

ORDINANCE 2018-011

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA AMENDING ARTICLE 135 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS (ULDR), TITLED “OFF-STREET PARKING”; AMENDING SEC. 135-030 TITLED “JOINT USE AND OFF-SITE FACILITIES”; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Staff periodically reviews the Ordinances and ULDRs of the City of Wilton Manors, Florida and makes recommendations to the City Commission to revise its Ordinances and ULDRs; and

WHEREAS, the City Staff recommends that the City Commission amend the ULDR, as more specifically set forth herein; and

WHEREAS, at its meeting of June 11, 2018, the Planning and Zoning Board reviewed the City Staff's recommendations, conducted a public hearing, and has determined them to be consistent with the Comprehensive Plan, the Land Development Regulations and other Ordinances of the City of Wilton Manors and recommended approval of the revisions to the ULDR; and

WHEREAS, the notice and hearing requirements for adoption of this ordinance contained in the Florida Statutes and the City's Code of Ordinances have been satisfied; and

WHEREAS, the City Commission of the City of Wilton Manors, Florida deems it to be in the best interests of the citizens and residents of the City to amend the ULDR as set forth herein.

1 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**
2 **OF THE CITY OF WILTON MANORS, FLORIDA, THAT:**

3 **Section 1:** The foregoing “WHEREAS” clauses are hereby ratified as being
4 true and correct and are incorporated herein by this reference.

5 **Section 2:** **Article 135. - Off-Street Parking - ULDR is amended as**
6 **follows:**

7 **ARTICLE 135. - OFF-STREET PARKING**

8 **Sec. 135-010. - Purpose.**

9 To achieve the purposes of the ULDR and of the Code of the City of Wilton Manors,
10 Florida, and provide for the safety of pedestrians and motorists, the orderly movement
11 of people, vehicles and goods and maintaining the public ways, it is necessary that
12 regulations be established requiring facilities and space for the off-street parking of
13 vehicles in the City. The off-street parking regulations specific to any zoning or overlay
14 zoning district shall supersede the corresponding regulations of this article. All other
15 provisions of this article shall apply.

16 **Sec. 135-020. - Design standards.**

17 Off-street parking areas shall be designed to ensure safe and efficient traffic circulation,
18 with consideration given to the surrounding street plan, traffic volumes, proposed street
19 improvements, vehicular street capacities, pedestrian movements and safety. The
20 parking facilities shall be of sufficient size and configuration to allow necessary
21 functions for loading, unloading and parking maneuvers to be carried out on private
22 property, and completely off the street right-of-way, unless otherwise specifically
23 permitted.

24 (A) *Parking space definition.* An off-street parking space is an all-weather
25 surfaced area not in a street or alley and having a width of not less than nine (9)
26 feet and a length of not less than twenty (20) feet, except as otherwise provided
27 below, exclusive of driveways, which space is permanently reserved for the
28 temporary storage of one private passenger motor vehicle and is connected with
29 a street or alley by an all-weather surfaced driveway which affords ingress and
30 egress for an automobile without requiring another automobile to be moved or
31 otherwise requiring access over or through any other parking space, except as
32 provided below.

1 (1) A driveway, as well as a garage or carport that meet the dimensional
2 requirements of this provision may be counted as off-street parking
3 spaces for detached single-family homes, irregardless of the need to
4 move one automobile in order to afford ingress and egress for another
5 automobile.

6 (2) A garage or carport, and a driveway servicing a garage or carport,
7 that meet the dimensional requirements of this provision, may be
8 counted as off-street parking spaces for attached single-family homes,
9 duplex and townhome units to which the garage or carport is attached,
10 regardless of the need to move one automobile in order to afford ingress
11 and egress for another automobile. For a duplex providing on-street
12 parking for one unit pursuant to section 135-050, on-street parking
13 credit, a driveway with stacked spaces may be utilized to provide parking
14 for the second unit.

15 (3) Handicap parking spaces shall measure twelve (12) feet by twenty
16 (20) feet with a five (5) foot paved accessway, except that where two (2)
17 handicap spaces abut each other, they may jointly use the paved
18 accessway.

19 (4) The length of a parking space may be reduced to eighteen (18) feet,
20 provided the vehicle overhang area forward of the wheelstop or curb
21 required under subsection 135-120(B) comprising the otherwise required
22 twenty (20) foot parking space length is covered with grass or an
23 approved ground cover. The overhang area shall not count towards the
24 minimum width requirement for median landscape islands or perimeter
25 landscape buffers for vehicular use areas, nor shall it count towards
26 required landscape area, or for required pervious area.

27 (5) Standard off-street parallel parking space shall measure ten (10) feet
28 by twenty-three (23) feet. Handicap parallel parking spaces shall
29 measure twelve (12) feet by twenty-three (23) feet with a five (5) foot
30 paved accessway.

31 (B) *Siting of parking facilities.* Parking areas shall be located so as to minimize
32 conflicting movements between vehicles maneuvering in parking aisles and
33 those vehicles traveling into, out of, or through the site. Unless specifically
34 excepted in this article, individual parking spaces shall not have direct access to
35 streets. Off-street parking spaces shall be located to the greatest extent possible
36 in side and rear yard locations.

(C) *Entrances and exits.* Location and design of entrances and exits shall be located and designed in accordance with City specifications, as set forth in the minimum engineering standards adopted by the City Commission to prevent congestion, confusion and conflicts between vehicles and to prevent conflicts between pedestrians and vehicles. Improvements not addressed in the City's adopted specifications must conform to "A Policy on Geometric Design of Highways and Streets," published by the American Association of State Highway and Transportation Officials ("AASHTO Geometric Highway Design") or a "Manual of Uniform Traffic Control Devices," published by the US Department of Transportation, Federal Highway Administration, as determined by the City Manager.

(D) *Parking aisles.*

(1) Parking aisles shall be of adequate width to serve a particular design arrangement of parking spaces in accordance with the following table, and shall also comply with the minimum dimensions of the subsections following the table:

Parking Angles (degrees)	Aisle Width (in feet)
45	16
50	16
60	19
70	20
75	23
80	24
90	24

Note: Dimensions are for one lane, one-way direction movement except for ninety (90) degree parking, which may be two-way direction movement.

(2) Two-way directional and two (2) lane, one-way directional movement require a minimum aisle of twenty-four (24) feet regardless of parking angle.

- 1 (3) If a parking aisle requires access for emergency vehicles, garbage
2 trucks or trucks moving to or from a loading area, that parking aisle shall
3 be at least twenty-four (24) feet wide.
- 4 (4) Parking stalls abutting the same continuous parking aisle shall have
5 the same angle and orientation. Parking aisles less than twenty-four (24)
6 feet wide and aisles abutting parking stalls with angles of less than ninety
7 (90) degrees, shall be one-way only. Parking stall angles and parking
8 aisle direction of flow may change only when the parking aisle is
9 interrupted by a circulation drive, structure, or landscape median or
10 similar feature.
- 11 (5) All required parking stalls shall have direct and unobstructed access
12 from a parking aisle.
- 13 (6) When a row of parking stalls is immediately adjacent to a driveway, a
14 minimum stacking area of twenty-five (25) feet is required between the
15 property line and the entrance to the first stall.
- 16 (7) Dead-end parking aisles are prohibited, except where a double-loaded
17 dead-end aisle serves fewer than twenty-one (21) parking spaces and a
18 turnaround area is provided that will accommodate a three (3) point
19 turnaround, or where the number of parking spaces in the double-loaded
20 dead-end aisle is ten (10) or fewer (AASHTO "P" Design Vehicle).
- 21 (E) *Interior drives.* On-site access drives that do not directly abut parking spaces
22 shall be provided as follows:
- 23 (1) For two-way travel: A minimum of twenty (20) feet in width shall be
24 provided.
- 25 (2) For one-way travel: A minimum of twelve (12) feet in width shall be
26 provided unless a greater width is required by the Fire Marshal where
27 needed for emergency vehicle access.
- 28 (3) Every off-street parking facility shall have either driveway
29 approaches of sufficient width to allow for two-way traffic, or one-way
30 driveways connected to aisles, parking areas or maneuvering areas in
31 such a manner as to permit traffic to both enter and leave the property,
32 facing forward, at the same time. A driveway which is only wide enough
33 for one-way traffic shall not be used for two-way access.

- 1 (4) For both one and two-way driveways, required widths shall be
2 increased if necessary to accommodate vehicle types that will utilize the
3 driveways pursuant to subsection (F), access, or if the number of parking
4 stalls connected or the number of trips generated justifies such an
5 increase in width.
- 6 (5) Minimum access width dimensions at the street:
- 7 a. *Minimum (one-way)*: Fifteen (15) feet.
- 8 b. *Minimum (two-way)*: Twenty-five (25) feet.
- 9 c. *Maximum*: Thirty-five (35) feet, unless otherwise required
10 under subparagraph (4), above.
- 11 (6) Turn radii shall be determined according to (F), below based upon
12 access requirements for specific user vehicle types. The minimum
13 acceptable turn radius shall be ten (10) feet, and the maximum
14 acceptable turn radius shall be thirty (30) feet, provided that the Fire
15 Marshal may determine that a greater radius than ten (10) feet is required
16 where necessary for emergency vehicle access.
- 17 (F) *Access*.
- 18 (1) All required parking areas shall be directly accessible from a street,
19 or for small parking facilities, an alley.
- 20 (2) *Access for vehicles other than automobiles*. Parking facilities shall be
21 made accessible to the following type of vehicles, definitions of and
22 required specifications of which, shall be those found in AASHTO
23 Geometric Highway Design.
- 24 a. *Residential uses, other than single family*: Single unit truck
25 (SU)
- 26 b. *Commercial uses*: Single unit truck and semi-trailer (WB-40)
27 combination intermediate
- 28 c. *Industrial use*: Single unit truck (SU) and semi-trailer—Full
29 trailer combination (WB-60)
- 30 (3) *Emergency vehicle access requirements*. When necessary for
31 adequate accessibility for fire protection purposes, emergency access for

fire rescue apparatus, equipment and operations shall conform to the requirements of the Florida Fire Prevention Code.

(G) Circulation.

(1) Vehicular circulation. A parking lot abutting a collector or arterial roadway shall be designed for full on-site circulation. A parking lot abutting any other street or alley may be designed for partial circulation. Parking facility design shall provide for a clearly defined vehicular circulation system, which allows free movement within the proposed site while discouraging excessive speed, and allows efficient and orderly circulation that minimizes congestion.

(2) Pedestrian and vehicular circulation systems shall be adequately separated for pedestrian safety (see also section 155-080, pedestrian circulation).

(3) For nonresidential and mixed-use development on collector and arterial roadways, driveways, accessways and access aisles shall be interconnected with existing driveways, accessways, and access aisles in parking areas on abutting developed properties, and a cross-access easement shall be provided for this purpose. Where abutting properties are developed in such a manner that such interconnection is physically impossible, or where such connection would compromise safe and adequate circulation or cause an existing property to become nonconforming due to loss of parking or landscaped area, no connection shall be required.

(H) Minimum separations. Residential and nonresidential driveways and parking aisles shall be at least five (5) feet from any building, structure and property line, provided that other requirements including landscape buffers and on-site drainage may require additional setback.

(I) Attendant parking. In the case of buildings wherein the owner's supply and maintain the services of attendants to receive, park and deliver the automobile of occupants, tenants, customers and visitors, with or without charge, the required minimum width of each parking space shall be eight and one-half (8½) feet, except that wherever a supporting column of a building falls within a proposed parking space, there shall be a minimum clearance of eight (8) feet measured from the supporting column to the furthest edge of the parking space. All spaces need not be directly accessible provided the parking spaces are arranged that for any parking space to be accessible, no more than two (2) spaces may be crossed

1 into when parking a motor vehicle. Such reductions in parking space width and
2 change in accessibility shall be authorized under the following conditions, to
3 wit:

4 (1) Permission for such attendant parking shall be evidenced by an
5 attendant off-street parking agreement recorded in the Public Records of
6 Broward County, Florida, showing the required attendant parking spaces
7 to be maintained, which restriction shall be deemed a covenant running
8 with the land.

9 (2) After completed construction based upon approved plans and
10 specifications providing for such attendant parking, areas designated for
11 attendant parking shall not be used without providing the service of
12 attendants.

13 (J) *Backout parking.*

14 (1) No parking space, other than as specifically provided in subsection
15 135-020(A) for stacked parking, shall be designed to permit backout
16 parking onto a public right-of-way or private street, other than a
17 dedicated alley, except residential uses under the following
18 circumstances:

19 a. The backout parking is on a roadway not classified as an
20 arterial or collector roadway, as defined in the adopted
21 Comprehensive Plan; and

22 b. A minimum five (5) foot wide sidewalk is installed parallel to
23 the street where the backout parking is located, which sidewalk
24 meets City standards. The sidewalk requirement may be
25 eliminated or a sidewalk wider than five (5) feet may be required
26 by the City Manager if necessary for consistency with sidewalk
27 improvements on adjacent properties, City Capital Improvement
28 or Redevelopment Plans, superseding Code provisions, or to meet
29 engineering standards; and

30 c. The material used for the entire parking space and driveway
31 apron surface shall be brick-type pavers, or stamped and colored,
32 or painted, concrete designed to imitate brick-type pavers. Each
33 property owner shall be responsible for maintaining, repairing
34 and replacing, as necessary, all portions of the backout parking

1 facility, including that portion located within the public right-of-
2 way; and

3 d. The backout parking spaces must meet geometric, drainage
4 and site clearance standards and such other standards determined
5 to be necessary to provide adequate and safe parking as
6 determined by the City Manager; and

7 e. Every backout parking facility shall provide curbed landscape
8 areas in accordance with subsection 150-060(G), Landscaping
9 requirements for residential backout parking; and

10 f. Off-street parking spaces shall be designed so as not to require
11 backing out onto or across a pedestrian way or area designed or
12 used for high pedestrian concentration.

13 **Sec. 135-030. - Joint use and off-site facilities.**

14 (A) All parking spaces required herein shall be located on the same lot with the
15 building or use served, or for nonresidential uses, within a distance not to exceed
16 seven hundred fifty (750) feet measured as the shortest distance between the two
17 (2) properties, along the most direct route of sidewalk access between the
18 properties, provided that the two (2) properties are completely connected by
19 sidewalks and are not separated by a collector or arterial roadway, and that
20 appropriate directional signage is provided to advise patrons of the off-site
21 parking and to reserve the off-site parking for the building or use it serves. The
22 seven hundred fifty (750) foot limitation shall not apply where the City provides
23 centralized public parking facilities within the Wilton Drive Arts and
24 Entertainment Overlay District area.

25 (B) Parking facilities required for:

26 (1) Theatres, public auditoriums, bowling alleys, and nightclubs, places
27 of worship or assembly, may be provided and used jointly as off-site
28 parking pursuant to subparagraph (A), or

29 (2) Banks, offices, retail stores, repair shops, service establishments and
30 similar uses not normally open, used or operated during the same hours
31 as those listed in [subsection] (1) and vice-versa; provided, however, that
32 written agreement thereto is properly executed and filed as specified
33 below and subject to the procedures and requirements of subparagraph
34 (C), below. Mixed uses within the same building or development site are
35 subject to section 135-080(F), mixed uses.

1 (C) In any case, where the required parking spaces are not located on the same
2 lot with the building or use served, or where such spaces are collectively or
3 jointly provided and used, a written off-site facility parking agreement thereby
4 assuring their retention for such purposes, shall be drawn by the parties
5 concerned and shall be submitted with the Local Business Tax Receipt
6 application to the Community Development Services Director or their designee
7 for review and approval. The written off-site facility parking agreement shall
8 include, at a minimum, the following:

9 (1) Off-site facility parking agreement to be signed and notarized by
10 both parties;

11 (2) Off-site facility parking agreement shall include an effective date
12 and an expiration date;

13 (3) Number of parking spaces to be utilized;

14 (4) Address of location of parking spaces;

15 (5) Hours those parking spaces are to be utilized;

16 (6) Name of business renting the parking spaces;

17 (7) Name of business needing the parking spaces;

18 (8) Sketch or drawing of location of parking spaces that is to be used as
19 part of the off-site facility parking agreement; and

20 (9) a provision requiring notification to the Community Development
21 Services Director in the event that the agreement is terminated.

22 Any change(s) to the written agreement shall be submitted to the Community
23 Development Services Director or their designee within five (5) business days
24 for review and approval. properly drawn and executed by the parties concerned,
25 upon payment of a fee as set by the City's fee schedule, approved as to form by
26 the City Attorney and shall be filed with the application for a building permit
27 along with proof of proper recordation of such instrument in the Public Records
28 of Broward County Records.

29 **Section 3:** It is the intention of the City Commission, and it is hereby

30 ordained that the provisions of this Ordinance shall become and be made a part of the

31 Code and Ordinances of the City of Wilton Manors, Florida.

1 **Section 4:** All Ordinances and Resolutions or parts of Ordinances and
2 Resolutions in conflict herewith, be and the same are hereby repealed, to the extent of
3 such conflict.

4 **Section 5:** If any clause, section or other part of this Ordinance shall be held
5 invalid or unconstitutional by any court of competent jurisdiction, the remainder of this
6 Ordinance shall not be affected thereby, but shall remain in full force and effect.

7 **Section 6:** This Ordinance shall become effective upon passage and
8 adoption.

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1 PASSED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF
2 WILTON MANORS, FLORIDA, THIS 26th DAY OF JUNE 2018.

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4 PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY
5 COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA THIS 10th
6 DAY OF July, 2018.

7
8 CITY OF WILTON MANORS, FLORIDA

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11 By: 
12 GARY RESNICK, MAYOR
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15 ATTEST:

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18 FAITH LOMBARDO
19 CITY CLERK
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23
24 RECORD OF COMMISSION VOTE: 1ST
25 Reading

26
27 MAYOR RESNICK
28 VICE MAYOR FLIPPEN
29 COMMISSIONER CARSON
30 COMMISSIONER GREEN
31 COMMISSIONER NEWTON

Absent
Ack
Ack
Absent
Ack

32
33 I HEREBY CERTIFY that I have
34 approved the form of this Ordinance.

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36 
37 KERRY L. EZROL, ESQ.
38 CITY ATTORNEY
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40

RECORD OF COMMISSION VOTE: 2ND
Reading

MAYOR RESNICK
VICE MAYOR FLIPPEN
COMMISSIONER CARSON
COMMISSIONER GREEN
COMMISSIONER NEWTON

Ack
Ack
Ack
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