



AGENDA PLANNING AND ZONING MEETING/LOCAL PLANNING AGENCY

6:00 PM - Thursday, October 20, 2022
Commission Chambers

	Page
1. CALL TO ORDER	
2. PLEDGE OF ALLEGIANCE	
3. ROLL CALL	
4. APPROVAL OF THE PREVIOUS MEETING MINUTES	
4.1. Adoption of Minutes	3 - 5
Recommendation: That the Minutes be adopted as presented 10 06 2022 PLANNING AND ZONING MEETING	
5. ADDITIONS, DELETIONS, WITHDRAWALS AND CONTINUANCES	
6. APPLICATIONS/PUBLIC HEARINGS	
7. ORDINANCES	
7.1. Ordinance Amending Section 28-279 of the Code - Town Attorney Anderson	6 - 9
ORDINANCE NO. 2022-010 AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING SECTION 28-279 "RESPONSIBILITY FOR CONNECTION TO TOWN SYSTEM" WITHIN CHAPTER 28 "ZONING" AND MOVING THE SECTION TO CHAPTER 26 "UTILITIES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE. Agenda Item Report - AIR-22-098 - Pdf	
7.2. Proposed Dumpster Enclosures Requirements - Building Official Nunez	10 - 19
ORDINANCE NO. 2022-014 AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING ARTICLE III "DUMPSTERS" WITHIN CHAPTER 11 "GARBAGE AND REFUSE" OF THE TOWN'S CODE OF ORDINANCE TO REQUIRE DUMPSTER ENCLOSURES WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.	

Staff recommends approval

[Agenda Item Report - AIR-22-160 - Pdf](#)

- 7.3. Proposed change to parking spaces dimensions - Town Ordinance 28-301 - Building Official Nunez 20 - 33

ORDINANCE NO. 2022-015

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA,
**AMENDING CHAPTER 28 “ZONING”, ARTICLE IV
“SUPPLEMENTAL DISTRICT REGULATIONS”, DIVISION 2 “OFF-STREET PARKING” OF TOWN’S CODE BY CHANGING THE
DISTANCE REQUIREMENTS FOR OFF-STREET PARKING;
PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN
THE CODE OF ORDINANCES; SUPERSEDING CONFLICTING
ORDINANCES AND RESOLUTIONS; AND PROVIDING AN
EFFECTIVE DATE.**

Recommends approval

[Agenda Item Report - AIR-22-161 - Pdf](#)

- 7.4. Proposed change to Chapter 28 Zoning amending section 28-36 Administration - Building Official Nunez 34 - 37

ORDINANCE NO. 2022-016

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA,
**AMENDING SECTION 28-36 OF CHAPTER 28 “ZONING”, ARTICLE II
“ADMINISTRATION” WITHIN THE TOWN OF PEMBROKE PARK
CODE OF ORDINANCES TO FURTHER DEFINE THE
RESPONSIBILITIES OF THE TOWN’S PLANNING AND ZONING
BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR
INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING
CONFLICTING ORDINANCES AND RESOLUTIONS; AND
PROVIDING AN EFFECTIVE DATE.**

[2022-016 ZONING REVISIONS ADMIN 2022](#)

8. OLD BUSINESS
9. ADJOURNMENT

IN ACCORDANCE WITH THE PROVISIONS OF F.S. SECTION 286.0105, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ANY PERSON REQUIRING AUXILIARY AIDS AND SERVICES AT THIS MEETING MAY CALL THE TOWN CLERKS OFFICE AT 954-966-4600 AT LEAST TWO CALENDAR DAYS PRIOR TO THE MEETING. IF YOU ARE HEARING OR SPEECH IMPAIRED PLEASE CONTACT THE FLORIDA RELAY SERVICES BY USING THE FOLLOWING NUMBERS: 1-800-955-8770 (VOICE) OR 1-800-955-8771 (TDD)

DECORUM - ALL COMMENTS MUST BE ADDRESSED TO THE COMMISSION AS A BODY AND NOT TO INDIVIDUALS. ANY PERSON MAKING IMPERTINENT OR SLANDEROUS REMARKS, OR WHO BECOMES BOISTEROUS WHILE ADDRESSING THE COMMISSION, SHALL BE BARRED FROM FURTHER AUDIENCE BEFORE THE COMMISSION BY THE PRESIDING OFFICER, UNLESS PERMISSION TO CONTINUE OR AGAIN ADDRESS THE COMMISSION IS GRANTED BY THE MAJORITY VOTE OF THE COMMISSION MEMBERS PRESENT. NO CLAPPING, APPLAUDING, HECKLING OR VERBAL OUTBURSTS IN SUPPORT OR IN OPPOSITION TO A SPEAKER OR HIS/HER REMARKS SHALL BE PERMITTED. NO SIGNS OR PLACARDS SHALL BE ALLOWED IN THE COMMISSION CHAMBERS. PLEASE MUTE OR TURN OFF YOUR CELL PHONE OR PAGER AT THE START OF THE MEETING. FAILURE TO DO SO MAY RESULT IN BEING BARRED FROM THE MEETING. PERSONS EXITING THE CHAMBER SHALL DO SO QUIETLY.

Marlen D. Martell
Town Clerk



MINUTES PLANNING AND ZONING MEETING/LOCAL PLANNING AGENCY Meeting

6:00 PM - Thursday, October 6, 2022
Commission Chambers

The PLANNING AND ZONING MEETING/LOCAL PLANNING AGENCY of the Town of Pembroke Park was called to order on Thursday, October 6, 2022, at 6:00 PM, in the Commission Chambers, with the following members present:

PRESENT:

EXCUSED:

1 CALL TO ORDER

Meeting was called to order at 6:10PM

2 PLEDGE OF ALLEGIANCE

MEETING RECESSED AT 6:12PM

MEETING RESUMED 6:35PM

3 NEW BUSINESS

SW 30th Avenue Mixed-Use/Entertainment District

MIKE VONDER MULEN SPOKE ON RECORD AND GAVE A PRESENTATION

4 ROLL CALL

Board Members present were Reneesha McNeil; Erik Morrisette; Vice Chair Charisse Colon

Absent: Shauniel Brown

5 APPROVAL OF THE PREVIOUS MEETING MINUTES

Adoption of Minutes

APRIL 6, 2022 Planning and Zoning Board Meeting Minutes

6 ADDITIONS, DELETIONS, WITHDRAWALS AND CONTINUANCES

NONE

7 APPLICATIONS / PUBLIC HEARINGS

MIKE VONDER MULEN SPOKE ON RECORD AND GAVE A PRESENTATION
DAVID SIEGAL SPOKE ON RECORD
MS. GARCIA SPOKE ON RECORD

VICE CHAIR OPENED THE FLOOR FOR PUBLIC COMMENTS - NONE
VICE CHAIR CLOSED THE FLOOR FOR PUBLIC COMMENT

File No: 22-SP-01
Applicant: Pembroke BSD LLC / Pembroke Park Holdings, Inc
Location: 3711-3715 Southwest 52nd Avenue

Request: Site Plan approval to construct five (5) two stories' buildings comprised of 47 residential townhome units including a 1106 square foot community center, which is referred to as Magnolia at Pembroke Park.

8 OLD BUSINESS

ALL MEMBERS AGREED TO ANOTHER P&Z MEETING ON OCTOBER 20, 2022 AT 6:00PM

9 ADJOURNMENT

VICE CHAIR COLON MOVED TO ADJOURN THE MEETING. ALL WERE IN FAVOR

THE MEETING WAS ADJOURNED AT 7:02PM

ATTEST:

(SEAL)

Suzi Reutlinger, Board Secretary

IN ACCORDANCE WITH THE PROVISIONS OF F.S. SECTION 286.0105, IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDINGS, AND, FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

ANY PERSON REQUIRING AUXILIARY AIDS AND SERVICES AT THIS MEETING MAY CALL THE TOWN CLERKS OFFICE AT 954-966-4600 AT LEAST TWO CALENDAR DAYS PRIOR TO THE MEETING. IF YOU ARE HEARING OR SPEECH IMPAIRED PLEASE CONTACT THE FLORIDA RELAY SERVICES BY USING THE FOLLOWING NUMBERS: 1-800-955-8770 (VOICE) OR 1-800-955-8771 (TDD)

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Marlen D. Martell

Town Clerk

AGENDA ITEM REPORT



To:

Subject: Ordinance Amending Section 28-279 of the Code

Meeting:

Department: Legal

Staff Contact: Melissa Anderson, Town Attorney

BACKGROUND INFORMATION:

Town staff has determined that it would promote the public health, safety, and general welfare of its citizenry to amend Section 28-279 of the Chapter 28 "Zoning" and move Section 28-279 to the Utilities section of the Code Section 28-279 of Chapter 28 "Zoning" because the subsection pertains to utilities rather than zoning.

RECOMMENDATION:

Staff recommends approval of ordinance

ATTACHMENTS:

[28-279 amending ordinance](#)

	Status:
Joseline Ramirez, Chief Code Enforcement Officer	None
Miguel Nunez, Building Official	None
Melissa Anderson, Town Attorney	None
JC Jimenez, Town Manager	None
Marlen Martell, Town Clerk	None

ORDINANCE NO. 2022-

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING SECTION 28-279 "RESPONSIBILITY FOR CONNECTION TO TOWN SYSTEM" WITHIN CHAPTER 28 "ZONING" AND MOVING THE SECTION TO CHAPTER 26 "UTILITIES"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Town staff has determined that Section 28-279 of Chapter 28 "Zoning" should be amended and moved to the Utilities chapter of the Code because the subsection pertains to utilities rather than zoning; and

WHEREAS, the Town Commission of the Town of Pembroke Park finds that it would promote the public health, safety, and general welfare of its citizenry to amend Section 28-279 of the Chapter 28 "Zoning" and move Section 28-279 to the Utilities section of the Code.

NOW, THEREFORE, BE IT ORDAINED by the **Town Commission** of the **Town of Pembroke Park**:

Section 1: Section 28-279 "Responsibility for Connection to the Town System" within Chapter 28. Section 28-279 "Responsibility for Connection to the Town System" within Chapter 28 "Zoning" is deleted in its entirety from Chapter 28 and moved to Chapter 26 "Utilities" as set forth below, as shown in ~~strikethrough~~ and underline format.

* * *

DIVISION 2. - CONNECTION AND SERVICE CHARGES

* * *

Sec. 26-22. – Responsibility for Connection to the Town System.

It shall be the responsibility of every owner, operator or manager of a mobile home park in the Town to ensure that every mobile home or recreational vehicle located in the mobile home park which such person owns, operates or manages, is connected to the Town wastewater collection system in accordance with the provisions of this article and to pay the cost and expense of making such connection.

* * *

Section 2. Codification. It is the intention of the Town Commission of the Town of Pembroke Park, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Pembroke Park's Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 3: Severability. The provisions of this Ordinance are to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4: Conflict. All Ordinances, parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are hereby superseded to the extent of such conflict.

Section 5: Effective Date. This Ordinance shall be enacted immediately upon its passage and adoption after Second Reading by the Town Commission.

PASSED AND ADOPTED on First Reading this ____ day of _____, 2022.

PASSED AND ADOPTED on Second Reading this ____ day of _____, 2022.

ATTEST:

Clerk

GEOFFREY JACOBS
Mayor-Commissioner

Approved as to form and legal sufficiency

Melissa P. Anderson
Town Attorney

AGENDA ITEM REPORT



To: Commision Information
Subject: Proposed Dumpster Enclosures Requirements
Meeting: 10 15 2022 DRAFT SPECIAL COMMISSION MEETING - Oct 15 2022
Department: Planning and Zoning
Staff Contact: Miguel Nunez, Building Official

RECOMMENDATION:

Staff recommends approval

ATTACHMENTS:

[Building Dumpster Report](#)
[2022-014 dumpster enclosures ordinance](#)



TOWN OF PEMBROKE PARK
BUILDING DEPARTMENT
3150 SW 52ND Avenue
Pembroke Park, FL 33023
Office 954-966-4600 • Fax 954-966-5310

MEMORANDUM NO.: 22-021

DATE: September 21, 2022

TO: Hon. Geoffrey Jacobs, Mayor
Hon. Ray Dieuville, Vice-Mayor
Hon. William Hodgkins, Clerk-Commissioner

VIA: Juan Carlos (JC) Jimenez, Town Manager

VIA: Melissa Anderson, Esq., Town Attorney

FROM: Miguel A. Núñez, Building Official *MN*

RE: **PROPOSED DUMPSTER ENCLOSURES REQUIREMENTS.**

At this time, I would like to propose to the Town Commission to accept the proposed addition to require that all commercial and multi-residential buildings have a dumpster enclosure, to avoid the garbage bins to be placed in wrong locations outside of their control, while maintaining a level of vermin and garbage isolation to spill to the town owned infrastructure (stormwater drainage and roads).

As always, if you have further questions or comments, do not hesitate to contact me at your earliest convenience.

Respectfully submitted.

Cc: File.

[https://tppfl-my.sharepoint.com/personal/mnunez_tppfl_gov/documents/building official/topp-man/pp documents/memos/2022/22-020.docx](https://tppfl-my.sharepoint.com/personal/mnunez_tppfl_gov/documents/building%20official/topp-man/pp%20documents/memos/2022/22-020.docx)

ORDINANCE NO. 2022-014

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING ARTICLE III “DUMPSTERS” WITHIN CHAPTER 11 “GARBAGE AND REFUSE” OF THE TOWN’S CODE OF ORDINANCE TO REQUIRE DUMPSTER ENCLOSURES WITHIN THE TOWN; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, currently the Town does not require dumpster enclosures in the Town; and

WHEREAS, Town staff has determined that Article III “Dumpsters” within Chapter 11 “Garbage and Refuse” should be amended to require dumpster enclosures and to provide criteria and enforcement provisions in relation to such dumpster enclosures; and

WHEREAS, the Town Commission of the Town of Pembroke Park finds that it would promote the public health, safety, and general welfare of its citizenry to amend Article III “Dumpsters” within Chapter 11 “Garbage and Refuse” to require dumpster enclosures and to provide criteria and enforcement provisions in relation to such dumpster enclosures.

NOW, THEREFORE, BE IT ORDAINED by the **Town Commission** of the **Town of Pembroke Park**:

Section 1: Article III “Dumpsters” within Chapter 11 “Garbage and Refuse”
Amended. Article III “Dumpsters” within Chapter 11 “Garbage and Refuse” is amended as set forth below (shown in ~~strike through~~ and underline format).

ARTICLE III. – DUMPSTERS

Sec. 11-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Garbage dumpster means any garbage receptacle, trash receptacle or container with a capacity of one (1) cubic yard or greater.

~~*Overloading garbage dumpsters*~~ means placing material in a garbage dumpster that exceeds the capacity of the garbage dumpster by extending beyond the plane of the rim of the garbage dumpster and/or owning or leasing a garbage dumpster that is or becomes overloaded as described in this definition.

Sec. 11-32. Dumpster Enclosures Required.

(a) Purpose and applicability. The purpose of this division is to promote the public health, safety, and welfare through the regulation of dumpsters and dumpster enclosures in order to decrease and eliminate conditions of overflowing garbage and waste within the town.

(b) Placement of dumpsters.

(1) Dumpsters shall be placed for collection purposes in a location accessible to authorized vehicles and shall have an identifiable sign adhered to the dumpster which contains the name of the private hauler and contact number. Said sign shall be clearly visible. Unless in a public right-of-way for purposes of collection only, all dumpsters shall be placed within an approved enclosure as provided for herein.

(2) It shall be unlawful for any person to place or cause to be placed, a dumpster that services private property upon or in any street, swale, alley, sidewalk, public right-of-way or public property; provided however, that such dumpster or container may be placed in the public right-of-way on the scheduled day of collection and only for the period of time necessary for collection. The dumpster shall be returned to its approved enclosure or location on the same day that it is set out for collection within two hours after being serviced.

(c) Enclosure and dumpster requirements. The following enclosure and dumpster requirements shall be met by all properties as described below:

(1) All users of dumpsters, shall provide an on-site enclosure for dumpsters except as otherwise provided herein. A building permit must be obtained prior to the construction and/or installation of an enclosure.

(2) Minimum size. Each enclosure shall provide sufficient clear space between each side of each dumpster (including lifting flanges) and the adjacent surface of that enclosure or other containers within that same enclosure to properly service the container. The height of each enclosure shall be 12 inches greater than the highest part of any dumpster or container therein.

(3) Service access. Placement of dumpsters and enclosures shall be planned and constructed in a manner that allows unobstructed access to each dumpster and the unobstructed opening of the gates during the emptying process. Dumpsters shall not be located in such a manner that the service vehicle will block any street intersection. When adjacent to residentially zoned properties, enclosures shall be placed as far as possible from the abutting residential property line.

(4) Gates. All enclosures shall have service access gates and their construction shall be of

sturdy metal frame and hinges with an opaque non-see-through facing material. Service gates shall be attached to a post not connected to the enclosure. Servicing gates shall incorporate gate stops and latches that are functional in the fully open and closed positions and shall be of a size that will permit servicing of the Dumpster. Enclosures with gates that swing out from the Dumpster shall be set back from the property line at least a distance equal to the width of the gate. Hinge assemblies shall be strong and durable so access and servicing gates function properly and do not sag. Enclosure gates shall be always closed except for the time necessary to service the Dumpsters.

(5) Pads and service drives. All enclosures shall be placed on poured concrete or any existing hardened paving system. A service access drive for the purpose of emptying the dumpster shall also be provided unless a hard surface that provides access to the dumpster already exists. Such pads and approach drives shall replace existing curb, gutter, and sidewalk when necessary. In cases where a hard surface or drive which is adequate to support the combined full weight of the dumpster, the enclosure and service vehicles does not exist, a ten-foot-wide hard surface extension directly in front of the dumpster shall be required for purposes of emptying the dumpster.

(6) Garbage containers. All dumpsters, receptacles and bulk containers which receive garbage, liquid waste or food from handling operations including, but not limited to, bakeries, meat processing food plants or any business establishment where it is determined that garbage, liquid waste or food will be accumulated, shall have a raised concrete slab, a drain and cleaning water facilities for said receptacles and containers and be constructed in accordance with the provisions of the Florida Building Code in effect in Broward County, Florida, as revised from time to time.

(7) Maintenance.

a. Approved enclosures shall be always maintained in good condition and appearance. Gates and latches shall be kept fully operable and shall be closed except during scheduled collection periods. Enclosures and dumpsters shall be cleaned after each collection service to prevent noxious odors and unsanitary conditions from occurring. Enclosure pads and access drives shall be repaired or rebuilt whenever the pavement structure deteriorates.

b. Dumpster lids shall be kept always closed except during actual collection.

c. Dumpsters and the area around the dumpster and dumpster enclosure shall not be used for disposal of furniture and major appliances except during a scheduled bulk pickup.

d. The dumpster shall never be overloaded.

e. All dumpsters shall be maintained in working order, including fully operational lids and wheels.

f. If a person is found by either a Special Magistrate or court of competent jurisdiction to have violated this ordinance on two occasions within a 180-day period or for three continuous days then the Town may require the person to obtain additional or larger capacity dumpsters and enclosures or increase the frequency of pickup in order to eliminate the overflow problem.

(8) Materials and construction methods. Enclosures shall be constructed of walls or fences of wood or plastic lumber, (finished) masonry units, (finished) concrete or any combination of these elements and shall be constructed in a manner described below in subdivisions a through g. The materials used shall be compatible with those of adjacent or surrounding buildings or structures

and may be used in any combination of the enclosure materials referenced above. Gates shall be constructed of opaque materials in the manner provided in subsection (4) above.

a. Wood lumber. Wood fences shall be of durable species, of a quality and design acceptable to the Director of the Department of Community Development Services or his/her designee. In making this determination, the Director or his/her designee shall consider the following:

i. Whether the wood is pressure-treated or has a finish that protects the wood from the elements;

ii. Adequacy of the supporting in-ground posts;

iii. That the lumber be a minimum of nominal one inch by a nominal six-inch boards and shall have a maximum spacing between boards of one inch.

b. Plastic lumber. Lumber shall be plastic members of new or recycled materials able to withstand the climatic and ultraviolet conditions of the region and of a quality and design acceptable to the Director of the Department of Community Development Services or his/her designee. In making this determination, the Director or his/her designee shall consider the following:

i. Whether the material is coated or has a finish that protects the plastic from the elements;

ii. Adequacy of supporting in-ground posts;

iii. That the lumber be a minimum of nominal one inch by nominal six-inch boards and shall have a maximum spacing between boards of one inch.

c. Masonry walls. All exterior faces of walls shall have a finish such as stucco, pre-finished block, stacked block with struck joints, shadow blocks, painted or similar, installed according to industry standards and meeting with the approval of the Town.

d. Concrete walls. Pre-cast or poured concrete walls shall have decorative textured finish of a quality acceptable to the Town.

e. Location and screening requirements. One or more of the following provisions may apply to enclosures:

i. Existing required landscape areas. The enclosure and access drive to a dumpster may encroach into the existing required landscape areas with the approval of the Town, if it is shown that it is necessary to provide adequate space for the enclosure and access drive. Such enclosures shall be landscaped to form a visual barrier between the enclosure and the street.

ii. Within parking areas. Enclosures may be located within or immediately adjacent to parking areas, regardless of building setback lines and shall be landscaped. Such landscaping may be reduced as the enclosure is located toward the rear or low visibility areas of the property away from the public streets, as long as a continuous visual barrier between the enclosure and the street is maintained. Applicants shall be permitted to reduce the width of existing parking spaces to no less than eight feet, six inches in width, and reduce the total number of spaces required, if shown to be necessary to provide space for the enclosure, which determination shall be made by the Town. For multi-family residential the overall parking ratio, however, shall not be reduced to less than one space for each dwelling unit.

iii. Within yards. Enclosures may be located within building setback areas subject to the setback requirements in subdivision iv. below and the enclosure shall be fully landscaped.

The landscaping may be reduced if the enclosure is located toward the rear of the property or in an area which is not highly visible from public streets as long as a continuous visual barrier between the enclosure and the street is maintained. If the enclosure is located within a highly visible area within the building setback area, additional landscaping, architectural treatments, or both in addition to a visual barrier, may be required on the site as determined by the Town. The additional landscaping, architectural treatments or both shall be required to the extent it is found necessary to mitigate the impact of the location of the dumpster and enclosure on the site.

iv. In compliance with setbacks. When determined by the Town, enclosures located in compliance with setbacks may be required to be fully landscaped when the enclosure is freestanding on a property in a high visibility location. Such landscaping may be reduced as the enclosure is located toward the rear or low visibility areas of the property away from the public streets, as long as a continuous visual barrier between the enclosure and the street is maintained.

f. Camouflage/alternate screening exception. In locations where sufficient space does not exist to allow construction of a dumpster enclosure and the provisions of this section have been met where possible, the Town may determine that no other trash option as described in this section is reasonably available and approve the application for a decorative veneer (camouflage) or other alternate screening method which may include conditions in lieu of enclosure construction. Such application and approval shall be conditioned so that there are no company identification/ advertising logos on the veneer surface, the veneer is painted or stained a color compatible with the character and appearance of surrounding properties and the main building site, the area surrounding the dumpster is landscaped and the dumpster is placed upon a concrete pad the purpose of which is to ensure that the dumpster is positioned such that it is not an aesthetic detriment to the community.

i. The property owner may submit an application to the Town along with the following requirements:

a. A site plan or survey detailing the building, the number and location of living units, type of business or commercial use lot size, landscaping on site (sod, trees, bushes, etc.), the number and location of parking spaces, the location service frequency and capacity of the existing and proposed bulk refuse containers and the type, nature and application methodology of the veneer surfacing for each container or a plan showing the proposed alternate screening or enclosure materials, including a description of how the alternate screening meets the purpose and intent of this section; and

b. A typewritten narrative of alternate waste disposal and other trash management options considered or available and the reasons why those options are not suitable or desirable for the location in question.

ii. Upon receipt of the application and all requisite documentation, the Town shall review the request and approve, approve with conditions or deny the request.

iii. If the property owner does not agree with decision of the Town, the property owner may appeal the decision to the Town Commission within ten days of the date of the decision.

g. Exemptions.

i. Wheeled bulk containers for the disposal of solid waste or the collection of recovered materials which are two cubic yards or less in size are exempt from the enclosure requirements of this section, provided that when not curbside for collection, they are positioned upon a hard surfaced pad located behind the building line(s) of the user location, and they are not

visible from the public right-of-way, and a hard surface roll-way from the pad to the servicing area is provided to facilitate servicing. Wheeled bulk containers shall only be placed curbside for collection and shall remain curbside for a reasonable amount of time in order to facilitate collection. In no case shall wheeled bulk containers remain overnight at curbside or streetside.

ii. If two or more wheeled bulk containers are used under this subdivision, they shall comply with the requirements for dumpsters and dumpster enclosures and shall be placed for storage on a pad.

iii. Exclusion. For the purposes of this section, a wheeled refuse cart of less than one cubic yard in size shall not be considered a wheeled bulk container.

iv. On sites where the container cannot be seen off-site, at a height of five feet above existing grade at any property line of the site no enclosure shall be required.

Sec. 11-32. -- Overloading.

~~It shall be unlawful for any person to overload any garbage dumpster or to permit any garbage dumpster to be overloaded on any property located within the town.~~

Sec. 11-33. - Violations deemed public nuisance.

Any garbage dumpster in violation of the terms of this article shall be deemed to be a public nuisance.

Sec. 11-34. - Responsibility of property owners.

It shall be the responsibility and duty of the owner of any lot, tract or parcel of land within the Town containing a garbage dumpster situated thereon to ensure that such garbage dumpster is not ~~overloaded~~ in violation of the terms and conditions of this article.

Sec. 11-35. - Penalty.

Any person who violates any of the provisions of this article shall, upon conviction thereof, be punished ~~as allowed by law by a fine not to exceed two hundred fifty dollars (\$250.00).~~ Each day any violation of any provision of this article shall continue shall constitute a separate offense. In addition, any person violating the provisions of this article shall be subject to the jurisdiction of the Town Code Enforcement Board as established in chapter 7 of this Code.

Section 2. Codification. It is the intention of the Town Commission of the Town of Pembroke Park, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Pembroke Park's Code of Ordinances, that sections of this

Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word “Ordinance” shall be changed to “Section” or other appropriate word.

Section 3: Severability. The provisions of this Ordinance are to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4: Conflict. All Ordinances, parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are hereby superseded to the extent of such conflict.

Section 5: Effective Date. This Ordinance shall be enacted immediately upon its passage and adoption after Second Reading by the Town Commission.

PASSED AND ADOPTED on First Reading this ____ day of _____, 2022.

PASSED AND ADOPTED on Second Reading this ____ day of _____, 2022.

ATTEST:

GEOFFREY JACOBS
Mayor-Commissioner

MARLEN D. MARTELL

Town Clerk

Approved as to form and legal sufficiency

MELISSA P. ANDERSON

Town Attorney

VOTE

GEOFFREY JACOBS

REYNOLD DIEUVEILLE

WILLIAM HODGKINS

AGENDA ITEM REPORT



To: Commision Information
Subject: Proposed change to parking spaces dimensions - Town Ordinance 28-301
Meeting: 10 15 2022 DRAFT SPECIAL COMMISSION MEETING - Oct 15 2022
Department: Planning and Zoning
Staff Contact: Miguel Nunez, Building Official

POLICY IMPLICATIONS:

Parking spaces change from 10x20 to 9x18

RECOMMENDATION:

Recommends approval

ATTACHMENTS:

[Building Parking Proposal Report](#)
[2022-015 offstreetparking ord](#)



TOWN OF PEMBROKE PARK
BUILDING DEPARTMENT
3150 SW 52ND Avenue
Pembroke Park, FL 33023
Office 954-966-4600 • Fax 954-966-5310

MEMORANDUM NO.: 22-019

DATE: September 19, 2022

TO: Hon. Geoffrey Jacobs, Mayor
Hon. Ray Dieuville, Vice-Mayor
Hon. William Hodgkins, Clerk-Commissioner

VIA: Juan Carlos (JC) Jimenez, Town Manager

VIA: Melissa Anderson, Esq., Town Attorney

FROM: Miguel A. Núñez, Building Official *MN*

RE: **PARKING SPACES PROPOSED REQUIREMENTS.**

At this time, I would like to propose to the Town Commission to accept the proposed changes to the parking spaces dimensions; which will synchronize, the previous-multiple accepted stripping and spaces; while, generating a consistent dimension for all spaces within the town and not only for different areas or districts. Also, see below the chart comparison of other municipalities and their ordinances attachments.

	Municipality	Standard	Parallel
A	City of Coral Springs	9 x 18	10 x 25
B	City of Lauderhill	9 x 18	9 x 23
C	City of Miramar	9 x 18	9 x 24

As always, if you have further questions or comments, do not hesitate to contact me at your earliest convenience.

Respectfully submitted.

Cc: File.

DIVISION 2. - OFF-STREET PARKING

Sec. 28-301. - Minimum requirements.

- (a) Permanently maintained off-street parking for vehicles shall be provided in connection with any building or premises used or designed to be used for such purposes as set forth in this section. For the purpose of this division, one (1) automobile parking space shall be a minimum of ~~nine (9) feet by twenty-eight (28) feet~~ nine (9) feet by eighteen (18) feet in length, except for spaces utilized for parallel parking. The parallel parking space shall not be less than nine (9) feet in width and twenty-four (24) feet in length. usable for the parking of an automobile. ~~Provided, however, an automobile parking space in the T-1 Mobile Home Park District shall be a minimum of nine (9) feet by eighteen (18) feet. usable for the parking of an automobile.~~ In addition, adequate interior driveways shall be provided so as to connect the parking space with a public street or area. More particularly, off-street parking shall comply with the minimum requirements, to wit:

EXHIBIT "A"

City of Coral Springs Parking Spaces Sizes Regulations; Section 250814 of their Code of Ordinances as published by Municode.

EXHIBIT "B"

City of Lauderhill Parking Spaces Sizes Regulations; Section 6.5.2.B of their Code of Ordinances as published by Municode.

EXHIBIT "C"

City of Miramar Parking Spaces Sizes Regulations; Section 808.1.5(a) of their Code of Ordinances as published by Municode.

- (1) *Size:* Each parking space required and provided pursuant to the provisions of this article shall be not less than nine (9) feet in width and eighteen (18) feet in length. See figure 1 in Zoning Appendix.
- (2) *Parallel parking:* Parallel parking shall be utilized for supplemental parking only and not for required parking. The minimum size shall not be less than ten (10) feet in width and twenty-five (25) in length. See Figure 2 in Zoning Appendix. Parallel parking shall not impede or adversely alter pedestrian connections, traffic flow or mass transit connections either to the interior or exterior of any property as determined by the city manager or his designee.
- (3) *Curbing:* The use of continuous class "D" type curbing in lieu of individual wheel stops is required in all parking lots unless specific reasons for the use of wheel stops can be justified through the city engineer. This will allow sixteen (16) feet of asphalt and a two-foot car bumper overhang. The two-foot car bumper overhang shall be in addition to the required landscape area, required buffer area or to a sidewalk. See Figure 3A and 3B in the Zoning Appendix.
- (4) *Striping:* All parking spaces shall be divided with painted double lines as per specifications on file in the Community Development division except for single family homes, zero lot line developments, townhouses and duplexes where the parking spaces are on a single family site or as otherwise permitted in this chapter. See Figure 3 in Zoning Appendix.
- (5) *Accessibility:* In all zoning districts, the width of access aisles and driveways shall be in conformance with the standards set forth in Figure 1 in the Zoning Appendix. Each space shall be accessible without driving over or through another parking space. Back-out parking onto any public right-of-way is only permitted in RS and RD zoned properties, and then only onto public rights-of-way of less than eighty (80) feet in width. Parking stalls abutting the same continuous drive aisle shall have the same angle and orientation. Drive aisles shall be one-way only which are less than twenty-four (24) feet wide or which abut parking stalls with angles less than ninety (90) degrees. Parking stall angles and drive aisle direction of flow may change only when the drive aisle is interrupted by a circulation drive or structure. These standards are set forth according to the city's Minimum Engineering Standards.
- (6) *Identification:* Parking facilities, including access aisles and driveways, shall be identified in accordance with Chapter 18 of the Land Development Code as to purpose and as to location when not clearly evident from a street or alley. The permitted direction shall be clearly marked with painted directional arrows at each end of the one-way aisles.
- (7) *Composition:* Parking facilities, including access aisles and driveways shall be surfaced with brick, asphalt or concrete surfacing maintained in a smooth, well-graded condition, through the use of restriping, resurfacing and resealing with standards set forth according to the city's Minimum Engineering Standards, provided, however, that the following exceptions shall apply:
 - (a) For the following specified uses up to twenty (20) per cent of the required off-street parking facilities may be provided through the utilization of a grass or lawn alternate parking surface:
 - Business;
 - Professional;
 - Industrial;

Nursing home;

Sanitariums;

Housing for the elderly;

Theater;

Private club;

Governmental;

Manufacturing;

Hospital;

Dormitories;

Schools.

- (b) Eighty (80) per cent of the required off-street parking facilities may be provided through the utilization of a grass or lawn parking surface area when the use of the property for which the off-street parking is required is for the following:

Church;

Funeral home;

Stadium or other sports facility.

- (c) Required base for alternate parking surface: The base for any alternate parking surface elected under subsection (5)(a) and (b), supra, shall meet the following criteria:

1. Four (4) inches of compacted limestone as sub base, and
2. Four (4) inches of topsoil over the compacted limestone, and
3. Solid grass sod or grass seed.

- (d) Maintenance-note and penalty for failure to maintain: Each owner electing the alternate parking surface as provided in subsection (5)(a) and (b) shall maintain said surface in a healthy and viable condition.

- (8) *Drainage:* All off-street parking facilities shall be drained so as not to cause any nuisances on adjacent or public property. Such drainage facilities shall be arranged for convenient access and safety of pedestrians and vehicles with standards set forth according to the city's Minimum Engineering Standards.

(Code 1972, § 20-498; Ord. No. 93-146, § 1, 9-21-93; Ord. No. 2007-115, § 29, 11-20-07)

6.5.1. *General requirements:*

- A. Every building, use or structure, instituted or erected after December 11, 1984, shall be provided with off-street parking facilities in accordance with the provisions of this section for the use of occupants, employees, visitors or patrons. Buildings, uses and structures instituted or erected on or before December 11, 1984 shall be required to provide off-street parking facilities in accordance with the provisions of this section within six (6) months of their sale or transfer anytime after June 1, 1999.
- B. Such off-street parking facilities shall be maintained and continued as an accessory use as long as the main use is continued.
- C. Where a building existed on December 11, 1984, provided there is no increase in floor area or capacity and there is no change of occupancy, such building may be modernized, altered or repaired, without providing additional off-street parking facilities.
- D. Where a building or use, which existed on December 11, 1984, is enlarged in floor area, volume, capacity, or space occupied, off-street parking facilities as specified herein shall be provided for the additional floor area, volume, capacity or space so created or occupied.
- 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.
 - 1. 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.
- F. 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.

6.5.2. *Location and design standards:*

- A. The off-street parking facilities required by this section shall be located on the same plot or parcel of land they are intended to serve; provided, however, when practical difficulties, as determined by the City Commission, prevent the establishment of such facilities upon the same plot, the off-street parking facilities shall be provided on land which abuts the premises they are to serve and are within seven hundred (700) feet of the premises they are to serve, and the owner of said parking area and the owner of the property to be served shall enter into written agreement with the City whereby the land providing the parking area shall never be sold or disposed of except in conjunction with the sale of the building the parking area serves so long as these parking facilities are required, and said agreement shall be recorded

at the expense of the owner of the property on which the facilities will be located and shall run with the land to bind the heirs, successors and assigns of said owner. Said written agreement may be voided by the City Commission if other provisions are made for off-street parking facilities pursuant to this section.

- B. Each parking space required and provided pursuant to the provisions of this section shall not be less than nine (9) feet in width, and eighteen (18) feet in length, except for spaces utilized for parallel parking. The parallel parking space shall not be less than nine (9) feet in width and twenty-three (23) feet in length.
- C. Off-street parking facilities required by this section shall be arranged or designed in the same manner as depicted in Table 1-1, "Minimum Space Requirements at Various Parking Angles for Self-Parking Facilities."

Table 6.5.-1

Minimum Parking Space Standards at Various Parking Angles for Self-Parking Facilities

Degrees parking	Aisle	Linear feet space	Space
0	12*	9	23
20—50	15*	9	18
60	18*	9	18
70	20*	9	18
75	22*	9	18
80	24*	9	18
90	24	9	18

- D. The required off-street parking facilities shall be clearly delineated by four-inch, visible, painted striping, except for single-family dwellings. Parking and vehicle service areas which abut landscaped areas, shall be designed with bumper guards, wheel stops, or contiguous curbing. The required bumper guards or wheel stops shall be located a minimum of two and one-half (2½) feet from any landscaped area, sidewalk structure or property line. The required off-street parking facilities, including access aisles and driveways shall be surfaced with hard, durable, dustless material, and maintained in a smooth well graded condition.
- E. All required parking spaces shall be directly accessible from a public or private street, alley or easement. All off-street parking areas shall be designed to permit convenient maneuvering of vehicles and each space shall be accessible without driving over or through any other parking space. Backout parking shall not be permitted on any street or highway designated on the Lauderhill Land Use Plan Map, except for parking spaces required for single-family dwellings.
- F. All off-street parking facilities required by this Code shall be drained so as to retain run-off on site and not to cause any nuisance on adjacent or public property, and any lighting thereon shall be so arranged and designed as to prevent any glare or excessive light on adjacent property or public streets. Such facilities shall be arranged for convenient access and safety of pedestrians and vehicles.
- G. A plan shall be submitted with every application for a building permit for any use or structure required to provide off-street parking under these regulations, which plan shall clearly and accurately designate the required parking spaces, access aisles and driveways, and relation to the uses or structures these off-street parking facilities are intended to serve.
- H. In a Tree Preservation District, the Community Development Director may authorize up to twenty-five (25) percent of the required parking spaces to be designed for compact cars (nine (9) feet by sixteen (16)

EXHIBIT "C"

Sec. 806. - Reserved.

Editor's note— Ord. No. 20-13, § 6(Exh. E), adopted June 17, 2020, repealed § 806 which pertained to wetlands preservation standards. Similar provisions can be found in Chapter 5, Section 501.3.

Sec. 807. - Reserved.

Editor's note— Ord. No. 20-13, § 6(Exh. E), adopted June 17, 2020, repealed § 807 which pertained to surface water management standards. Similar provisions can be found in Chapter 5, Section 501.4.

Sec. 808. - Off-Street Parking and Loading Standards.

808.1. General. Every building, use or structure, instituted or erected after the effective date of this article shall be provided with off-street parking facilities in accordance with the provisions of this section for the use of occupants, employees, visitors or patrons. Such off-street parking facilities shall be maintained and continued as an accessory use as long as the main use is continued.

808.1.1. Existing Buildings. Where a building existed at the effective date of this article, such building may be modernized, altered or repaired, provided there is no increase in floor area or capacity and there is no change of occupancy, without providing the required parking facilities.

Where a building or use, which existed at the effective date of this article, is enlarged in floor area, volume, capacity or space occupied, off-street parking facilities as specified herein shall be provided for the additional floor area, volume, capacity or space so created or so occupied.

Where a building or use, which existed at the effective date of this article, 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 of off-street parking requirements to another such category.

It shall be unlawful for an owner or operator of any building, structure or use affected by this section 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 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 article.

808.1.2. Proximity of Off-Street Parking. Required off-street parking spaces shall be located on the same parcel they are intended to serve. As an alternative, they may be located on a separate parcel not more than 300 feet from the use they are intended to serve provided the owner of said parking areas shall enter into a written agreement with the city of whereby the land providing the parking area shall be joined with the primary site and shall not be sold or disposed of except in conjunction with the sale of the building the parking area serves so long as these parking facilities are required. Said agreement shall be recorded at the expense of the owner and shall run with the land and shall bind the heirs, successors, and assigns of said owner. Said agreement may be voided by the City of Miramar if other provisions are made for off-site parking facilities pursuant to the requirements of this section. In approving off-site parking, the city commission must find that the off-site parking facility is reasonably located in relation to the use it is intended to serve, based upon such factors as the type of facility, likely purpose of the trip to the facility, distance from the use intended to be served, and any physical barriers which must be crossed to reach the use to be served. Parking spaces backing into a main drive aisle adjacent to the front of buildings shall be discouraged.

808.1.3. Parking Plan Required. A parking plan shall be provided with all applications for development approval which shall clearly and accurately designate the required parking spaces, required landscaped areas and planter islands, access aisles and driveways and the relationship of the parking to the uses or structures the spaces are intended to serve.

808.1.4. Required Handicapped Spaces. Parking spaces for disabled persons shall be provided in accordance with Chapter 553, Part II, of the Florida Statutes, as amended from time to time.

808.1.5. Size and Character or Required Parking. The following design requirements shall be observed for off-street parking:

- (a) *Size.* Each parking space required and provided pursuant to the provisions of this article shall be not less than nine feet in width and 18 feet in length. See figure 808-1. Detached single-family dwelling units with two or less bedrooms shall have a minimum of one car garage. All one car garages shall provide a single parking space of nine feet by 18 feet, free from all obstructions. Detached single-family dwelling units with three or more bedrooms shall have a two car garage. All two car garages shall provide two parking spaces consisting of an 18 feet by 18 feet unobstructed space.

The city manager shall have the authority to grant administrative variances from the foregoing requirements of this subsection for lots created by a recorded plat prior to December 1, 1997, located east of Palm Avenue. In no case shall an administrative variance be granted for any property enclosing an existing garage or carport. The administrative variance may be granted in those cases where a property owner is proposing an expansion of an existing single-family home or existing duplex subject to the conditions contained herein provided the construction activity complies with the following conditions:

- 1) The expansion involves the addition of a room other than a bedroom, in which case the provision of additional parking shall not be required. The determination of whether a room is a bedroom shall be at the discretion of the community development director.
- 2) An administrative variance may be granted if the expansion involves the addition of one or more bedrooms provided the lot contains at least three parking spaces, a garage or carport shall count toward the required parking. If the property does not have a garage or carport, the three required spaces must be provided in a paved driveway which meets this Code's driveway design standards. (Ord. No. 98-19, § 2, 2-4-98)

- (b) *Striping.* All parking spaces shall be divided with single painted lines.

MINIMUM SPACE REQUIREMENTS

AT

VARIOUS PARKING ANGLES FOR SELF-PARKING FACILITIES

"A" PARKING ANGLE	"B" PARKING WIDTH	"C" STALL DEPTH	"D" AISLE WIDTH	"E" CURB LENGTH	"F" OVERALL
30°	9.0'	16.8'	11.0'	18.0'	44.6'
45°	9.0'	19.0'	13.0'	12.7'	51.0'
60°	9.0'	20.1'	18.0'	10.4'	58.2'
90°	9.0'	18.0'	24.0'	9.0'	60.0'

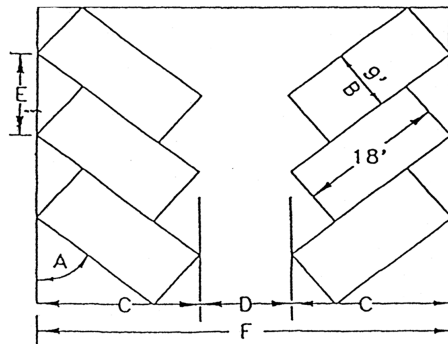


FIGURE 808 - 1

- (c) *Accessibility.* In all zoning districts, the width of access aisles and driveways shall be in conformance with the standards set forth in Figure 808-1. Each space shall be accessible without driving over or through another parking space. Back-out parking onto any public right-of-way is only permitted in RS zoned properties, and then only onto public rights-of-way of less than 80 feet in width. Parking stalls abutting the same continuous drive aisle shall have the same angle and orientation. Drive aisles shall be one-way only which are less than 24 feet wide or which abut parking stalls with angles less than 90 degrees. Parking stall angles and drive aisle direction of flow may change only when the drive aisle is interrupted by a circulation drive or structure.
- (d) *Composition.* Parking facilities, including access aisles and driveways shall be surfaced with brick, asphalt or concrete surfacing (required in RS zoning districts) maintained in a smooth, well-graded condition with standards set-forth according to the office of the city engineer, provided, however, that the following exceptions shall apply.
- (e) *Drainage.* All off-street parking facilities may not be drained to adjacent parcels without the recordation of appropriate drainage easements and agreements. Such drainage facilities shall be arranged for convenient access and safety of pedestrians and vehicles with standards set forth in this Code.

808.1.6. Parking Setback. The edge of all parking pavement and access roads (not including driveway connections to a street) shall be set back a minimum of 20 feet from the right-of-way of all major streets, and a minimum of 12.5 feet from the right-of-way of all other streets and shall be landscaped in conformance with this Code.

Sec. 810. - Reserved.

Editor's note— Ord. No. 20-13, § 6(Exh. E), adopted June 17, 2020, repealed § 810 which pertained to compliance with comprehensive plan. Similar provisions can be found in Chapter 5, Section 501.2.

Sec. 811. - Reserved.

Editor's note— Ord. No. 20-13, § 6(Exh. E), adopted June 17, 2020, repealed § 811 which pertained to Miramar Parkway Scenic Corridor. Similar provisions can be found in Chapter 5, Section 501.10.

ORDINANCE NO. 2022-015

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING CHAPTER 28 “ZONING”, ARTICLE IV “SUPPLEMENTAL DISTRICT REGULATIONS”, DIVISION 2 “OFF-STREET PARKING” OF TOWN’S CODE BY CHANGING THE DISTANCE REQUIREMENTS FOR OFF-STREET PARKING; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, Town of Pembroke Park (“Town”) staff has determined that the off-street parking regulations contained in Section 28-301 should be updated; and

WHEREAS, the Town Commission has determined that it is in the best interest of the Town and benefits the health, safety and welfare of its citizenry to update the off-street parking regulations contained in Section 28-301 of the Town’s Code.

NOW, THEREFORE, BE IT ORDAINED by the **Town Commission** of the **Town of Pembroke Park**:

Section 1: CHAPTER 28 “ZONING”, ARTICLE IV “SUPPLEMENTAL DISTRICT REGULATIONS”, DIVISION 2 “OFF-STREET PARKING” is amended as set forth below, as shown in ~~striketrough~~ and underline format.

DIVISION 2. - OFF-STREET PARKING

Sec. 28-301. - Minimum requirements.

- (a) Permanently maintained off-street parking for vehicles shall be provided in connection with any building or premises used or designed to be used for such purposes as set forth in this section. For the purpose of this division, one (1) automobile parking space shall be a minimum of nine (40-9) feet by ~~twenty eighteen (20-18)~~ feet in length, except for spaces utilized for parallel parking. The parallel parking space shall not be less than nine (9) feet in width and twenty-four (24) feet in

~~length, usable for the parking of an automobile. Provided, however, an automobile parking space in the T-1 Mobile Home Park District shall be a minimum of nine (9) feet by eighteen (18) feet. usable for the parking of an automobile.~~ In addition, adequate interior driveways shall be provided so as to connect the parking space with a public street or area. More particularly, off-street parking shall comply with the minimum requirements, to wit:

* * *

Section 2. Codification. It is the intention of the Town Commission of the Town of Pembroke Park, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Pembroke Park's Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 3: Severability. The provisions of this Ordinance are to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4: Conflict. All Ordinances, parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are hereby superseded to the extent of such conflict.

Section 5: Effective Date. This Ordinance shall be in force and take effect as provided by law.

PASSED AND ADOPTED on First Reading this ____ day of _____, 2022.

PASSED AND ADOPTED on Second Reading this ____ day of _____, 2022.

ATTEST:

GEOFFREY JACOBS
Mayor-Commissioner

MARLEN D. MARTELL
Town Clerk

Approved as to form and legal sufficiency

MELISSA P. ANDERSON
Town Attorney

VOTE

GEOFFREY JACOBS

REYNOLD DIEUVEILLE

WILLIAM HODGKINS

ORDINANCE NO. 2022-016

AN ORDINANCE OF THE TOWN OF PEMBROKE PARK, FLORIDA, AMENDING SECTION 28-36 OF CHAPTER 28 “ZONING”, ARTICLE II “ADMINISTRATION” WITHIN THE TOWN OF PEMBROKE PARK CODE OF ORDINANCES TO FURTHER DEFINE THE RESPONSIBILITIES OF THE TOWN’S PLANNING AND ZONING BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; SUPERSEDING CONFLICTING ORDINANCES AND RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, Town of Pembroke Park (“Town”) staff has determined that Chapter 28 “Zoning” of the Town’s Code should be amended to streamline the zoning code and bring it up to date with current law; and

WHEREAS, Town staff has determined that the administrative portion of the zoning code should be amended to reflect that the planning and zoning board should only be reviewing amendments to Chapter 28 “Zoning” that propose to change the actual list of permitted, conditional, or prohibited uses within a zoning category, or ordinances that propose to change the actual zoning map designation of a parcel or parcels of land; and

WHEREAS, the Town Commission for the Town finds that it is in the best interest of the Town and promotes the public health, safety and general welfare of its citizenry to amend Section 28-36 “Procedure for amendments initiated by Town Commission or Planning and Zoning” within Chapter 28 “Zoning” of the Town’s Code.

NOW, THEREFORE, BE IT ORDAINED by the **Town Commission** of the **Town of Pembroke Park**:

Section 1: Amendment of Section 28-36 “Procedure for amendments initiated by Town Commission or Planning and Zoning” within Chapter 28 “Zoning” of the Town’s Code. Section 28-36 “Procedure for amendments initiated by Town Commission or Planning and Zoning” with Chapter 28 of the Town’s Code is hereby amended as follows (shown in ~~striketrough~~ and underline format):

CHAPTER 28 - ZONING.

* * *

ARTICLE II. – ADMINISTRATION

* * *

DIVISION 2. – AMENDMENTS

Sec. 28-36. - Procedure for amendments initiated by Town Commission or Planning and Zoning Board.

- (a) The regulations, restrictions, and boundaries set forth in this chapter may from time to time be amended, supplemented, changed or repealed by the Town Commission on its own motion or on petition of the Planning and Zoning Board under the procedures set forth in this section.
- (b) ~~Any~~ proposed amendment, supplement, change, modification or repeal which proposes to change the actual list of permitted, conditional, or prohibited uses within a zoning category, or proposes to change the actual zoning map designation of a parcel or parcels of land shall first be submitted to the Planning and Zoning Board for its recommendation and report, which Planning and Zoning Board may at its option hold a public hearing. If the Planning and Zoning Board decides to hold a public hearing, such public bearing shall be preceded by a notice of hearing containing the time and place of such hearing, which notice shall be published in a newspaper of general circulation in the Town, and the said publication shall be at least ten (10) days before the date of the public hearing.
- (c) The Planning and Zoning Board shall make its recommendation or report to the Town Commission within sixty (60) days of the date of the public hearing. If the Planning and Zoning Board fails to report within sixty (60) days, the Town Commission shall consider the matter

reported without recommendation. The recommendation of the Planning and Zoning Board is not binding upon the Town Commission.

(d) The Town Commission shall schedule a public hearing upon the proposed amendment, supplement, change, modification or repeal after the receipt of the report from the Planning and Zoning Board. If the Planning and Zoning Board fails to report, the Town Commission shall, upon the expiration of sixty (60) days following the public hearing before the Planning and Zoning Board, thereafter schedule a public hearing at the first regular meeting subsequent to the expiration of the sixty (60) days as aforesaid.

* * *

Section 2. Codification. It is the intention of the Town Commission of the Town of Pembroke Park, and it is therefore ordained, that the provisions of the Ordinance shall become and be made a part of the Town of Pembroke Park's Code of Ordinances, that sections of this Ordinance may be re-numbered or re-lettered to accomplish such intentions, and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 3: Severability. The provisions of this Ordinance are to be severable and if any section, sentence, clause or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4: Conflict. All Ordinances, parts of Ordinances, Resolutions or parts of Resolutions, in conflict herewith be and the same are hereby superseded to the extent of such conflict.

Section 5: Effective Date. This Ordinance shall be in force and take effect as provided by law.

PASSED AND ADOPTED on First Reading this ____ day of _____, 2022.

PASSED AND ADOPTED on Second Reading this ____ day of _____, 2022.

ATTEST:

GEOFFREY JACOBS
Mayor-Commissioner

MARLEN D. MARTELL
Town Clerk

Approved as to form and legal sufficiency

MELISSA P. ANDERSON
Town Attorney

VOTE

GEOFFREY JACOBS

REYNOLD DIEUVEILLE

WILLIAM HODGKINS