

**ORDINANCE NO. 200-02-107**

**AN ORDINANCE OF THE CITY COMMISSION OF LAUDERHILL, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS PERTAINING TO NONCONFORMING SITES; AMENDING ARTICLE III, ZONING DISTRICTS, SECTION 6.5, OFF-STREET PARKING STANDARDS AND REQUIREMENTS; AMENDING SCHEDULE G, MINIMUM AUTOMOBILE OFF-STREET PARKING REQUIREMENTS, SECTION 1.1.5, GENERAL REQUIREMENTS; AMENDING SCHEDULE J, LANDSCAPE INSTALLATION IRRIGATION AND MAINTENANCE STANDARDS AND REQUIREMENTS, PART 3.0, RELIEF FROM THE LANDSCAPE STANDARDS AND REQUIREMENTS, SECTION 3.2, NONCONFORMING PARKING LOTS; PROVIDING FOR FINDINGS AND CONCLUSIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR AN EFFECTIVE DATE (REQUESTED BY CITY MANAGER, CHARLES FARANDA)**

WHEREAS, at their duly noticed meeting and public hearing of January 28, 2020 the City's Planning and Zoning Board, sitting as the Local Planning Agency (LPA) entered the Development Review Report on the proposed Ordinance and all other relevant and substantial competent evidence into the record, and forwarded the record to the City Commission with the recommendation that the proposed Ordinance be adopted; and

WHEREAS, at their duly noticed meeting and public hearing of February 10, 2020, the City Commission considered the record, adopted findings and conclusions, and approved the proposed Ordinance on first reading; and

WHEREAS, at their subsequently duly noticed meeting and public hearing of February 24, 2020, the City Commission on second reading adopted the Ordinance incorporating revisions to the Land Development Regulations;

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

SECTION 1. That the Land Development Regulations (LDR), ART III, Zoning Districts, Section 6.5 off-street parking standards and requirements is hereby amended to read as follows:

**Article III., ZONING DISTRICTS.**

**Sec. 6.5. - Off-street parking standards and requirements.**

**6.5.1. General requirements:**

\* \* \*

~~E. Where a building or use which existed on December 11, 1984, is changed in use or occupancy, additional off-street parking facilities shall be provided to the extent that the off-street parking required by this section for the new use or occupancy exceeds the off-street parking which would have been required for the previous use or occupancy had the regulations of this section been applicable thereto. For the purposes of this section, a change of use or occupancy shall mean a change from one category under paragraph 1.1.3.~~

E. Where nonconformities exist at commercial and multifamily sites, such as off-street parking, loading, access, fences, walls, lighting, landscaping, or similar nonconformities, such nonconformities may continue and the site may be altered only as provided below.

a. No change shall be made to any nonconforming site improvement which increases the nonconformity. Changes which propose improvements which will have a greater impact on decreasing the nonconforming nature of the site than on increasing the nonconforming nature of the site may be approved by the Planning and Zoning Director and confirmed by the Development Review Committee (DRC) by way of site plan modification approval.

SECTION 2. That the Land Development Regulations (LDR), SCHEDULE G, Minimum Automobile Off-Street Parking Standards and Requirements, Section 1 Off-street parking and loading is hereby amended to read as follows:

**SCHEDULE G.- MINIMUM AUTOMOBILE OFF-STREET PARKING REQUIREMENTS**

**Sec. 1. - Off-street parking and loading.**

**1.1. General requirements:**

\* \* \*

~~Section 1.1.5. Where a building or use which existed on December 11, 1984, is changed in use or occupancy, additional off-street parking facilities shall be provided to the extent that the off-street parking required by this section for the new use or occupancy exceeds the off-street parking which would have been required for the previous use or occupancy had the regulations of this section been applicable thereto. For the purposes of this section, a change of use or occupancy shall mean a change from one category under paragraph 1.1.3.~~

~~1.1.6. 1.1.5. It shall be unlawful for an owner or operator of any building, structure or use affected by this code to discontinue, change or dispense with, or to cause the discontinuance or reduction of the required parking facilities apart from the discontinuance, sale, or transfer of such structure or use, without establishing alternative vehicle parking facilities which meet the requirements of this section. It shall be unlawful for any person, firm, or corporation to utilize such building, structure or use without providing the off-street parking facilities to meet the requirements of and be in compliance with this section.~~

~~1.1.6 [Reserved.]~~

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SECTION 3. That Land Development Regulations (LDR), Schedule J, Landscape Installation, Irrigation and Maintenance Standards and Requirements, Part 3.0. Relief from the Landscape Standards and Requirements, Section 3.2, Nonconforming Parking Lots is hereby amended to read as follows:

## **SCHEDULE J. - LANDSCAPE INSTALLATION, IRRIGATION AND MAINTENANCE STANDARDS AND REQUIREMENTS**

### **Part 3.0. RELIEF FROM THE LANDSCAPE STANDARDS AND REQUIREMENTS**

#### **Sec. 3.2. - Nonconforming parking lots. sites.**

~~Existing parking lots which do not comply with this section shall be required to conform at least fifty (50) percent (such determination to be made by the Planning and Zoning Director and confirmed by the Planning and Zoning Board) with the parking lot requirements of this Schedule when one (1) of the following conditions occur:~~

~~3.2.1. Any lot enlargement or additional paving.~~

~~3.2.2. Any alterations or additions which would contribute to a net increase of at least five (5) percent of gross floor area to the building which would result in an increase in the number of parking spaces as required by zoning ordinance that are assigned to that particular building and/or business.~~

~~3.2.3. Alterations of the interior of the building when the values of all repairs or construction as set forth on all permits issued by the City over any consecutive two (2) year period equals twenty-five (25) percent or more of the assessed value of the property.~~

Where nonconformities exist at commercial and multifamily sites, such as off-street parking, loading, access, fences, walls, lighting, landscaping, or similar nonconformities, such nonconformities may continue and the site may be altered only as provided below.

a. No change shall be made to any nonconforming site improvement which increases the nonconformity. Changes which propose improvements which will have a greater impact on decreasing the nonconforming nature of the site than on increasing the nonconforming nature of the site may be approved by the Planning and Zoning Director and confirmed by the Development Review Committee (DRC) by way of site plan modification approval.

**SECTION 4. Findings and Conclusions.** The Development Review Report prepared by the Planning and Zoning Division is attached hereto, is incorporated herein, and are hereby adopted as the findings of fact and conclusions of law to support the Ordinance amending Land Development Regulations.

**SECTION 3. Conflict.** All ordinances or parts of ordinances, all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed as to the extent of such conflict.

**SECTION 4. Codification.** The provisions of this Ordinance shall become and be made a part of the City of Lauderhill, Florida Land Development Regulations; sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; and the word "ordinance" may be changed to "article," "part," "section," or other appropriate word.

**SECTION 5. Effective Date.** This Ordinance shall take effect immediately upon its adoption.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

PASSED on first reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

PASSED AND ADOPTED on second reading this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
PRESIDING OFFICER

ATTEST:

\_\_\_\_\_  
CITY CLERK

	FIRST READING	SECOND READING
MOTION	_____	_____
SECOND	_____	_____
M. BATES	_____	_____
H. BERGER	_____	_____
R. CAMPBELL	_____	_____
D. GRANT	_____	_____
K. THURSTON	_____	_____