing as defined in Section 9-340 of the Code of Ordinances. To qualify for the ability to obtain a parking reduction pursuant to this section, a restrictive covenant must be executed and recorded in the public records of Broward County, Florida, restricting the ownership of an owner qualified development to an eligible person for no less than five (5) years and lease of multifamily dwellings to a qualified lease development to an eligible person for no less than fifteen (15) years.

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4. *Review process.*
 - a. Except as provided in subsection b., the application shall be reviewed in accordance with the review process applicable to a site plan level III, as provided in Section 47-24.2.

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- b. An application for a parking reduction on property located within the Northwest-Progresso-Flagler Heights Community Redevelopment Area as defined in Resolution No. 95-86 as may be amended, adopted on June 20, 1995, or on property with non-residential zoning located within the Central City Community Redevelopment Area, or for developments which meet the criteria for affordable housing in Section 47-20.3.A.2.b, shall require Site Plan Level I approval as provided in Section 47-24.2.

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F. *Northwest-Progresso-Flagler Heights Community Redevelopment Area* ~~and Central City Community Redevelopment Area~~ and for developments which meet the criteria for affordable housing in Section 47-20.3.A.2.b. The number of required parking spaces for development within the Northwest-Progresso-Flagler Heights Community Redevelopment Area and abutting non-residential properties located within the Central City Community Redevelopment Area, may be reduced by the number of on-street parking spaces provided in accordance with the following criteria:

1. The on-street parking space abuts the development site.
2. The on-street parking space is located between the extended property lines of the property applying for the reduction, except, if a parking space straddles two (2) properties owned by different property owners each property may count the space towards required parking.
3. There is a minimum five-foot sidewalk along the side of the property abutting the on-street parking spaces which meets City Engineering standards. A sidewalk wider than five (5) feet may be required by the City Engineer if necessary to provide a sidewalk consistent with abutting properties or if necessary to meet Engineering standards.
4. The on-street parking spaces must meet the geometric, drainage and site clearance standards provided in Section 47-20 and such other standards determined to be necessary to provide adequate and safe parking as determined by the City Engineer.
5. The right-of-way abutting the on-street parking spaces has sufficient width as determined by the City Engineer to maintain the on-street parking spaces safely.
6. The on-street parking spaces remain open for use by the public.

7. Street trees are in place along the property abutting the on-street parking spaces in accordance with the requirements of Section 47-21.

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect upon final passage.

PASSED FIRST READING this the 4th day of December, 2018.

PASSED SECOND READING this the _____ day of _____, 2018.

Mayor
DEAN J. TRANTALIS

ATTEST:

City Clerk
JEFFREY A. MODARELLI