

ORDINANCE NO. 2004 - 06

AN ORDINANCE OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF SOUTHWEST RANCHES, ARTICLE XII ENTITLED, "OFF-STREET PARKING AND LOADING," TO INCREASE THE STABILIZED GRASS PARKING ALLOWANCE FOR COMMUNITY FACILITIES; PROVIDING FOR INCLUSION IN THE TOWN CODE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, large, paved parking lots reduce open space, impact storm water drainage, conflict with adjacent residential and agricultural uses, and undermine the Town's rural character; and

WHEREAS, community facilities are the Town's most common user of this type of parking facility; and

WHEREAS, the Town of Southwest Ranches Zoning Code only allows stabilized grass parking for up to twenty-five percent (25%) of the required off-street parking for community facilities; and

WHEREAS, the Town of Southwest Ranches wishes to discourage the proliferation of large, paved parking facilities by increasing the allowable percentage of grass parking for community facilities.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTHWEST RANCHES, FLORIDA:

Section 1: That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2: That Article XII, entitled, "Off-Street Parking and Loading," Section 39-217, "Location, character and size," Subsection (g), "grass parking" of the Code of Ordinances of the Town of Southwest Ranches, is hereby amended as follows:

- (g) *Grass parking*: -25 percent of the required off-street parking facilities may be provided through the use of grass parking for the following specified uses:
- (1) Theaters and convention centers

- (2) Schools
- (3) Religious facilities
- (4) Hospitals

50 percent of the required off-street parking facilities may be provided through the use of grass parking for the following specified uses:

- (1) Stadiums and sports arenas
- (2) Racetracks, fairgrounds, circus grounds
- (3) Outdoor recreation establishments
- (4) Funeral homes, mortuaries, cemeteries
- (5) Outdoor flea market or swap meet

Notwithstanding anything to the contrary herein, subject to the Town Council's approval during the site plan review process, up to one hundred percent (100%) of the required off-street parking spaces for Community Facilities may be provided through the use of stabilized grass parking, subject to compliance with the Americans With Disabilities Act requirements, Florida Building Code requirements, and approval of the engineering design by the Town and the Fire Marshal. Parking access aisles, however, shall be paved unless the Town Council waives this requirement in whole or in part based upon the review and the recommendation of the Town Engineer and the Fire Marshall. In considering whether to increase the allowable percentage of stabilized grass parking and/or to permit stabilized grass parking access aisles, the Town Council shall consider the following as they pertain to anticipated wear and tear, ease of navigation, delineation of parking spaces, and parking access: the type of use the parking will serve, the frequency of the use, the traffic volume, and the types of vehicles that will utilize the facility. The Council shall also consider the impact on the surrounding community. The Town Council may require the hours and/or days of operation of any such Community Facility seeking to utilize this provision to be recorded as a covenant running with the land.

Section 3: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Inclusion. It is the intention of the Town Council that the provisions of this Ordinance shall become and be made a part of the Town of Southwest Ranches Code; and that the sections of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to

"section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 7: Conflicts. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 8: Severability. If any word, phrase, clause, sentence or section of this Ordinance is, for any reason, held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this Ordinance.

Section 9: Effective Date. This Ordinance shall be effective immediately upon its adoption.

PASSED ON FIRST READING this 13 day of May, 2004 on a motion made by Council Member Blanton and seconded by Council Member Maines.

Fink	<u>Y</u>	Ayes	<u>4</u>
Knight	<u>A</u>	Nays	<u> </u>
Blanton	<u>Y</u>	Absent or	
Maines	<u>Y</u>	Abstaining	<u>1</u>
Nelson	<u>Y</u>		

PASSED AND ADOPTED ON SECOND READING this 10 day of June, 2004, on a motion made by Council Member Maines and seconded by Vice Mayor Knight.

Fink	<u>Y</u>	Ayes	<u>4</u>
Knight	<u>Y</u>	Nays	<u> </u>
Blanton	<u>A</u>	Absent or	
Maines	<u>Y</u>	Abstaining	<u>1</u>
Nelson	<u>Y</u>		

Mecca Fink
Mecca Fink, Mayor

Attest:
Shari Canada
Shari Canada, Town Clerk

Approved as to Form and Correctness:
Gary A. Poliakoff
Gary A. Poliakoff, J.D., Town Attorney
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