

# CITY OF WESTLAKE



## AGENDA - REVISED

### City Council Workshop

Monday, August 23, 2021, at 6:30 PM

Westlake Council Chambers  
4005 Seminole Pratt Whitney Road  
Westlake, Florida 33470

In efforts to balance the need for the City of Westlake to function and conduct business during the COVID-19 pandemic, we will adhere to the recommended social/physical distancing (staying at least six feet away from each other) guidelines, per the Centers for Disease Control and Prevention (CDC) and Palm Beach County's directives. There will be limited seating available in the Council Chambers. Therefore, preregistration will be required for in-person participation.

The instructions for preregistration attendance/participation and viewing of the meeting are outlined below:

#### **PREREGISTRATION FOR IN-PERSON ATTENDANCE:**

- All interested persons, Quasi-Judicial meeting applicants, their representatives, and witnesses must preregister to attend/participate in a meeting by sending an email to City Clerk, Zoie Burgess at [zburgess@westlakegov.com](mailto:zburgess@westlakegov.com) or by phone at 561-530-5880 no later than one (1) business day prior to the meeting date (e.g. by 4:00 P.M. on a Friday, if the meeting is scheduled for that Monday, etc.)
- In-person attendance/participation will be based upon the order in which the preregistration requests are received by the City Clerk. For Public Hearing Quasi-Judicial meetings, precedence into the Council Chambers will be given to applicants, their representatives, and/or witnesses over all other preregistered parties.

#### **COMMUNICATIONS MEDIA TECHNOLOGY – WEBEX:**

Members of the public may also participate in the meeting through electronic means and may access as follows:

1. Join the Webex meeting from your computer, tablet or smartphone at the following link:  
<https://cityofwestlake.my.webex.com/>

Meeting ID: 132 685 0816

Password: hello

2. Participants may also dial in using your phone with any of the following number(s):

United States Toll: +1-408-418-9388

Meeting ID: 132 685 0816

For participants attending the meeting via WebEx, public comments will be accepted via an electronic comment card, at least 24 hours prior to the public meeting and also acknowledged during the meeting when participants utilize the “raise your hand” feature during the designated time.

Procedures for Public Comment are also provided via the City website:

<https://www.westlakegov.com/cityclerk/page/covid-19-public-meetings>

### **CITY COUNCIL:**

Roger Manning, Mayor

JohnPaul O’Connor, Vice Mayor

Patric Paul, Council Member – Seat 1

Kara Crump, Council Member – Seat 2

Katrina Long Robinson, Council Member – Seat 4

### **CITY STAFF:**

Ken Cassel, City Manager

Zoie P. Burgess, City Clerk

Donald J. Doody, Esq., Interim City Attorney

[TENTATIVE: SUBJECT TO REVISION]

**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**WORKSHOP AGENDA**

- A.** Discussion for Proposed Code Language: Art in Public Places Program

**Submitted By:** Planning & Zoning

- B.** Ordinance 2021-06: Chapter 8 Parking Regulations, Land Development Regulations

**Submitted By:** Engineering

**ORDINANCE NO. 2021-06**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING REGULATIONS FOR PARKING WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESIDENTIAL AND COMMERCIAL PROPERTY PARKING STANDARDS; ALL OF WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED "PARKING REGULATIONS", PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

- C.** Ordinance 2021-09: Chapter 7 Mobility Regulations, Land Development Regulations

**Submitted By:** Engineering

**ORDINANCE NO. 2021-09**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MOBILITY PLANS WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING UTILIZATION OF PALM BEACH COUNTY'S TRAFFIC PERFORMANCE STANDARDS FOR MOTORIZED VEHICLES; PROVIDE FOR VEHICULAR LEVEL OF SERVICE STANDARDS; PROVIDES FOR TRAFFIC IMPACT STUDIES AND STATEMENTS; WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED 'MOBILITY', PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**CITY COUNCIL COMMENTS**

- A. Councilwoman Katrina Long Robinson
- B. Councilwoman Kara Crump
- C. Councilman Patric Paul
- D. Vice Mayor JohnPaul O'Connor
- E. Mayor Roger Manning

**CITY ATTORNEY COMMENTS**

**CITY MANAGER COMMENTS**

**PUBLIC COMMENTS**

**ADJOURNMENT**

Next Meeting (Subject to Change or be Cancelled):

**City Council Regular Meeting - September 13, 2021**

**NOTICE:** If a person, firm or corporation decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, you will need a record of the proceedings, and you 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. (The above notice is required by State Law. Anyone desiring a verbatim transcript shall have the responsibility, at his own cost, to arrange for the transcript). The City of Westlake does not prepare or provide such verbatim record.

In accordance with the Americans with Disabilities Act, persons who need an accommodation in order to attend or participate in this meeting should contact the City Clerk at (561) 530-5880 at least three (3) business days prior to the meeting in order to request such assistance.

**AGENDA POSTED:** August 16, 2021, Revised August 19, 2021 – v2

**File Attachments for Item:**

A. Discussion for Proposed Code Language: Art in Public Places Program

**Submitted By:** Planning & Zoning



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		August 23, 2021	<b>Submitted By:</b> Planning & Zoning	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Discussion for Proposed Code Language: Art in Public Places Program		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		This is an item for City Council discussion, comments and feedback. Staff will present a draft code language.		
<b>SUMMARY and/or JUSTIFICATION:</b>		<p>It is the intention of the Art in Public Places Program to promote public art to enhance the economic development of this new community, establish the City's identity as a place where public art thrives, and promote the beauty and interest of spaces visible to the public in both private and public development projects.</p> <p>The purpose of this Program is to establish a formal requirement for the funding, acquisition, placement, and maintenance of artwork within the City of Westlake. This requirement and the policies and procedures that implement it, are referred to as the City of Westlake Art in Public Places Program.</p>		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>	
	<b>STAFF REPORT:</b>		<b>PROCLAMATION:</b>	
	<b>EXHIBIT(S):</b>		<b>OTHER:</b>	
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>				
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>		<b>ORDINANCE:</b>	
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank) <b><u>Please keep text indented.</u></b></i>				
<b>FISCAL IMPACT (if any):</b>				\$

Updated 8/13/2021

**CHAPTER 24: ART IN PUBLIC PLACES**

**Article 24.1 Definitions.** The following words, terms, and phrases, when used in this Chapter, shall have the meanings described herein except where the context clearly indicates a different meaning

**Art or Artwork** means all tangible creations by artists exhibiting the highest quality of skill and aesthetic principles, and includes all forms of the visual arts conceived in any medium, material, or combination thereof, including, but not limited to, painting, sculpture, fountains, engraving, carving, frescos, mobiles, murals, collages, mosaics, bas-reliefs, tapestries, photographs, drawings, artist-designed seating, or other functional art pieces and collaborative design projects between architects and/or landscape architects and artists, together with all hard costs and soft costs such as, but not limited to, design, engineering, permitting, artistic fees, lighting, landscaping, or other aesthetic effects or enhancements integrated with the art and approved by the City Planner. The city council shall not consider for approval art objects which are mass-produced in unlimited quantities.

*Ineligible artwork.* The following shall not be considered artwork:

- a. Art objects which are mass produced or of standard manufacture, such as playground equipment, fountains, statuary elements, signage, maps, corporate logos or other functional elements, unless incorporated into an artwork by an artist commissioned for that purpose.
- b. Reproductions, by mechanical or other means, of original artwork, except in the cases of limited editions controlled by the artist, cast sculpture, film, video, photography, printmaking, or other media arts.
- c. Decorative, ornamental, architectural, or functional elements of the architecture or landscape design which are designed by the building architect, unless done in collaboration with an artist commissioned for that purpose. Such elements may be considered artwork when commissioned from an artist as an integrated aspect of the structure or site.
- d. Commercial expression, including design elements related to the visual identity of a developer or occupant of a building such as a logo, trademark iconography, color scheme or theme, even if created by an artist.
- e. Services or utilities necessary to operate and maintain an artwork over time.

**Development** (as used in this Chapter) means any project to construct, redevelop or remodel any private or public development, except for residential development and/or the residential components of a mixed-use development, or any portion thereof within the limits of the city.

**Artist** means an individual recognized by critics and peers as a professional practitioner in the visual arts as judged by the practitioner's body of work, educational background and training, experience, public commissions, exhibition record, publications, receipt of honors and awards, and training in the arts. The term "artist" includes local artists.

**Mixed Use Projects** means projects that contain a mix of residential and non-residential uses.

**Non-residential Development Projects** means all non-residential development, redevelopment, renovation, or conversion projects.

**Public Construction Project** means new construction or any remodel or conversion project with vertical construction costs that exceed one million dollars (\$1,000,000) to the extent paid for wholly or in part by the City of Westlake, regardless of the source of the monies, for any public buildings, public decorative structures, parking facilities and parks, or that portion of a Public-Private Joint Venture Project determined by the City to be a public portion of the project. Notwithstanding the foregoing, Public Construction projects do not include utility, drainage, potable water, wastewater, reuse water, or roadway work, or work performed by or on behalf of the Seminole improvement District.

**Private Construction Project** means any construction, renovation, or conversion project to the extent not paid wholly or in part by the City or any other governmental agency, of one million dollars (\$1,000,000) or more, excluding residential development. Private Construction Project includes the private portion of any Public-Private Joint Venture Project.

**Public-Private Joint-Venture Project** means a project where construction, renovation, or conversion project undertaken by a private entity occurs on City-owned land, or where the City is a party to a public-private joint venture agreement on City-owned land. To the extent that a Public-Private Joint Venture can be divided in private and public portions, the public portions shall be considered a Public Construction Project and the private portions shall be considered a Private Construction Project, the percentage of each to be determined by the City.

**Vertical Construction Cost** means the total cost associated with the construction or renovation of a building, as determined by the Building Official issuing a building permit for construction or renovation of the building. This includes all buildings on the project site, except for site infrastructure, temporary buildings or structures, and parking garages. The vertical construction costs include labor, structural materials, plumbing, electrical, mechanical, infrastructure, design, permitting, architecture, engineering, lighting, signage, and site work associated with the building's construction or renovation.

## **Article 24.2 Art in Public Places Program**

**Section 1) Purpose.** It is the purpose of the City of Westlake to establish a formal requirement for the funding, acquisition, placement, and maintenance of artwork within the City of Westlake. This requirement and the policies and procedures that implement it, are referred to as the City of Westlake Art in Public Places Program. It is the intention of this program to promote public art to enhance the economic development of this new community, establish the City's identity as a place where public art thrives, and promote the beauty and interest of spaces visible to the public in both private and public development projects.

**Section 2) Applicability.** This ordinance shall apply to Public Construction Projects and Private Construction Projects.

**(A) Non-Residential Development.** All non-residential development projects with vertical construction costs of one million dollars (\$1,000,000.00) or more shall be subject to the requirements of the Art in Public Places program, in accordance with the provisions of this Ordinance.

**(B) Residential Development Exempt.** Residential projects are not required to pay a fee or provide artwork in lieu of the fee. Notwithstanding the foregoing, residential developers are



encouraged to donate moneys to the fund or to provide artwork within the development project or elsewhere within the City, following art selection criteria in this Ordinance.

**(C) Mixed Use Projects.** For mixed use projects, the portion of the mixed use project that is non-residential development shall be subject to the requirements of the Art in Public Places Program in the same manner as other non-residential development if the vertical construction costs of the non-residential development portion are one million dollars (\$1,000,000.00) or more. The portion of the mixed use project that is residential shall be exempt from the requirements of the Art in Public Places Program.

**(D) Temporary Structures Exempt.** The Art in Public Places Program does not apply to temporary structures.

**Section 3) Art Acquisition Fund.** The City of Westlake Art Acquisition Fund is hereby established. It will be funded through Art in Public Places Fees for Public and Private construction projects, cash grants, voluntary donations to the City for public art projects from governmental or private resources, and all other funds allocated by the City through the budgetary process for the provision of public art. These funds will be interest bearing and revolving and may only be used for the purposes of this program.

**Section 4) Art in Public Places Program Requirements.** Non-residential development projects with vertical construction costs of one million dollars (\$1,000,000.00) or more must either contribute one percent (1%) of the vertical construction costs of the project to the Art Acquisition Fund, or provide artwork that has an appraised value equal to three quarters of a percent (0.75%) of the vertical construction costs of the project and incorporate such artwork into the non-residential development project.

**(A)** If the project is built in phases, then the fee will be calculated for each phase.

**(B)** Applicants are encouraged to provide artwork rather contribute to the Art Acquisition Fund.

**(C)** If the applicant intends to provide the artwork, the location of the artwork shall be shown on the site plan.

**Section 5) Enforcement.**

**(A)** The requirements of the Art in Public Places Program shall be listed as a Condition of Approval in the Development Order approving applicable development projects.

**(B)** The Code Enforcement Division is responsible for enforcing Development Orders and Conditions of Approval.

**Section 6) Art in Public Places Advisory Board.** The Art in Public Places Advisory Board is hereby established to promote greater public participation in, and access to, arts and culture in the City.

**(A) Composition.** The Art in Public Places Advisory Board shall be composed of five (5) board members and two (2) alternate board members, and one (1) non-voting high school student, who shall be appointed by the City Council.

**(1)** No less than four board members shall have a demonstrated knowledge of the arts, such as an educational degree related to the arts, and possess competence in the evaluation of art, art history, art education, architecture, sculpture, painting and other appropriate media, urban design, or a related field.

**(2)** Board members shall either live or work in the City.

**(3)** Each board member shall serve without compensation.

- (4) No board member may be the artist, provide the artwork, consulting services or have any interest in any artwork to be reviewed by the Art in Public Places Advisory Board, whether proposed by a private developer or the by the City.
- (B) Artwork Review and Recommendation.** If the applicant proposes provide artwork rather than contribute to the Art Acquisition Fund, the City Council must approve the artwork after receiving a recommendation from the Art in Public Places Advisory Board. The Art in Public Places Advisory Board shall review the artwork, and recommend to the City Council the approval, denial, or approval\_with conditions of the selection and location of the artwork according to the standards of this Ordinance.
- (C) Criteria for the Review of Artwork.** In making its recommendation to the City Council, the Art in Public Places Advisory Board shall consider the quality of the artwork; the exhibition and experience of the artist; the artist's works in public collections and previous public art purchases or commissions; the ability of the artist to complete the project within a specified schedule; and the compliance with the standards of this Chapter.
- (D) Guidelines.** The Art in Public Places Advisory Board may adopt art in public places guidelines to assist both the public and private sector to implement art planning activities.
- (E) Review by Staff.** City staff shall review the applications and make recommendations to the Art in Public Places Advisory Board and to the City Council.

**Section 7) Standards for the Artwork.**

- (A) Display.** Artwork shall be displayed in a visually accessible location, which shall be suitable to the design of the site, in order for the public to receive the most enjoyment and benefit from the art.
  - (1)** All artwork funded from the art acquisition fund shall be displayed on or in government-owned or leased land, a government-owned or leased building, or on privately-owned property with an easement in favor of the City permitting such display
- (B) Integration.** Artwork attached to a vertical structure shall be integrated into the overall planning and design for a structure or project and shall be compatible with the intent and purpose of the structure at which the work or works are located. Artwork displayed outdoors shall be integrated into the overall landscaping plan, and landscaping shall be utilized to enhance the visibility of such works.
- (C) Lighting.** Artwork shall be lighted at a minimum from dusk until midnight. The lighting shall be designed and located in order to prevent excessive lighting, energy waste, glare, light trespass, and sky glow.
- (D) Removal.** Artwork installed pursuant to this Article cannot be altered or removed from the site without prior approval of the city council.
- (E) Maintenance.** Artwork shall be maintained in good condition at all times, including any associated landscaping or related improvements. The City shall be responsible for maintaining artwork acquired through the Art in Public Places Fund or in or on government owned, leased, or easement property. The developer or landowner shall be required to maintain any artwork provided by the applicant and physically integrated into the non-residential development project.

**(F) Compliance with building, zoning, and fire codes.** The City's Building Codes and Property Development Regulations shall apply to art installations. Building Permits shall be obtained, when necessary, and shall be in compliance with the Florida Building Code, the National Electric Code, Palm Beach County Fire Safety regulations, and plans previously approved by City Council.

**File Attachments for Item:**

B. Ordinance 2021-06: Chapter 8 Parking Regulations, Land Development Regulations

**Submitted By:** Engineering

**ORDINANCE NO. 2021-06**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING REGULATIONS FOR PARKING WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESIDENTIAL AND COMMERCIAL PROPERTY PARKING STANDARDS; ALL OF WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED "PARKING REGULATIONS", PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		August 23, 2021	<b>Submitted By:</b> Engineering	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Ordinance 2021-06: Chapter 8 Parking Regulations, Land Development Regulations		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		Recommend Chapter 8 Parking Regulations, as amended, proceeds to City Council First Reading		
<b>SUMMARY and/or JUSTIFICATION:</b>		The amendments proposed for Chapter 8 encourage multiple modes of transportation and provide guidance for accommodating electric vehicles, low speed electric vehicles, and motorcycles.		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>	
	<b>STAFF REPORT:</b>	X	<b>PROCLAMATION:</b>	
	<b>EXHIBIT(S):</b>	X	<b>OTHER:</b>	
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Agenda Item Cover Sheet Engineering Staff Report Ordinance 2021-06 – Chapter 8 Parking Regulations			
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>		<b>ORDINANCE:</b>	
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i>	<b>ORDINANCE NO. 2021-06</b>			
	<b>AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING REGULATIONS FOR PARKING WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESIDENTIAL AND COMMERCIAL PROPERTY PARKING STANDARDS; ALL OF WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED "PARKING REGULATIONS", PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.</b>			
<b>FISCAL IMPACT (if any):</b>				\$

**ORDINANCE NO. (TBD)**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, AMENDING ~~ESTABLISHING~~ REGULATIONS FOR PARKING WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR DEFINITIONS; PROVIDING FOR RESIDENTIAL AND COMMERCIAL PROPERTY PARKING STANDARDS; ALL OF WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED "PARKING REGULATIONS", PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on or about May 3, 2018, the Florida Department of Economic Opportunity provided the City with notice of intent to find the City's initial comprehensive plan in compliance and is now the effective and controlling Comprehensive Plan for the City of Westlake (Comprehensive Plan); and

**Whereas**, the purpose and intent of the off-street parking and loading standards in the City of Westlake Land Development Regulations is to ensure that adequate parking is provided to meet the parking needs of all uses located within the City of Westlake; and

**Whereas**, the parking code provides standards and requirements for parking both on-site and off-site, loading requirements and stacking requirements for parking facilities based upon the density and intensity of residential and non-residential use; and

**Whereas**, the parking code provides requirements for pedestrian circulation, lighting standards within parking lots, and standards for reduced and shared parking requirements for new or expanded uses; and

**Whereas**, the parking code does not regulate every form and instance of parking which may occur within the jurisdictional limits for the City of Westlake, rather they are intended to regulate those forms and instances that are most likely to meaningfully affect one or more of the purposes contained herein; and

**Whereas**, if any provision of this parking regulations code is found by a court of competent jurisdiction to be invalid, such finding will not affect the validity of the other provisions of the parking regulations ordinance, which can be given effect without the invalid provision; and

**Whereas**, the Local Planning Agency has conducted a hearing on TBD, and made a recommendation to the City Council with respect to the adoption of the parking regulations ordinance; and

**Whereas**, the City Council has conducted a public hearing on TBD, wherein it considered the recommendation of the Local Planning Agency Board, the City staff and comments from the public into consideration and has determined that the adoption of this parking regulations ordinance is in the best interest of the public safety and welfare of the City of Westlake; and

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA, as follows:**

**Section 1:** **Incorporation.** The above recitals are confirmed, adopted and are incorporated herein by reference.

**Section 2:** **Parking Regulations.** The code of ordinances for the City of Westlake shall contain a chapter entitled "**Parking Regulations**" which code shall contain the provisions as specifically set forth herein.

**CHAPTER 8 PARKING REGULATIONS**

**Article 8.1 INTENT**

**Section 1:** **Intent.** This Chapter is intended to ensure that adequate parking is provided to meet the parking needs of all uses located within the City. All parking areas shall be designed and located for the following purposes:

- A) To serve the use for which constructed; and
- B) To protect the public safety; and
- C) To mitigate potential adverse traffic and parking impacts on adjacent uses.

**ARTICLE 8.2 APPLICABILITY OF CHAPTER**

**Section 1:** **Applicability.** The requirements of this Chapter shall apply to all development, including new structures, alterations or improvements to existing structures, establishment of new uses, or change of use. Off-street parking shall be available for use prior to the issuance of any certificate of occupancy or occupational license.

**Section 2:** **Expansion.** If an existing building, structure, or use that conforms to the off-street parking requirements is expanded, the area of expansion shall be consistent with requirements of this chapter, including off-street parking and landscaping.

**Section 3:** **Change in use.** Whenever a change of use or occupancy occurs and does not involve expansion of an existing building, the new use or occupancy shall meet the off-street parking requirements of this chapter.

**Section 4:** **Nonconformities.** Whenever an expansion occurs to a building or structure that is not in conformance with the off-street parking requirements established in this chapter, the area of expansion shall be consistent with requirements of this chapter, including off-street parking **and landscaping.**

**Section 5:** **Calculations.** Calculations shall be rounded to the nearest whole number.

**Section 6:** **Handicapped Parking.** These regulations hereby incorporate by reference all applicable provisions of Chapter 553, Part II, Accessibility by Handicapped Persons, Florida Statutes, as they apply to parking requirements and which incorporate the federal Americans with Disabilities Act Standards for Accessible Design. These requirements control over any other regulation in this code that may be in conflict.

**ARTICLE 8.3 RESTRICTIONS ON PARKING**

**Section 1.** **General Use Restriction of Parking Areas.** Required parking spaces shall not be used for the storage, sale or display of goods or materials or for the sale, repair, or servicing of vehicles unless specifically exempted or permitted as indicated in this section.

**Section 2.** **Operable Vehicles.** All vehicles parked within off-street parking areas shall be registered and capable of moving under their own power.

**Section 3. C) Repairs and Maintenance.** Minor repairs and motor vehicle maintenance on personal vehicles may be conducted in residential driveways. Other repairs of personal vehicles may be made within enclosed garages. Use of residential property to repair vehicles as a commercial transaction is prohibited.

**Section 4. Electric vehicle charging stations.** Electric vehicle charging stations are allowed in all multi-family residential and non-residential areas.

**Section 5. Portable Storage Units.** Parking and storage of portable storage units in residential areas or on residential lots.

(1) **Time limitation.** The temporary use and placement of a portable storage unit for the loading or unloading of items to or from the unit or residence is permitted on residential property for a period not to exceed fourteen (14) consecutive days. The planning and zoning director or designee may grant one (1) extension not to exceed fourteen (14) additional consecutive days for good cause. The temporary use and placement of a portable storage unit for the loading and unloading of items to or from a unit or residence is permitted only once per any twelve- (12-) month period unless there is a change of ownership of the residential premises during such twelve- (12-) month period.

(2) **Placement.** The placement of the portable storage unit shall be on either the driveway or approved parking area surface and shall be accomplished in such a manner that no landscaping is damaged as a result. Portable storage units shall not be placed within any right-of-way or over any easement.

(3) **Removal of portable storage units during tropical storm watch or warning and hurricane warning or watch required.** In the event the National Weather Service, National Hurricane Center, or appropriate weather agency declares a tropical storm watch or warning or a hurricane watch or warning that would impact the City of Westlake, all portable storage units located within the city shall be immediately removed from the property so as not to create a safety hazard because of hurricane or tropical storm force winds. The removal and replacement of any portable storage unit pursuant to this subsection shall not count toward the twelve- (12-) month limitation period as set forth in subsection (1) above nor shall compliance with this subsection diminish the total number of days allowed.

**Section 6. Commercial Vehicles in Residential Areas.** Commercial vehicles shall not be parked, stored, or repaired in a residential subdivision, in guest parking, or on a residential lot unless subject to one of the following exceptions:

(1) **Construction sites.** Vehicles parked temporarily at a site undergoing construction, for which a current and valid building permit has been issued by the City. The vehicle may remain at the construction site only as long as necessary. However, under no circumstances shall the vehicle remain after completion of the construction or expiration of the building permit, whichever occurs first.

(2) **Sales office use.** The use of a vehicle as a sales office on an approved development site, subject to all provisions of this subdivision pertaining to such use.

(3) **Security.** The use of a vehicle for security, subject to all provisions of this subdivision pertaining to such use.

(4) **Deliveries and service calls.** The use of a vehicle for deliveries, service calls, and other related trade services, provided such use is limited to the reasonable time necessary to complete a



delivery or service.

(5) **Disabled vehicles.** A vehicle which becomes disabled and, as a result of such status, cannot reasonably comply with this subdivision. Such vehicle shall be removed from the residential district within 48 hours of the disabling incident, regardless of the nature of the disabling incident.

(6) **Public safety.** A vehicle which is owned, maintained, or operated by an agency of government for the purpose of public safety.

(7) **Enclosed parking.** A vehicle which is parked or stored in a fully-enclosed garage facility.

## **Section 7. Recreational Vehicles and Watercraft**

(1) **Storage.** Recreational vehicles and watercraft shall be stored in a fully-enclosed garage facility.

(2) **Loading and unloading.** An RV or watercraft may be permitted in the front yard of a lot for one 24-hour period to permit loading or unloading. This period may be extended by the Planning and Zoning Director.

(3) **Residential use prohibited.** Under no circumstances shall an RV or watercraft, parked or stored pursuant to this subdivision, be used for temporary or permanent residential purposes, including living, sleeping, or other similar occupancy, or storage in any manner.

(4) **Watercraft and trailers.** For the purposes of this subdivision, when a watercraft is parked, stored, or resting on a trailer or similar device used or intended for storage or transportation, the watercraft and the trailer shall be considered a single unit and subject to the regulations and restrictions applicable to a watercraft.

**ARTICLE 8.4 Provision of adequate parking.** The owner, developer, or operator of a specific use shall be responsible to provide and maintain adequate off-street parking to meet the specific characteristics of a use or combination of uses located on a site or property.

## **ARTICLE 8.5 LOCATION OF REQUIRED PARKING**

**Section 1: General Location.** All off-street parking shall be located on or near the same lot or parcel as the use for which the parking is provided in order to provide convenient and safe access to the uses served by such facilities.

**Section 2: Off-site Location.** Parking located off of the same lot or parcel as the use for which the parking is provided is allowed only if the provision of such parking and access will be available and guaranteed via ownership, lease, or other legally binding mechanism in a recordable form acceptable to the City Attorney. The off-site parking shall remain in place until said legally binding document is released by the City. Off-Site parking may be conditionally allowed only for non-residential uses with the approval by City Council. The City Council will evaluate the on-site parking provided along with a parking study completed by a licensed professional engineer to justify the proposed for parking solution(s). Off-site parking must be located within eight hundred (800) feet of the applicant's project site. This distance shall be measured from property line to property line. Off-site parking may not be located adjacent to or within a single-family residential area.

**Section 3: Residential Driveways.** Driveways are required for single family detached dwellings, and are considered off-street parking spaces for single-family dwellings. However, the length and width of the driveway must provide sufficient space to comply with the requirements of this chapter. For single family attached dwellings, if driveways are not provided, off-street, on-street, or other alternative parking shall be provided within 360 feet of the single family attached dwelling unit in order to meet parking requirements.

**Section 4: Building setbacks.** Parking of vehicles in any front, side, or rear building setback or landscape buffer, except on driveways, other designated parking areas and other approved surfaces, is prohibited unless allowed as temporary parking as defined below.

**Section 5: Temporary Residential Yard Parking.** Temporary parking of vehicles in a yard is permitted for social or other events held at a residence, provided such parking shall not exceed eight hours in a 24-hour period. Temporary parking in a yard due to renovation or repair of a driveway or residence is permitted for the duration of the construction of the improvements.

## **ARTICLE 8.6 DIMENSIONS OF PARKING SPACES**

**Section 1:** The dimensions and geometrics of off-street parking areas shall conform to the following minimum standards.

A) **Residential.**

(1) **Individual Parking Space.** Each parking space for dwelling units that do not share a common parking lot, including spaces provided in single-family dwelling unit driveways, shall be a minimum of eight and one half (8'6") feet wide and twenty (20) feet long. Parking spaces may be side to side, end to end or not contiguous to each other.

(2) **Common Parking Lots.** For dwelling units that share a common parking lot, parking spaces and aisles shall be subject to Table 8-1, Minimum Parking Dimensions.

B) **Nonresidential.**

(1) All nonresidential uses shall provide parking spaces that comply with Table 8-1, Minimum Parking Dimensions. Use of parking angles not listed in the Table shall use dimensions based on linear interpolation.

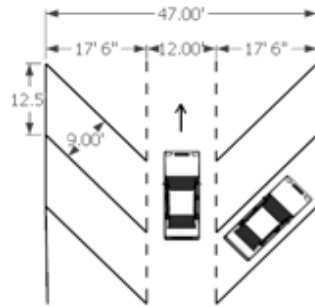
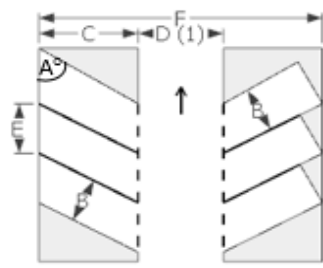
**Section 2: Parking along road or drive aisle.**

A) **On-road parking requirement.** On-road parking may only be provided on roads with curbing and shall not encroach upon required spaces for motor vehicle or bicycle lanes and shall not conflict with other code requirements.

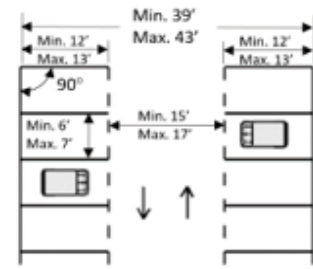
B) **On-road parking options.** On-road parking may be parallel or angled on local roads.

(1) **Parallel Parking.** On-road parking must be parallel on collector or higher function roads. Parallel parking spaces shall have a minimum length of twenty-one (21) feet and a minimum width of nine (9) feet. Parallel parking spaces on local residential roads may have a reduced width of eight (8) feet.

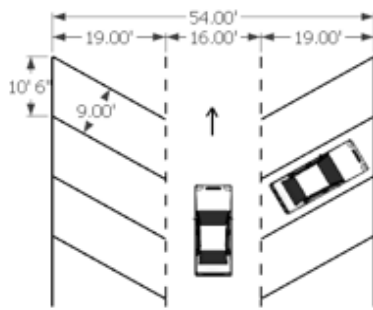
Graphic 8-1



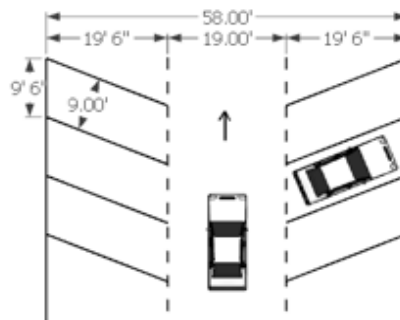
45° PARKING



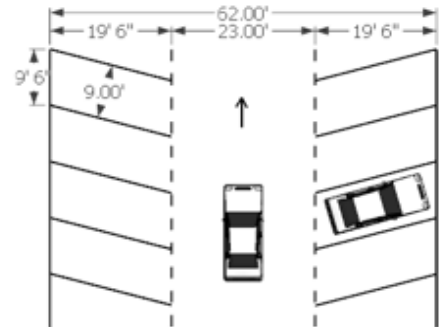
LOW SPEED ELECTRIC VEHICLE (LSEV)(2)



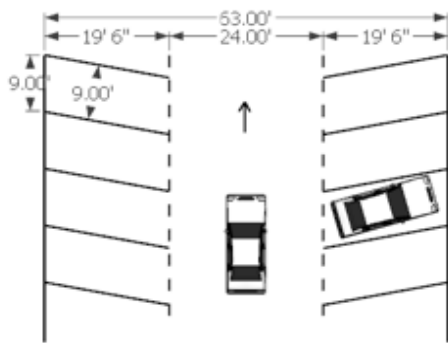
60° PARKING



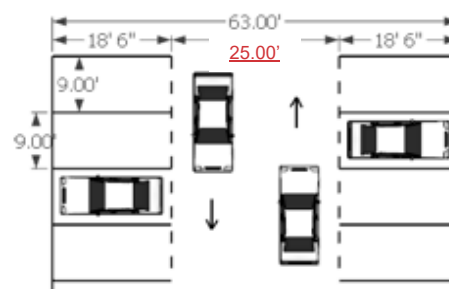
70° PARKING



75° PARKING



80° PARKING



90° PARKING

Key					
A	Parking Angle	C	Space Depth	E	Curb Length
B	Space Width	D	Aisle Width (1)	F	Wall to Wall Width
Notes:					
1. All angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90-degree parking spaces, or unless stated otherwise herein.					
2. While drive aisles in LSEV parking areas are not intended solely for use by LSEV, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.					

**TABLE 8-1: MINIMUM PARKING DIMENSIONS FOR NONRESIDENTIAL USES AND RESIDENTIAL USES WITH SHARED PARKING LOTS**

A Angle	Use (1)	B Space Width (feet)	C Space Depth (feet)	D Aisle Width (feet)	E Curb Length (feet)	F Module Width (feet)
45	General	9.0	17.5	12.0	12.5	47.0
	Retail	9.5	17.5	12.0	13.5	47.0
	Handicapped	12.0	17.5	12.0	17.0	47.0
60	General	9.0	19.0	16.0	10.5	54.0
	Retail	9.5	19.0	15.0	11.0	53.0
	Handicapped	12.0	19.0	14.0	14.0	52.0
70	General	9.0	19.5	19.0	9.5	58.0
	Retail	9.5	19.5	18.0	10.0	57.0
	Handicapped	12.0	19.5	17.0	12.5	56.0
75	General	9.0	19.5	23.0	9.5	62.0
	Retail	9.5	19.5	22.0	10.0	61.0
	Handicapped	12.0	19.5	21.0	12.5	60.0
80	General	9.0	19.5	24.0	9.0	63.0
	Retail	9.5	19.5	23.0	9.5	62.0
	Handicapped	12.0	19.5	22.0	12.0	61.0
90	General	9.0	18.5	25.0	9.0	63.0
	Retail	9.0	18.5	25.0	9.5	62.0
	Handicapped	12.0	18.5	25.0	12.0	61.0
90	Low Speed Electric Vehicle (LSEV)	Min. 6.0 <u>Max. 7.0</u>	Min. 12.0 <u>Max. 13.0</u>	Min. 15.0(2) <u>Max. 17.0(2)</u>	Min. 6.0 <u>Max. 7.0</u>	Min. 39.0(2) <u>Max. 43.0(2)</u>
<u>90</u>	<u>Motorcycle</u>	<u>4.0</u>	<u>9.0</u>	<u>15.0(2)</u>	<u>6.0</u>	<u>39.0(2)</u>

(1) The term "general" applies to parking spaces designated to serve all commercial uses except retail and residential uses with shared parking lots. Spaces reserved for use by disabled persons shall be governed by the rows labeled "handicap." Handicapped dimensions are intended to meet or exceed the requirements of Ch. 553, Part II, F.S., however Ch. 553, Part 11, F.S. controls if more restrictive.

(2) Where drive aisles in LSEV or motorcycle parking areas are not intended solely for use by LSEV or motorcycle, the overall width and minimum aisle width may be increased to allow the aisle width permitted for standard sized vehicles.

(3) Angled parking with two-way traffic movement shall be a minimum of 24 feet wide except for some parking lots with 90- degree parking stalls, or unless stated otherwise herein.

(4) Parking spaces using geometric standards other than those specified may be considered and approved by the City Engineer if the alternative standards are developed and sealed by a professional engineer licensed in Florida with expertise in parking facility design, demonstrating an equivalent degree of safety and convenience.

(5) LSEV is defined below.

**ARTICLE 8.7 PARKING LOT FEATURES**

**Section 1: Circulation Plan**

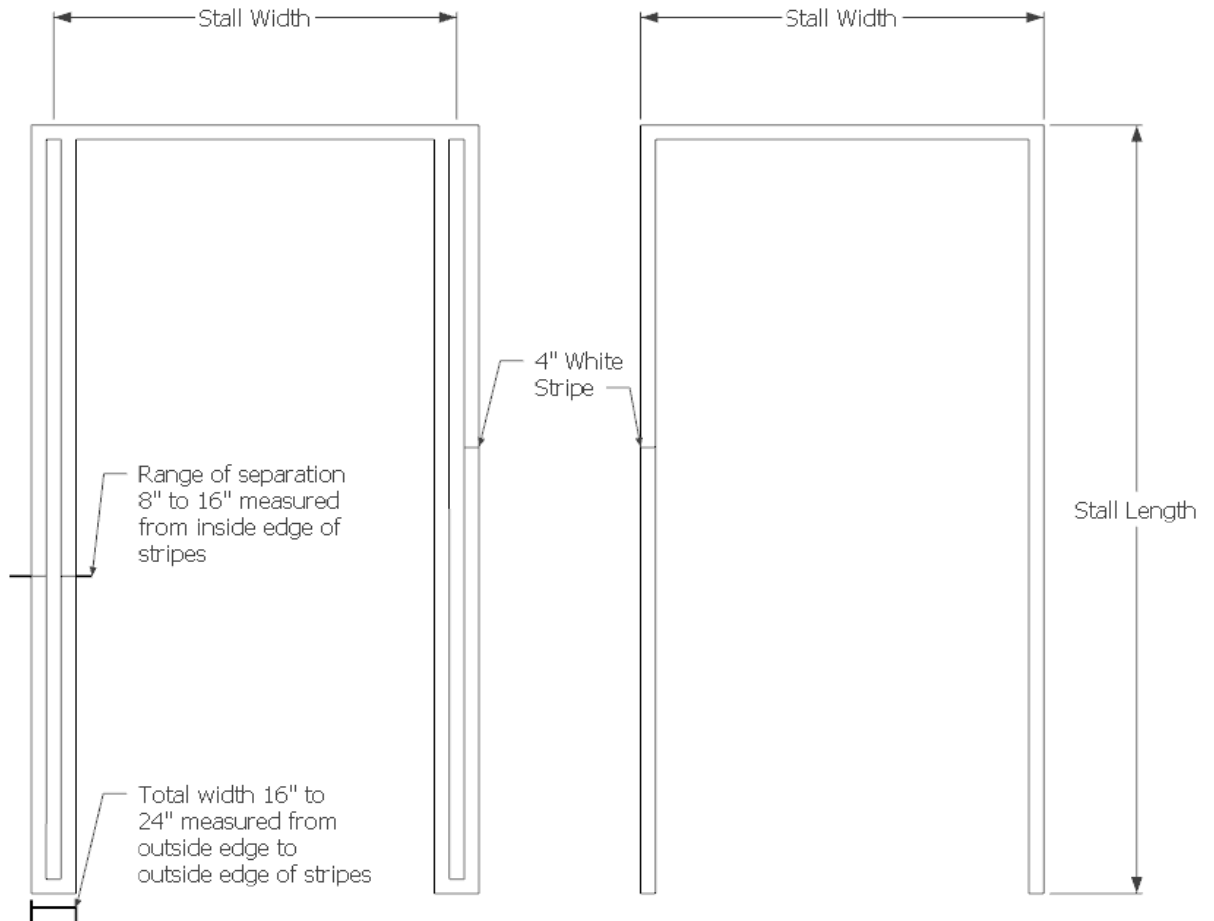
- A) **Coordinated Circulation Plan.** There shall be safe, adequate, and convenient arrangement of off-street parking, queuing spaces, loading spaces, and drive aisles in coordination with pedestrian pathways, bikeways, roads, driveways, access points, landscaping, open space, and adjacent buildings.

**Section 2: Vehicle Encroachment Barriers**

- A) **General.** Parking areas shall provide curbing, bollards, wheel stops, elevated pathways, additional spacing, or other methods to deter vehicles from damaging walls, structures, poles, columns, signage, fences, outdoor furniture, or other facilities or equipment (e.g., bike racks, shopping cart corrals, electrical/communication/drainage devices, etc.) or encroach upon pedestrian pathways, sidewalks, shared use paths, or required landscaping.
- B) **Bollards.** Bollards are encouraged to protect areas of concentrated pedestrian traffic and otherwise limit encroachment onto pedestrian pathways. Bollards shall not be less than three (3) feet high and shall be marked or colored to enhance visibility.
- C) **Wheel stops.** Wheel stops are suitable against walls or other boundary conditions where pedestrians cannot travel. The use of wheel stops to deter vehicle encroachment upon pedestrian pathways should be avoided when practicable. Wheel stops shall not exceed six (6) inches in height.
- D) **Curbing.** Curbing shall not exceed six (6) inches in height.
- E) **Placement.** Wheel stops and bollards shall be placed two and one-half (2.5) feet back from walls, structures, poles, columns, signage, fences, outdoor furniture, or other facilities or equipment, pedestrian pathways, sidewalks, shared use paths, and required landscaping. Continuous curbing shall not be placed within the tree drip line of landscaped areas that include trees. Curb placement, additional spacing, or other methods shall ensure that vehicle overhang does not encroach upon required pedestrian pathways, sidewalks, shared use paths, or required landscaping.
- F) **Pedestrian safety.** The use of wheel stops to protect pedestrian pathways shall minimize pedestrian vulnerability to slipping, tripping, or falling due to the use of wheel stops in areas where pedestrians (including those entering and exiting motor vehicles) may walk to access pedestrian pathways.
  - (1) The wheel stops shall be clearly visible by coloration which contrasts with the surroundings and by adequate lighting.
  - (2) When used in parking stalls, wheel stops shall be no longer than six (6) feet and shall be centered within the width of the stall such that the ends of the wheel stops are no closer than eight (8) inches from the inner edge of the painted perimeter striping in order to provide for an adequate spacing between adjacent wheel stops where pedestrians can safely walk.
  - (3) Wheel stops shall not be placed within pedestrian pathways.
  - (4) Wheel stops must be permanently secured to the pavement or ground and maintained in good condition. Any damage to wheel stops, including protruding anchors, shall be repaired promptly.
- G) **Handicapped Accessibility.** Notwithstanding these local provisions, statutory provisions for use of vehicle encroachment barriers, such as wheel stops, or curbing are required.

Section 3: **Pavement Marking/Striping/Signage**

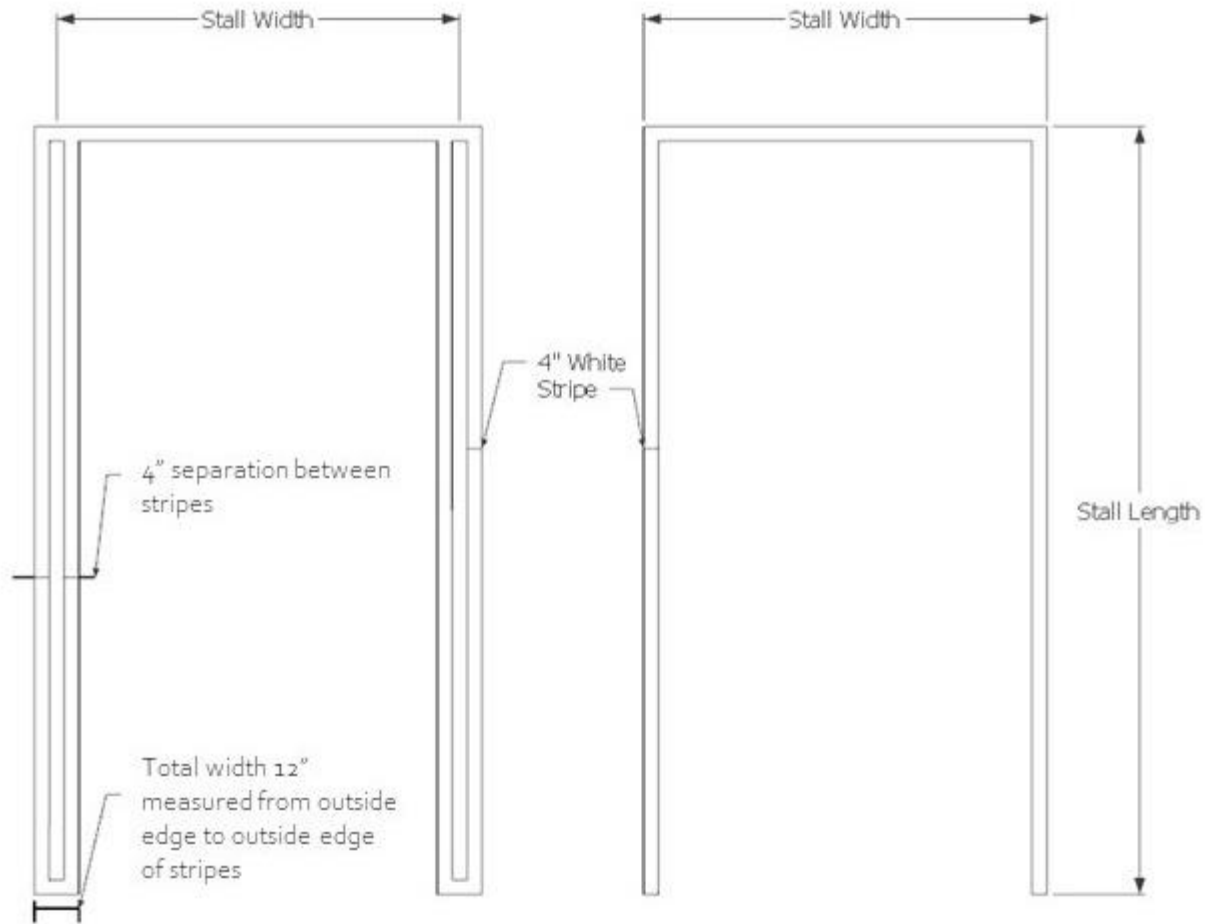
- A) Parking lots containing spaces for three or more vehicles shall delineate each space by single or double stripes on each side of the space. All stripes shall be delineated in white paint, thermal plastic coating, or pavers, except for handicapped spaces. The width of the delineated stripe shall be four (4") inches. Double striping separation from inside edge of stripe to inside edge of stripe shall be no less than eight (8") inches and no more than sixteen (16") inches. The effective width of the double stripes shall range from sixteen (16") inches to twenty-four (24") inches, measured from outside edge of stripe to outside edge of stripe.



Graphic 8-3

DOUBLE STRIPE

SINGLE STRIPE



A) Striping of handicapped spaces shall meet the requirements of Chapter 553, Part II, F.S.

~~A) — Each Electric Vehicle (EV) space shall be marked by a sign designating the parking space as an EV parking space, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) of the Federal Highway Administration. Vehicles that are not capable of using the Electrical Vehicle Charging Station are prohibited from parking in this space. EV spaces shall be painted green or shall be marked by green painted lines or curbs.~~

**Section 4: Maintenance.**

- A) All parking lots shall be maintained in safe condition to prevent any hazards, such as cracked asphalt or potholes.
- B) Sealcoating shall be used only for preventative maintenance and shall not be permitted for pavement structural repairs or cracks.
- C) Pavement markings shall be clearly visible.
- D) Off-street parking facilities and parking facilities for all residential uses shall be free of weeds, dust, trash, and debris. Drainage systems for off-street parking facilities shall be maintained in a manner acceptable to the City Engineer.



**Section 5: Shell Rock**

A) The uses listed below may construct surface parking lots with shell-rock or similar material approved by the City Engineer. Parking areas connected to a public road, shall be paved.

- (1) Agricultural uses requiring less than 20 spaces.
- (2) Communication towers.
- (3) Accessory uses to a bona fide agricultural use, such as farm workers quarters.
- (4) Nurseries.

**Section 6: Access**

A) Ingress and egress shall be located to present the least interference with traffic and the least nuisance on any adjacent road. The location, size and number of entrances and exits shall be subject to approval by the City Engineer.

B) Each parking space shall have appropriate access to a road or alley. Legally platted lots that accommodate one or two units shall be allowed backward egress from a driveway onto a road. In all other cases, maneuvering and access aisle area shall be sufficient to permit vehicles to enter and leave the parking lot in a forward motion.

C) Access ways, except those associated with a single-family residential driveway, shall be subject to the following dimensional standards in Table 8-2.

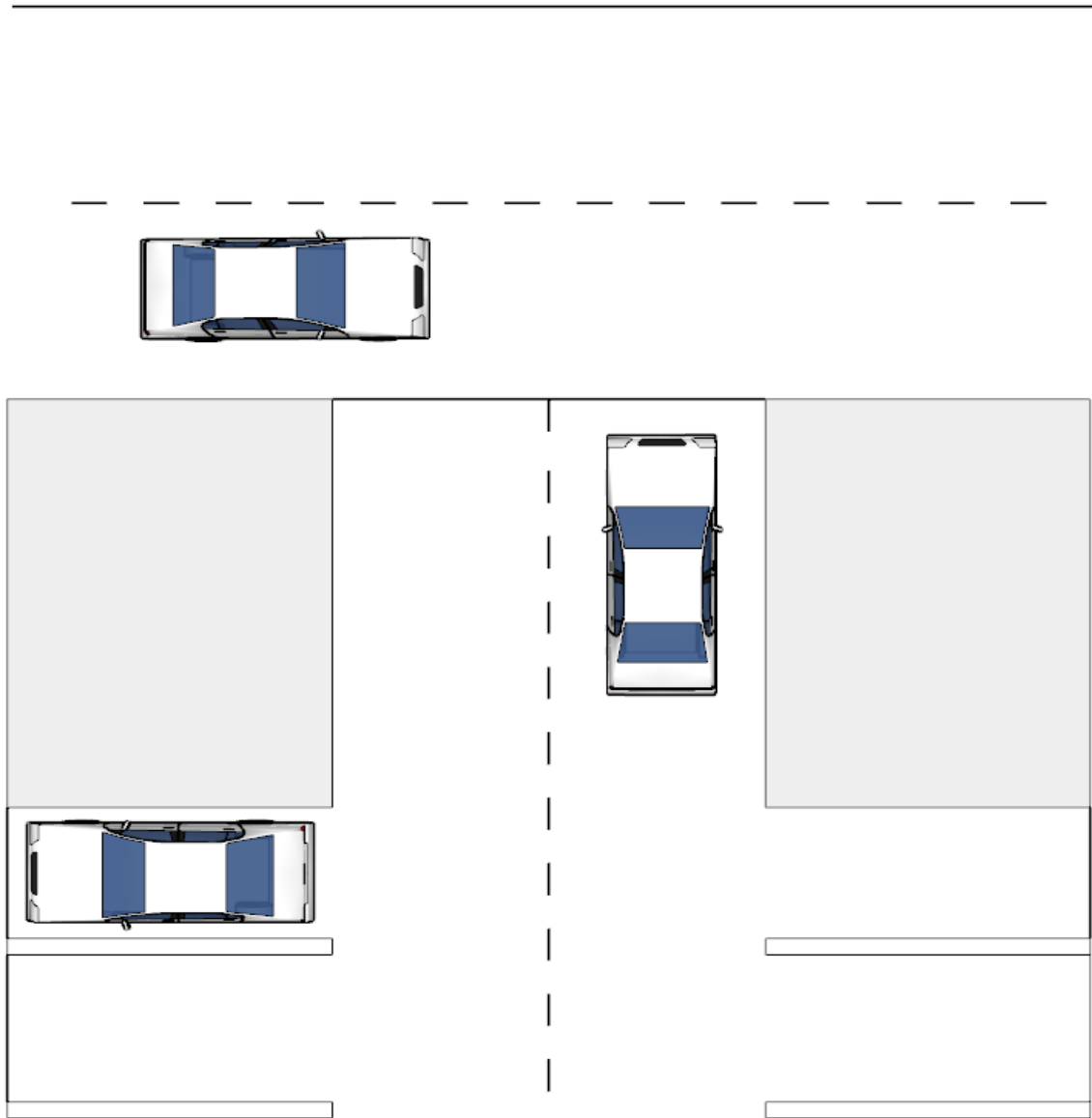
**TABLE 8-2: DIMENSIONS OF ACCESS WAYS**

Minimum Width at Street	Feet (1)
One-Way	20
Two-way with median	40 <sup>(2)</sup>
Two-way without median	25
<b>Right Turn Radius (3)</b>	
Minimum	25
Maximum	30
<b>Notes:</b>	
1. Widths exceeding these standards may be approved by the Planning Director or the City Engineer, depending on the use.	
2. Width excludes median. 20-foot unobstructed pavement required on both sides of median, excluding guardhouses and landscape islands.	
3. Measured on side of driveway exposed to entry or exit by right turning vehicles.	

A) **Entrance Queue.** In a parking lot a minimum queuing distance of 25 feet is required between the property line or lot line at the point of access and the first parking space, unless otherwise

specified in Minimum Queuing Standards.

**Graphic 8-4**



**B) Queuing and By-Pass Standards for Drive-Through Establishments**

(1) **Queuing shall be provided for all drive-through establishments.** Each queuing space shall be a minimum of ten feet (10') by twenty (20') feet, clearly defined and designed so as not to conflict or interfere with other traffic using the site. The dimensions for the point of service space may be reduced to nine (9') feet by twenty (20') ~~feet~~ feet. Unless otherwise indicated below, queuing shall be measured from the front of the stopped vehicle located at the point of service ~~to the~~ to the rear of the queuing lane. One additional queuing space shall also be provided after the point of service for all uses.

(2) **A by-pass lane a minimum of ten feet wide shall be provided before or around the point of service.** Subject to the Planning and Zoning Director's approval, a by-pass lane may not be required if the queuing lane is adjacent to a vehicular use area which functions as a by-pass lane. The by-pass lane shall be clearly designated and distinct from the queuing area.

(3) **Number of Queuing Spaces.** The number of queuing spaces is based on the type of use. The number of required spaces may be allocated to one or more drive-through lanes. The required number of queuing spaces is provided in Table 8-3.

**TABLE 8-3: MINIMUM DRIVE-THROUGH QUEUING STANDARDS**

Use	Number of Spaces (1)	Required By-pass (2)
Drive-through Financial Institution		
Teller Lanes	3	Yes
Automatic Teller Machine Lanes	2	No
Drive-through Restaurant	7 <u>(3)</u>	Yes
Minimum before Menu Board	4 <u>(3)</u>	Yes
High Intensity Drive Through	12 <u>(3)</u>	Yes
Drive-through Car Wash		
Automatic	5	No
Self-Service	3	Yes
Drive-through Oil Change	4	Yes
Gasoline Pump Island	1 queue at each end of pump island.	No
Drive-through Dry Cleaning or Laundry	3	Yes
Drive-through General Retail	4	Yes

Commercial Parking Lot	3	No
<p><b>Notes:</b></p> <p>1. The space accommodating the vehicle being serviced shall be counted as one of the minimum number of spaces. Also, a maximum of 20% of the required spaces may count toward the off-street parking space minimums.</p> <p>2. All Uses: a by-pass lane shall be required if more than 5 queuing spaces are provided.</p> <p><u>3. Up to two (2) reserved spaces after the menu board and adjacent to, or in the vicinity of, the drive-through lane(s) and can be easily accessed from drive-through lane(s) can be credited towards the queuing requirement. These spaces shall be clearly marked as "reserve for drive-through only" and shall not be credited towards the total number of required parking spaces.</u></p>		

**Section 7: Valet Parking:** Any use may utilize valet parking, subject to the following criteria: Valet parking area must be clear of fire lanes and Americans with Disabilities Act accessible parking spaces and/or accessible ramps.

- A) Valet parking for restaurants and within retail commercial shopping centers shall not utilize more than twenty (20%) percent of the on-site parking provided for the project.
- B) The area of the valet parking shall be clear of driveways, drive aisles, and shall not modify the approved access circulation, unless otherwise approved by the City.
- C) Parking spaces reserved for valet parking shall be located in the portion of the parking lot farthest from the principal structure.
- D) A request to establish valet parking shall include:
  - (1) The location of the valet booth/drop-off area;
  - (2) The location and number of parking spaces to be utilized for valet parking;
  - (3) Consent of the property owner;
  - (4) The hours of operation; and
  - (5) Location and dimensions of any signage associated with the valet parking service.

**Section 8: Loading**

- A) Off-street loading facilities shall be provided and maintained in the amount required in this section. These requirements may be waived or lessened in whole or part by the Planning and Zoning Director upon recommendation of the City Engineer. Any request for a waiver allowing a reduction in the number of loading spaces, size of loading area, shared use of loading facilities or other terms of this section shall require an applicant to submit a "justification statement" from a licensed professional engineer, professional landscape architect, certified planner, or other appropriate professional including the following as applicable:
  - (1) The need for the reduction and how the site functionality will be maintained;
  - (2) A conceptual layout showing vehicle paths;
  - (3) Parking reduction analysis; and
  - (4) Loading demand analysis.
  - (5) An analysis of location which does not impede traffic safety and circulation.

- B) **Minimum dimensions.** Off-street loading spaces shall comply with the minimum dimensions indicated below.
- (1) **Overhead clearance:** 15 feet.
  - (2) **Minimum width:** 12 feet.
  - (3) **Minimum length:** 35 feet long, exclusive of access or maneuvering areas, platforms and other appurtenances.
  - (4) **Maneuvering apron.** A maneuvering apron, a minimum of twelve (12') feet wide and thirty-five (35') feet long, shall be provided directly behind the loading space intended to serve, or as otherwise may be approved by the city.
- C) **Location.** Except as provided in Shared use of loading facilities, off-street loading facilities shall be located on the same property which they serve.
- (1) **Residential development.** Off-street loading facilities shall not be located within one hundred (100') feet of a single family residential developed area.
  - (2) **Enclosure.** The city may require off-street loading facilities to be enclosed, screened, or buffered to minimize visual impacts, noise, or other off-site impacts on adjacent property owners.
  - (3) **Refrigerated trucks.** Refrigerated trucks, and other trucks which require compressors, engines, refrigeration equipment, and similar equipment to be continuously or periodically operational shall not park within two hundred-fifty (250') feet of any single family residential developed area during the hours of 7:00 p.m. to 7:00 a.m. on weekdays, and 7:00 p.m. to 9:00 a.m. on Saturday and Sunday.
  - (4) **Location:** The location of the loading facility can not impede traffic safety and circulation.
- D) **Circulation.**
- (1) Access and maneuvering areas, ramps, and other vehicular circulation areas associated with such facilities shall not be located on a public or private road right-of-way.
  - (2) **Entrances and exits.** Entrances and exits to the facility shall be located so as to minimize traffic congestion or prevent vehicles from backing from the street into the facility. Roads, alleys, or other public rights-of-way shall not be considered part of an off-street loading facility.
  - (3) All vehicular circulation shall be so arranged that the vehicles are not required to back from the road into the facility nor required to back from the facility into a road or other public-right-of way.
  - (4) In areas where access drives to off-street loading facilities occur in conjunction with off-street parking facilities that provide parking at road level for more than six hundred (600) cars, separate circulation routes within such facilities shall be maintained.
- E) **Required Features.**
- (1) **Maintenance.** Off-street loading facilities shall be maintained in good condition, free of weeds, dust, trash, and debris.
  - (2) **Lighting.** Lighting facilities shall be so arranged that the source of light does not shine directly into adjacent residential properties or into traffic on adjoining roads.
  - (3) **Markings.** All off-street loading spaces shall be striped and clearly marked in a manner acceptable to the City Engineer.

F) **Number of loading spaces required.**

- (1) **Minimum requirements.** Off-street loading facilities shall comply with the requirements of Table 8-4 and shall be applicable to a building, group of buildings, or part thereof that includes commercial, industrial, office, or other non-residential uses requiring the frequent receipt or distribution by motor vehicles of materials or merchandise as determined by the Planning and Zoning Director. Notwithstanding the requirements provided herein, structures less than ten thousand (10,000) square feet may provide a loading space of a size and at such location as is consistent with the use of the structure.

**Table 8-4: REQUIRED OFF-STREET LOADING SPACES**

Size (Gross Square Feet)	Number of Spaces	
	Office	<del>Commercial/Industrial</del> <u>Non-Residential</u>
0 to 10,000	1	1
10,001 to 50,000	1	2
50,001 to 100,000	2	3
Each additional 100,000	0.5	1

*Exceptions.* Hotels shall provide loading spaces based upon the number of rooms. An application for development order approval for a hotel, or which includes a hotel, shall provide a study documenting the number of loading spaces to be provided.

**G) Shared use of loading facilities.**

- (1) **Establishment.** Two or more neighboring uses may establish common off-street loading facilities, subject to approval by the city council. The total number of common off-street loading spaces shall not be less than the number required for individual users, unless otherwise approved by the city council. Criteria for reduction in the total number of off-street loading spaces include the following:
  - (a) Times of usage of the truck loading facilities by the individual users;
  - (b) The location of the proposed common facilities; and
  - (c) The character of the merchandise involved.
- (2) **Other requirements.** In order to establish common off-street loading facilities, the standards listed below are applicable.
  - (a) **Consent.** Written consent, in a form acceptable to the City Attorney, is obtained from all affected property owners.
  - (b) **Written agreement.** All conditions relating to the use, location, construction, and maintenance of the common facilities will be provided in a form acceptable to the City Attorney.
  - (c) **Use of common facility.** All users and property owners participating in a common off-street truck loading facility shall agree, in a form acceptable to the City Attorney, that goods moved from the common facility shall not involve movement by truck, automobile, or other vehicle.

**Section 9: Pedestrian Circulation**

- A) **Pedestrian safety.** Pedestrian pathways shall be arranged so that pedestrians moving between buildings and through parking areas are not unnecessarily exposed to vehicular traffic.
- B) **Pedestrian convenience.** Pedestrian walkways shall connect the parking areas to building entrances and roadside sidewalks, including a continuous internal pedestrian walkway from each adjacent perimeter public sidewalk to customer entrances. Such pedestrian access way shall be a minimum of four (4') feet in width, clearly marked, well lighted, safely surfaced, and unobstructed.

- C) **Building sidewalks.** Where off-street parking spaces directly face the front of a structure and are not separated by an access aisle from the structure, a paved pedestrian walkway shall be provided between the front of the parking space and the structure. The walkway shall be a minimum of four (4') feet wide, exclusive of vehicle overhang, and shall be separated from the parking space by concrete wheel stops or continuous curbing.

**Section 10: Alternative Parking Surfaces**

A) **Grassed Parking Surface**

- (1) **Grass Parking:** A portion of the required parking spaces may be grass parking subject to the following:

- (a) A written statement that the area proposed for grass parking shall be used for parking on an average of no more than three (3) days or nights each week.
- (b) The City Engineer shall confirm that the grass parking area will perform adequately and be appropriately maintained.
- (c) The City Engineer shall require grass parking area to be replaced with paving materials if the area becomes unsafe or hazardous.

- (2) **Pervious Parking Surface**

- (a) **Pervious Parking Surface.** Pervious parking surfaces may be used to satisfy the paved parking requirements subject to the City Engineer's confirmation that the pervious surface will perform adequately, meet all other applicable code and regulatory requirements, and be appropriately maintained.

**ARTICLE 8.8 PARKING GARAGES**

**Section 1: Parking Garages General.** Parking garages may be used to provide all or a portion of the required parking. Parking garages shall comply with all standards with regard to space sizing, striping, signage, construction, design, and other relevant requirements in the land development regulations.

**Section 2: Parking Garage Design Standards.** The unobstructed distance between columns or walls measured at any point between the ends of the parking aisle shall be as indicated in Table 8-5, Minimum Floor Width.



**TABLE 8-5: PARKING GARAGES: MINIMUM FLOOR WIDTH**

<b>Angle</b>	<b>Parking on Both Sides of Aisle</b>	<b>Parking on One Side of Aisle</b>
90	60 feet one-or two-way aisle	43 feet one-or two-way aisle
75	59 feet one-way aisle (1)	40 feet one-way aisle
60	53 feet one-way aisle (1)	34 feet one-way aisle
Notes: 1. Requests for reductions of unobstructed distances will be considered if aisle and sight parking dimensions are met, and the columns are not located at the rear of the parking spaces nor interfere with the opening of doors.		

**ARTICLE 8.9 Number of Parking Spaces Required**

**Section 1: General Provisions**

- A) **Miscellaneous Uses.** For any use not listed in Table 8-6, Required Off-street Parking Spaces, the planning and zoning director shall determine off-street parking requirements based on uses with similar characteristics.
- B) **Required spaces.** The number of off-street parking spaces required for individual uses is established in Table 8-6. The standards established in this section provide the minimum vehicular parking requirements for the various uses as classified. As indicated in Table 8-6, the planning and zoning director may request additional information to demonstrate compliance with overall parking demand.
- C) **Mixed uses.** For mixed use projects approved by the city council with a specific percentage of individual uses, total off-street parking requirements shall be calculated based upon the requirements applicable to each individual use. For commercial shopping centers or other centers which may provide a variety of mixed uses, the parking requirements for a shopping center shall apply.
- D) **Parking Deviation(s).** Deviation(s) from the provisions of this Chapter may be permitted for government facilities within the Downtown Mixed Use and Civic Zoning Districts, subject to approval by the City Council utilizing the following standards:
  - (1) The proposed deviation(s) maintains compatibility with the uses and character of land surrounding and in the vicinity of the land proposed for development;
  - (2) Adverse effects on adjacent uses and lands, including but not limited to visual impact, are determined to be minimal or otherwise negligible upon review and consideration of surrounding lands, uses, zoning, Future Land Use (FLU), character, or other pre-existing conditions;
  - (3) Special or unique circumstances or factors exist that are applicable to the proposed use, structure, feature, or land proposed for development;

- (4) The proposed deviation(s) allows for reasonable or practical use of the land proposed for development;
- (5) Approval of the deviation(s) is consistent with the purpose, goals, policies, and objectives of the Comprehensive Plan and these Land Development Regulations; and,
- (6) Approval of the deviation(s) is not injurious to the surrounding area or otherwise detrimental to public health, safety, and general welfare.

**E) Electric Vehicle Charging Stations.** Each Electric Vehicle Charging Parking Space (EVCPS) shall be marked by a sign designating the parking space as an EVCPS parking space, in accordance with the Manual on Uniform Traffic Control Devices (MUTCD) of the Federal Highway Administration for electric vehicles.

- (1) For multi-family residential developments, Electric Vehicle Charging Parking Space(s) (EVCPS) are permitted by right.
- (2) Non-residential developments shall have a minimum of one (1) space or 2% of the total required parking spaces (whichever is greater) designated as EVCPS, up to a maximum of 20 spaces or up to 10% of the total required parking spaces (whichever is greater).
- (3) -In order to qualify as an EVCPS, the parking space must have a Level 2 or higher electric vehicle charger.
- (4) By right, any space in any residential or non-residential development may be developed with the electrical and other infrastructure necessary to support an electric vehicle charger, whether or not such charger is installed.
- (5) All EVCPSs shall count towards parking space requirements. Vehicles that are not capable of charging by using the EVCPS are prohibited from parking in these space.
- (6) EVCPSs shall be painted green or shall be marked by green painted lines or curbs.

**F) Low Speed Electric Vehicles (LSEV).** For purposes of this ordinance LSEV shall mean a Golf carts, Hybrid golf carts, Low Speed vehicles, Neighborhood electric vehicles, Speed modified golf carts, and Slow moving vehicles, as those terms are defined in Ordinance 2020-11.

- (1) Residential developments with recreation areas (such as Recreation Pods, Golf Courses, or recreational facilities designed and intended for use by occupants of residential developments or subdivisions) may provide LSEV parking spaces to be used to meet up to 30% of the required recreational parking spaces. Recreational parking spaces are defined by as those that serve recreational areas exclusively.
- (2) Non-residential developments may use LSEV parking spaces to meet up to 10% of parking space requirements. These spaces are to be accessible from the shared use path.
- (3) Parking lots shall be designed to accommodate the required number of general use parking spaces, and LSEV parking shall be so delineated by striping, signage, or other measures to meet the minimum standards as provided for in Table 8-1.
- (4) For purposes of counting LSEV spaces towards parking requirements one (1) LSEV parking space shall be considered equivalent to is one (1) general-use space.
- (5) When there is a change of land use and/or in ownership, these spaces may be

converted to general-use spaces at the option of the landowner.

(6) LSEV chargers may be provided as LSEV spaces, but are not required.

E)G) Motorcycles. For non-residential use providing fewer than 50 parking spaces, one (1) off-street parking space may be provided to accommodate parking of motorcycles. For non-residential use providing 50 or more spaces, a maximum of three (3) off-street parking spaces (per 50 general use spaces) may be redesigned and designated to accommodate parking of motorcycles. These spaces may be included in or counted towards the number of parking spaces required.

F)H) Assigned parking. Parking spaces assigned to a specific use may be authorized by the city manager or his/her designee, provided the number of spaces assigned to a particular use does not exceed 5% of the number of spaces required for such use. Assigned spaces shall be clearly identified by signage. Assigned spaces and required signage shall be indicated on the approved site plan associated with the affected use. Assigned parking shall not be considered in shared parking calculations.

G)I) Parking lot landscaping, signage and drainage. Parking lot landscaping, signage, drainage, and construction standards are addressed in other Chapters of the Westlake Land Development Regulations.

**TABLE 8-6: REQUIRED OFF-STREET PARKING SPACES**

USE/CATEGORY	SPACES REQUIRED
<b>RESIDENTIAL (*1,2)</b>	
Dwelling, Single-Family, Detached or Attached	2 spaces per unit plus minimum of 4% of total required spaces for guest parking
Dwelling, Multi-Family	1 space per <u>bedroom unit</u> plus minimum of 5% of total required spaces for guest parking
Dwelling, Single-Family, Detached or Attached, Affordable or Workforce Housing	1 space per unit
Dwelling, Mobile Home/Manufactured Home	1 space per unit plus minimum of 4% of total spaces for guest parking
Accessory Dwelling Unit	1 space per unit
Residence Hall or Dormitory	0.75 spaces resident
Community Residential Home, Type I (6 or less residents)	Greater of 2 spaces per unit or 1 space for each bedroom
Community Residential Home, Type II (7-14 residents)	1 space per 4 residents
Assisted Living Facility (1 or more residents)	1.25 space per dwelling unit for independent living; 1 space per 2 beds for assisted living; 1 space per 4 beds.
Foster Care Facilities and Group Homes	Lesser of 1 space for each bedroom or 0.5 space per resident
<b>RETAIL &amp; COMMERCIAL</b>	
Sexually Oriented Business	1 space per 250 square feet

Antique Store	1 space per 400 square feet
Appliance and Electronics Store	1 space per 400 square feet
Motor vehicle repair and/or service establishments, gasoline stations, and car washes	1 space per 300 square feet, plus 1 space per service bay for repair and 1 space per 2 bays for car wash, plus 1 space per 5,400 square feet of outdoor storage area.
Auto Dealership	1 space per 250 square feet of enclosed display area and offices plus 1 space per 4,500 square feet of outdoor sales, display and rental plus 1 space for every 2 service bays* <i>*Vehicle sales, storage, or display areas shall not be counted towards meeting required parking.</i>
Auto Rental, Accessory	1 space per 600 square feet of storage area
General Retail Sales or Service not specifically listed in this table	1 space per 300 square feet
Banquet Facility	1 space per 125 feet of indoor and outdoor assembly area
Convenience Store with or without Gas Sales	1 space per 240 square feet, plus 1 space per gas pump island (bay) if provided
Farm Equipment and Sales	1 space per 250 square feet of enclosed display area and offices plus 1 space per 4,500 square feet of outdoor sales, display and rental plus 1 space for every 2 service bays. At least one off-street loading area for equipment transport trailers shall be provided.
Feedstore	1 space per 300 square feet
Grocery Store/Supermarket	1 space per 240 square feet
Hotels, motels, other accommodation services	.75 spaces per room plus 1 space per 300 SF of event/conference space. Restaurant oriented toward use of public at large shall be separately calculated.
Landscape, Nursery, and Garden Supplies	1 space per 300 square feet plus 1 space per 1,200 square feet of outdoor display area
Medical Office	1 space per 240 square feet
Motorcycle Sales and Service	1 space per 600 square feet of enclosed display area and offices plus 1 space per 5,400 square feet of outdoor sales, display and rental plus 1 space for every 2 service bays
Nightclub, Bar, or Lounge	1 space per 2 seats but not less than 1 space per 100 square feet

Restaurant, Fast Food (with or without Drive-through)	1 space per 150 gross square feet including outdoor seating, plus 1 space per 250 square feet for employee parking
Restaurant, General, without Bar	1 space per 150 gross square feet including outdoor seating, plus 1 space per 250 square feet for employee parking
Restaurant, General, with Bar	1 space per 100 gross square feet including outdoor seating, plus 1 space per 250 square feet for employee parking
Restaurant, Take Out	1 space per 100 gross square feet including outdoor seating, plus 1 space per 250 square feet for employee parking
Shopping Center/Mixed Uses	1 space per 225 square feet
Showrooms, General	1 space per 600 square feet
<b>PERSONAL SERVICES</b>	
Animal Boarding Kennel and Pet Grooming	1 space per 400 square feet of office
Bank/Financial Institution with or without Drive Through	1 space per 300 square feet
Business, Trade and Vocational Schools	1 space for every 3 students plus 1 space per 360 square feet of classroom and office space plus 1 space for every 5 seats in gymnasiums and auditoriums
Cemetery, Funeral Home, Mausoleum	1 space per 200 square feet of office space plus 1 space per 100 feet of assembly area [1 per 4 seats]
Professional Medical Services Office or Health Care Clinic	1 space per 240 square feet
Clinic, Veterinary	1 space per 300 square feet
Day Care, Child and Adult	1 space per 12 students or clients plus 1 pickup/drop off space per 12 students plus 1 space per every 2 vans and/or buses
Emergency Health Care, Standalone, No Overnight Stay	1 space per 110 square feet.
Health, Physical Fitness, Massage Therapist, and Spa	1 space per 250 square feet
Housekeeping and Janitorial Services	1 space per 300 square feet plus 1 space for every 2 company vehicles
Laboratory: General, Dental, or Medical	1 space per 300 square feet
Laundry, Self Service	1 space per 240 square feet
Laundry, Linen Supply and Cleaning Service	1 space per 1,200 square feet plus 1 space for every 2 bays
Motion Picture Studio	1 space per 360 square feet of office space plus 6 spaces per studio plus 1 space per 1,200 square feet

Nursing Homes and Continuing Care Facilities	1 space per 5 beds plus 1 space per 300 square feet of office space, 1.25 spaces per DU for independent living.
Self Service Storage	1 space per 150 storage spaces plus 1 spaces per security quarters plus 3 spaces per office
<b>OFFICE</b>	
Office, Business and Professional	1 space per 300 square feet
<b>PUBLIC AND INSTITUTIONAL</b>	
Places of Worship	1 space per 4 seats plus 1 space per 300 square feet of office plus required parking for additional use (child or adult day care, elementary or secondary school, etc.).
College or University, Public or Private	1 space per 360 square feet of classroom, office, meeting, and assembly rooms.
Emergency Department	1 space per 200 square feet; plus 1 space per employee
Governmental Uses	1 space per 360 square feet
<u>Hospice Care Center</u>	2 spaces per bed; plus 1 space per 200 square feet of outpatient treatment area
Hospital	2 spaces per bed; plus 1 space per 200 square feet of outpatient treatment area
<u>Medical Facility with overnight stay</u>	1 space per bed; plus 1 space per 200 square feet of outpatient treatment area
Post Office	1 space per 360 square feet
Post Office, Accessory	4 spaces
Schools, Elementary and Middle	1 space for every 2 classrooms plus 1 space per 300 square feet of office plus 1 pickup/drop off space per 12 students
Schools, High	1 space per classroom, plus 1 space per 250 square feet of office, plus 1 space per every 3 students
Urgent Care Center	1 space per 200 square feet; plus 1 space per employee
<b>CULTURAL, ENTERTAINMENT, AND RECREATIONAL</b>	
Art Gallery and Museum, Public or Private	1 space per 720 square feet
Auditorium, Public or Private	1 space per 3 seats
Bowling Alley	1 spaces per lane plus required parking for additional use (lounge restaurant, meeting rooms, etc.)
Club, Lodge, or Clubhouse, Private	1 space per 360 square feet
Golf Course, Public or Private	3 spaces per hole plus 1 space per 360 square feet of clubhouse plus required parking for additional uses
Park, Public	To be determined
Recreation Center, Public	Greater of 1 space per 240 square feet or 1 space per 4 seats

Recreation, Commercial-Indoor	To be determined
Recreation, Commercial-Outdoor	6 spaces per acre
Recreational Vehicle Park	1 space per RV parking space; 1 space per camping cabin; 1 space per 600 square feet of administrative, maintenance, or commercial space; 1 spaces per security dwelling
Stadium or Arena, Public or Private	1 space per 3 seats
Theater, Indoor	1 space per 3 seats
Zoo, Public or Private	8 spaces per acre
<b>WHOLESALE</b>	
Wholesale and Warehousing, General	1 space per 2,400 square feet plus 1 space per 300 square feet of office
<b>LIGHT INDUSTRIAL</b>	
Manufacturing, General	1 space per 1,200 square feet plus 1 space per 300 square feet of office
Contractor's Storage Yard	1 space per 300 square feet of office plus 1 space per 20,000 square feet of open storage area
Express or Parcel Delivery Distribution Center	1 space per 1,200 square feet plus 1 space for every 2 bays
<b>TRANSPORT, UTILITIES, AND COMMUNICATIONS</b>	
Airport, General Aviation	1 space for every 2 tie-downs and/or hangar spaces
Automobile, RV, and Boat Storage, Commercial	1 space per 300 square feet of office plus 1 space per vehicle to be stored
Freight Depot	1 space per 1,200 square feet plus 1 space per 300 square feet of office
Helistop	Number of spaces to be determined by the Planning and Zoning Director
Passenger Station	To be determined
Radio/Television Broadcast Studio	1 space per 300 square feet
Utility Plant and Major Substations	To be determined
Wireless Telecommunication Facilities	Number of spaces to be determined by Planning and Zoning Director
<b>OTHER</b>	
Mixed Uses, excluding Shopping Centers	The total requirement for off-street parking shall be the sum of the requirements of the various uses computed separately
Mobile Home, Temporary	1 space per 300 square feet plus additional spaces as determined by the Planning and Zoning Director
Recreation, Accessory	Number of spaces to be determined by Planning and Zoning Director
Uses Not Specifically Mentioned	Apply requirements for a use which is mentioned and similar to the subject use

Master Site Plan	Non-residential and mixed use projects may submit a parking study to address the entire development's parking requirements, which may include shared or off-site parking.
<p><i>NOTES:</i></p> <ol style="list-style-type: none"> <li>1. <i>Garages may be used to meet per unit residential parking requirements.</i></li> <li>2. <i>The guest parking requirement can be met by allowing daytime guest parking on street, calculated by using 20 lineal feet (exclusive of driveway entrances) per space, or by guest parking spaces elsewhere throughout the project, such as mail kiosk, park, clubhouse or other parking spaces.</i></li> <li>3. <i>Square Feet = Gross Floor Area.</i></li> <li>4. <i>Parking Studies. Parking studies, when provided, to be conducted in a professionally accepted manner to determine adequate parking for proposed use.</i></li> </ol>	

**Section 2: Reduction of Minimum Space Requirements**

**A) Shared Parking**

- (1) The City Council shall as part of an approval of a new or expanded use, new construction, substantial renovation, or alteration or expansion of an existing site, approve the use of shared parking to reduce overall parking requirements. The basis for approval of an application to establish shared parking includes the factors listed below.
- (a) Two or more uses located in the same structure, on the same site, or within 1000 feet (measured property line to property line) of each other that possess complementary peak hours of parking usage.
  - (b) The proposed shared parking areas must be reasonably accessible to all participating uses and shared parking spaces may not be reserved for a particular use or otherwise restricted.
  - (c) **Shared parking study.** Preparation, in a professionally accepted manner, of a shared parking study by a qualified professional engineer, architect, or planner. The shared parking study shall be the most recent version based on the Urban Land institute's (ULI) methodology for determining shared parking, or other professionally accepted methodology.
  - (d) **Legal documentation.** The property owner(s) shall submit an appropriate restrictive covenant or access easement in recordable form acceptable to the City Attorney.
  - (e) **Development order.** Any development order approved by the city council which includes the use of shared parking shall:
    - (i) Provide the city a means to readdress the shared parking in the event future parking problems or changes in use occur;



- (ii) Provide a legal description of the land and structures affected;
  - (iii) Provide for a term of at least five years;
  - (iv) Provide a site plan to indicate uses, hours of operation, parking, etc.; and
  - (v) Assure the availability of all parking spaces affected by the agreement.
- (2) The amount of parking provided pursuant to a shared parking agreement shall not be more than 20% of the required parking.

**B) The minimum required number of spaces may be reduced as follows:**

- (1) On-road parking may be used to meet a portion of the required minimum parking if it is located on the road adjacent to the structure or use for which the parking is required.
- (2) A maximum of 20 percent of the required queuing spaces may count toward the amount of minimum required parking if the minimum amount of required parking equals at least 25 spaces.
- (3) An electric vehicle charging station space may be included in or count towards the minimum number of parking spaces required.
- (4) **Landscaping.** The required minimum number of parking spaces may be reduced by 5% if the parking lot landscaped areas provide 20 percent more than the required number of trees pursuant to the landscape ordinance and plant or retain existing trees to shade parking lots such that the vegetated and pervious areas surrounding the trees will accommodate tree roots while minimizing interference and damage to infrastructure including the following:
  - (a) Locate trees in wide twenty (20 foot or wider) vegetated buffer strips or vegetated islands with at least twenty (20') foot diameters or similarly sized vegetated peninsulas away from overhead power lines and
  - (b) Use porous pavers that support grass growth next to areas where trees are planted.

**ARTICLE 8.10 BICYCLE PARKING**

**Section 1:** All bicycle parking facilities provided to satisfy the requirements of this subdivision shall be located on the same lot or building site as the uses they serve. Bicycle parking shall be located as close as is practical to the entrance to the use served but situated so as not obstruct the flow of pedestrians using the building entrance or sidewalk.

**Section 2:** **General design standards.** All bicycle parking facilities shall be anchored so as to avoid or deter easy removal. All such facilities shall be clearly identified as available for bicycle parking. Wherever the design of the building or use being served by the bicycle parking facility includes covered areas which could accommodate such facilities, either as proposed or through economical redesign, covered bicycle parking shall be encouraged.

**Section 3:** The following uses shall be required to provide bicycle parking in accordance with the minimum standards as listed in Table 8-7.

**TABLE 8-7: MINIMUM STANDARDS FOR BICYCLE PARKING**

<b>Use</b>	<b>Percent of Required Vehicular Parking Spaces or as Otherwise Specified</b>
Amusement parlors	15
Bowling lanes	10
Child care centers	10
Community centers	15
Game rooms	12
All commercial uses not listed	5
Libraries	15
Recreation, outdoor	12
All institutional uses not listed	5
Primary or Secondary School	10% of the number of students, plus 3% of the number of employees
College or University Classrooms	6% of the number of students, plus 3% of the number of employees
Multi-family Residential	1 space per 2 apartments

**Section 4:**     **Severability:** Should the provisions of this ordinance be declared 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 they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

**Section 5:**     **Codification:** It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance entitled "***Parking Regulations***" shall become and be made a part of the Code of Ordinances for the City of Westlake, Florida and the sections of this ordinance may be re-numbered or re- lettered to accomplish such intentions, and the word "ordinance" shall be changed to "section" or other appropriate word.

**Section 6:**     **Scrivener's Error:** The City Attorney is hereby authorized to correct scrivener's errors found in this Ordinance by filing a corrected copy with the City Clerk without the need for approval by the City Council.

**Section 7:**      **Effective Date:** This ordinance shall be effective upon adoption on second reading.

**PASSED** this \_\_\_\_ day of \_\_\_\_\_ 2021, on first reading.

**PUBLISHED** this \_\_\_\_ day of \_\_\_\_\_ 2021, in the Palm Beach Post.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_ 2021, on second reading.

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City of Westlake  
Roger Manning, Mayor

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Zoie P. Burgess, City Clerk

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Approved as to Form and Sufficiency  
Donald J. Doody, Interim City Attorney



## **STAFF MEMORANDUM**

**DATE:** 8/13/2021

**DESCRIPTION:** City Council Workshop: Chapter 8 Parking Regulations, Land Development Regulations

### Introduction

Chapter 8 of the Land Development Regulations provides standards to ensure that adequate parking is provided to meet the needs of all uses in the City. Chapter 8 was adopted by the City Council on February 10, 2020.

To encourage land development to support multiple modes of transportation, changes to the regulations are proposed. These regulations provide guidance for accommodating low speed electric vehicles and motorcycles.

Other minor changes and clarifications are proposed within the chapter as described further in this memorandum.

### Benefits of Electric Vehicles

In the Comprehensive Plan, Objective TE 1.7 is "Promote energy efficiency and greenhouse gas reduction strategies". The use of electric vehicles (EV) and low speed electric vehicles (LSEV) meets the intent of this objective by reducing greenhouse gases. Providing EV and LSEV charging stations and parking has numerous benefits to the City including:

- Showing a commitment to cleaner air and environmental sustainability
- Paves the way for other forms of clean transportation
- Increase property values
- Provides another potential revenue source for others coming to the City to utilize the EV charging stations
- Available parking for (LSEV gives the active adult population with an affordable mode of transportation that is environmentally friendly

### Summary of Chapter 8 Revisions

A summary of the changes proposed in Chapter 8 is listed below. Minor changes for grammar, formatting, or moving text to different sections are not included below and were not redlined in the Chapter.

1. Electric vehicle charging stations are allowed in all multi-family and non-residential areas.
2. In Graphic 8-2, the drive aisle width for 90 degree parking was changed to 25-feet. This corresponds to Table 8-1 on the following page. This revision corrects the inconsistency.

3. In Table 8-1, the maximum size of LSEV parking was provided. The dimensional requirements for motorcycle parking were added.
4. In Table 8-3, a note was added to allow spots required for drive-throughs to be both in the drive through aisle and in a designated parking spot.
5. Article 8.9, Section 1(E) and (F) were added for requirements of Electric Vehicle Charging Stations (EVCD) and Electric Vehicle Charging Parking Spaces (EVCPS).
  - a. Minimum number of EVCPS for non-residential developments is one (1) space or 2% of the total required spaces (whichever is greater).
  - b. Parking space must have Level 2 or higher electric vehicle charger.
  - c. All parking areas are allowed to be developed with the electrical infrastructure, even if the chargers are not installed.
  - d. EVPC shall count towards the total parking requirement.
  - e. EVPC shall be painted green or striped green.
  - f. Low Speed Electric Vehicles (LSEV) are defined per the Golf Cart Ordinance 2020-11.
  - g. Golf cart parking may occupy 30% of parking at recreational areas within residential developments.
  - h. LSEV may occupy 10% of parking at non-residential developments.
  - i. The LSEV parking shall be designed so permanent features (curbing, asphalt) will be meet the dimensional requirements for standard vehicles, but can be striped for LSEV vehicles. This will allow flexibility for transitioning the spaces to from LSEV to standard, and vice versa, depending on the operations of the facility.
6. Article 8.9, Section 1(G) was added to address motorcycle parking. For non-residential uses with 50 parking spaces or less, one (1) motorcycle spot is allowed. For non-residential uses with over 50 parking spaces, a maximum of three (3) motorcycle parking spaces are allowed for every 50 standard spaces.

## Conclusion

The City has supported the use of EV and LSEV by providing a network of pathways and roadways that the vehicles can utilize. Additional parking regulations that support these vehicles will allow for greater flexibility and use throughout the City. The Engineering Department recommends that Chapter 8 Parking Regulations, as amended, proceed to City Council for first reading.

**File Attachments for Item:**

C. Ordinance 2021-09: Chapter 7 Mobility Regulations, Land Development Regulations

**Submitted By:** Engineering

**ORDINANCE NO. 2021-09**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MOBILITY PLANS WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING UTILIZATION OF PALM BEACH COUNTY'S TRAFFIC PERFORMANCE STANDARDS FOR MOTORIZED VEHICLES; PROVIDE FOR VEHICULAR LEVEL OF SERVICE STANDARDS; PROVIDES FOR TRAFFIC IMPACT STUDIES AND STATEMENTS; WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED 'MOBILITY', PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**



# Meeting Agenda Item Coversheet

<b>MEETING DATE:</b>		August 23, 2021	<b>Submitted By:</b> Engineering	
<b>SUBJECT:</b> <i>This will be the name of the Item as it will appear on the Agenda</i>		Ordinance 2021-09: Chapter 7 Mobility Regulations, Land Development Regulations		
<b>STAFF RECOMMENDATION:</b> (MOTION READY)		Recommend Chapter 7 Mobility Regulations proceeds to Local Planning Agency		
<b>SUMMARY and/or JUSTIFICATION:</b>		Chapter 7 Mobility provides the Engineering Department with the standards at which to review traffic impacts from development in the City. Adherence to these standards is critical to maintain adequate level of service of the transportation network.		
<b>SELECT, if applicable</b>	<b>AGREEMENT:</b>		<b>BUDGET:</b>	
	<b>STAFF REPORT:</b>	X	<b>PROCLAMATION:</b>	
	<b>EXHIBIT(S):</b>	X	<b>OTHER:</b>	
<b>IDENTIFY EACH ATTACHMENT.</b> <i>For example, an agreement may have 2 exhibits, identify the agreement and Exhibit A and Exhibit B</i>	Agenda Item Cover Sheet Engineering Staff Report Ordinance 2021-09: Chapter 7 Mobility Regulations			
<b>SELECT, if applicable</b>	<b>RESOLUTION:</b>		<b>ORDINANCE:</b>	X
<b>IDENTIFY FULL RESOLUTION OR ORDINANCE TITLE</b> <i>(if Item is <u>not</u> a Resolution or Ordinance, please erase all default text from this field's textbox and leave blank)</i>	<b>ORDINANCE NO. 2021-09</b>			
	<b>AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MOBILITY PLANS WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING UTILIZATION OF PALM BEACH COUNTY'S TRAFFIC PERFORMANCE STANDARDS FOR MOTORIZED VEHICLES; PROVIDE FOR VEHICULAR LEVEL OF SERVICE STANDARDS; PROVIDES FOR TRAFFIC IMPACT STUDIES AND STATEMENTS; WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED 'MOBILITY', PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.</b>			
<b>FISCAL IMPACT (if any):</b>				\$

**ORDINANCE NO. 2021-09**

**AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA, ESTABLISHING MOBILITY PLANS WITHIN THE CITY OF WESTLAKE; PROVIDING FOR PURPOSE AND INTENT; PROVIDING UTILIZATION OF PALM BEACH COUNTY'S TRAFFIC PERFORMANCE STANDARDS FOR MOTORIZED VEHICLES; PROVIDE FOR VEHICULAR LEVEL OF SERVICE STANDARDS; PROVIDES FOR TRAFFIC IMPACT STUDIES AND STATEMENTS; WHICH SHALL BECOME PART OF THE CODE OF ORDINANCES, ENTITLED 'MOBILITY', PROVIDING FOR CODIFICATION, PROVIDING FOR A CONFLICTS CLAUSE, PROVIDING FOR SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, on or about May 3, 2018, the Florida Department of Economic Opportunity provided the City with notice of intent to find the City's initial comprehensive plan in compliance and the same is now the effective and controlling Comprehensive Plan for the City of Westlake ("Comprehensive Plan"); and

**WHEREAS**, the City's adopted comprehensive plan contains a transportation element which provides for multi-modal transportation facilities and strategic transportation planning to ensure safe and accessible transportation network; and

**WHEREAS**, adoption of this chapter, entitled "Mobility" will assist the City in carrying out the goals, objectives and policies of the adopted comprehensive plan; and

**WHEREAS**, the purpose of this ordinance is to promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development while minimizing transportation-related fuel consumption and air pollution within the corporate limits of the City of Westlake, and

**WHEREAS**, pursuant to Section 316.006(2)(a) F.S., chartered municipalities shall have original jurisdiction over all streets and highways located within their boundaries, except state roads, and may place and maintain such traffic control devices which conform to the manual and specifications of the Department of Transportation upon all streets and highways under their original jurisdiction as they shall deem necessary to indicate and to carry out the provisions of this chapter or to regulate, warn, or guide traffic; and

**WHEREAS**, pursuant to Section 339.175(1) F.S., such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive, to the degree appropriate to ensure that the process is integrated with the statewide planning process, and

**WHEREAS**, pursuant to Section 334.046(1) F.S., the prevailing principles to be considered in planning and developing an integrated transportation system are to preserve the existing transportation infrastructure; enhance Florida's economic competitiveness; and improve travel choices to ensure mobility, and

**WHEREAS**, the City seeks to promote mobility in the short and long term to promote greater connectivity, access, and quality of life and recognizes shared mobility is essential to improve air quality, reduce motor vehicle traffic, and promote equitable and accessible systems of transportation; and

**WHEREAS**, the City Council finds it is in the public's interest to establish policies and procedures to improve mobility options while protecting health, safety, and general welfare of individuals and the community at large.

**NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY FOR THE CITY OF WESTLAKE, FLORIDA**, as follows:



## CHAPTER 7: MOBILITY

**Section 1. Incorporation.** The above recitals are confirmed, adopted and are incorporated herein by reference.

**Section 2. Mobility.** The code of ordinances for the City of Westlake shall contain a chapter entitled “Mobility” which code shall contain the provisions as specifically set forth herein.

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### Chapter 7      Mobility

**ARTICLE 7.1      PURPOSE AND INTENT.** The purpose and intent of this chapter is to implement the goals, objectives, and policies of the Comprehensive Plan to ensure mobility is maintained within the City. This Article will include procedures for the City to administer the County-wide Traffic Performance Standards (TPS) for motorized vehicles, as they apply.

#### **ARTICLE 7.2      APPLICABILITY**

**Section 1:**      *General.* This Chapter shall apply to all development orders or any other official action of the City having the effect of permitting the development of land, unless otherwise exempt in accordance with this Chapter. Traffic Mobility Standards in this Chapter only apply to the roads and intersections that are located within the City and identified on Comprehensive Plan TE Map 3.5.

**Section 2:**      *Exemptions, Existing Development Orders.*

- (A) This Chapter shall not apply to City-initiated changes to the Future Land Use Map or Official Zoning Map.
- (B) This Chapter shall not apply to City-sponsored or co-sponsored special/community events.
- (C) This Chapter shall not apply, or impair rights established pursuant to Florida law, to the extent any project or portion thereof is exempt from the requirements of this Chapter.
- (D) Development orders and/or traffic concurrency approvals issued prior to incorporation are deemed to be consistent with the provisions of this Chapter. A Traffic Statement pursuant to the following methodology shall be submitted for all applications related to development pursuant to or amendment of such development orders:
  - (a) Project traffic credits shall be calculated by using trip generation rates, internalization rates, and pass-by rates to the land use or uses previously-approved by a development order per the originally approved Traffic Study.
  - (b) The statement shall demonstrate that the Net PM Peak Hour Two-Way trips are less than or equivalent to the previously-approved project.
  - (c) A cumulative tracking of the daily, AM and PM peak hour trips generated by the development and monitoring of respective conditions shall also be submitted.
  - (d) Project driveways providing ingress and egress shall also be evaluated.

#### **ARTICLE 7.3      TRAFFIC STUDIES**

**Section 1:**      *General.* A Traffic Study shall be required as part of any development application. The Traffic Study shall address the requirements and standards of this Chapter and the County-wide

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TPS as they apply, using maps whenever practicable, and shall state all assumptions and sources of information used.

- (A) Projects that demonstrate that they will generate fewer than twenty (20) Gross Peak Hour Trips based on current trip generation rates shall not be required to submit a traffic study. The Net Peak Hour Directional Trips shall be distributed over the City Road system by the City Engineer, in accordance with generally accepted traffic engineering principles.
- (B) All other development, including development that does not meet the requirements of subsection 7.2(2)(D)(b) above, shall submit a Traffic Study meeting the requirements of this Article.
- (C) The City Engineer, or designee, shall review the information submitted and determine whether the proposed project complies with this Chapter and the County-wide TPS, as applicable.

**Section 2:** *Submittal Requirement.* The Traffic Study shall be prepared, signed and sealed by a qualified professional Florida Registered Engineer, practicing traffic engineering. The analysis is required to demonstrate compliance with this Chapter. The following shall be addressed:

- (A) **County TPS.** Applicable County-wide TPS requirements.
- (B) **Vested project traffic.** Any application for a development order on property on which there is an existing use shall receive a vested project traffic determination subject to the provisions of this section. The vesting shall be calculated by applying current trip generation rates and pass-by rates generated by the most recent use at the time of application. A proposed project shall not be eligible for an existing use vesting determination if the structure or land on the property has been discontinued or abandoned for more than five (5) years prior to the time of application.
- (C) **Applicable standards.** The applicant shall use the adopted LOS for all City roads and intersections identified on Comprehensive Plan TE Map 3.5. The submittal shall analyze City roads within the Radius of Development Influence as shown on Table 7-1 for the specific volume of the proposed project's net new external trips where the level of significance is one percent of LOS D or greater. Intersections at each terminus of significantly impacted directly accessed link shall be analyzed.

**Table 7-1: Radius of Development Influence**

Net New External Two-Way Peak Hour Trip Generation	Radius of Development Influence
21 thru 50	0.5 Miles
51 thru 100	1 Mile
101 thru 500	2 Miles
501 thru 1,000	3 Miles
1,001 thru 2,000	4 Miles
2,001 and up	5 Miles

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- (D) **Peak Hour Traffic.** The Traffic Study shall analyze Peak Hour traffic (both weekday AM and PM Peak Hours), unless traffic characteristics dictate only one of the peak hours be analyzed. The total peak hours analyzed are as follows:
- (a) Generally, the morning peak hours between 6:00 AM and 9:00 AM and afternoon peak hours between 4:00 PM and 7:00 PM during the peak season shall be studied in all cases; unless higher volumes are observed outside of this window time period, then other peak hours shall be used.
  - (b) Each AM and PM peak hour shall be the highest sum of the volume on the approaches to an intersection and shall be the highest sum of four (4) continuous 15-minute periods.
- (E) **Season Factors.** Off-peak to peak season factors shall be approved by the City Engineer, based upon the best available data and generally accepted traffic engineering principles. Other factors, based on accepted traffic engineering principles, shall be used to update data where newer data is not available.
- (F) **Peak Hour Turning Movements.** In addition to link and intersection standards, studies for all peak hour(s) turning movements, including pass-by trips, shall be shown and analyzed for all points where the project's traffic meets the directly accessed links and other roads where traffic control or geometric changes may be needed, as determined by the City Engineer. Signalization, turn lanes, and/or other site related improvements may be required for mitigation.
- (G) **Total Traffic at the Buildout Period.** The Total Traffic at the Buildout Period of the project as follows:
- (a) Existing two-way and directional peak season peak hour traffic counts, counted by FDOT, Palm Beach County and/or City, may be used. The most recent of the Palm Beach County or the City peak season peak hour traffic counts must be used. If the traffic counts collected by the County and/or the City are more than thirty (30) months old, prior to the submittal of the Traffic Study, the applicant shall conduct counts in accordance with accepted traffic engineering principles and as follows:
    - (i) Peak hour counts shall be made during weekdays between 6:00 AM and 9:00 AM and 4:00 PM and 7:00 PM. There shall be no counts on Mondays, Fridays, or legal holidays for the analysis, unless otherwise authorized or required by the City Engineer.
    - (ii) Where Peak Season traffic counts are not readily available, the counts that are unavailable may be generated using factors established by the City Engineer for various areas of the County based on the best available data.
    - (iii) All data is subject to review and acceptance by the City Engineer.
  - (b) Traffic generated by the project shall be computed in the following manner:
    - (i) For project trip generation, the rates or equations published by the County shall be used. If the proposed land use is not listed in the PBC Traffic Engineering website Trip Generation tables, then the latest available Trip Generation Manual published by the Institute of Transportation Engineers (ITE) shall be used. Alternative rates may be approved by the City Engineer based on acceptable standards to provide a more accurate means to evaluate the rates of generation

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or if documentation is supplied by the applicant which affirmatively demonstrates more accurate generation rates.

- (ii) The City Engineer may publish and update, from time to time, trip generation rates for local conditions. If applicable, these rates shall be used instead of the ITE rates.
- (iii) Actual traffic counts that establish a generation rate at three (3) similar developments, and located in similar areas, as the one proposed may be approved for use by the City Engineer in accordance with accepted traffic engineering principles. These counts shall be made for the peak hour weekdays as necessary (excluding legal holidays) for each site and averaged.
- (iv) It is acknowledged some trips generated by mixed use projects do not exit the project or enter the City road system and are internal to the project. Internalization rates shall be approved by the City Engineer based on acceptable standards.
- (v) It is acknowledged some trips generated by a proposed non-residential project are from existing traffic passing the proposed project (pass-by trips) and are not newly generated trips. Credit against the trip generation of the proposed project may be taken for these trips up to the percentage shown in Palm Beach County's trip generation rates table or the ITE manual, when approved by the City Engineer. The Traffic Study must detail:
  - 1. All traffic generated from the project.
  - 2. The number of pass-by trips subtracted from the traffic generated by the project during the Buildout Period of the project.
  - 3. Uses other than those listed in Palm Beach County's trip generation rates table, and any percentage credit proposed, shall be justified based upon the peculiar characteristics and location of the proposed project and accepted by the City Engineer.
  - 4. Factors which should be considered in determining a different pass-by rate include type and size of land use, location with respect to service population, location with respect to competing uses, location with respect to the surrounding City road system and the existing and projected traffic volumes. In no case shall the number of pass-by trips exceed twenty-five (25) percent of existing traffic plus Background Traffic on the link, unless demonstrated and approved by the City Engineer.
- (c) Traffic volumes will likely change during the Buildout Period of the proposed project. The traffic study must account for this change based on Background Traffic. The projection of Total Traffic shall include existing traffic volumes, traffic from approved development and proposed project traffic.

### ARTICLE 7.4 PROJECT BUILDOUT STANDARD

**Section 1:** *Level of Service.* The City shall use Traffic Studies and Statements or other acceptable empirical data to monitor LOS on roads within the City. LOS D is the City's adopted LOS for

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transportation facilities. This LOS standard is not regulatory or part of any concurrency review. The standards shall provide a basis for the City to monitor congestion and coordinate needed improvements. This LOS analysis provides information which allows the City to evaluate the impact of a development and establish mitigation measures as needed.

### **Section 2:** *Analysis Requirements.*

- (A) For signalized City intersections, the intersection analysis shall be conducted using the most recently adopted version of the Highway Capacity Manual (HCM) Operational Analysis. The HCM Operational Analysis shall comply with the default input values published by the County Engineer. Revisions to the input values may be made, subject to approval by the City Engineer, to reflect actual or projected field conditions where substantial differences from the published values can be demonstrated.
- (B) The intersection average total delay will be compared to the thresholds identified in Table 7-2 (LOS D Intersection Thresholds) for monitoring purposes.
- (C) For unsignalized City Intersections, the intersections shall be analyzed using the most recent version of the HCM Unsignalized Intersection Analysis and all minor movements of Rank 2 or higher shall be monitored to determine if they operate at LOS D or better. In addition, roundabout evaluation or a signal warrant analysis with Total Traffic for the intersection may be required by the City Engineer.
- (D) For City road links, the Total Traffic in the peak hour peak direction on the link shall be compared to applicable thresholds in Table 7-3 (LOS D link service volumes) for monitoring purposes. The applicable facility class for each link shall be determined on the basis of the posted speed limit.

**Section 3:** *Level of Service Standards.* The LOS D thresholds relative to intersections are set forth in Table 7-2 (LOS D Intersection Thresholds). The LOS D standard service volumes peak season, peak hour directional for links are set forth in Table 7-3 (LOS D link service volumes).

**Table 7-2: LOS D Intersection Thresholds**

LOS	Intersection Type	HCM Operational Analysis
D	Signalized	35.0 to 55.0 Seconds of Delay
D	Unsignalized	25.0 to 35.0 Seconds of Delay (all minor movements of Rank 2 or higher)

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**Table 7-3: LOS D Peak Hour Directional Volumes**

Facility Type (by direction)		Peak Hour Directional	
		Class I	Class II
2-lane undivided	(1-lane)	792	675
4-lane divided	(2-lane)	1,800	1,467
6-lane divided	(3-lane)	2,718	2,268

**Notes:**

Based on the 2020 FDOT Quality/Level of Service Handbook

Class I: Non-state arterials with posted speeds of 40 mph or higher

Class II: Non-state arterials with posted speed of 35 mph or lower

See instructions below for Median, Turn Lane, and One-way Facility Adjustments

**Median & Turn Lane Adjustments**

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
1	Divided	Yes	No	+5%
1	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
–	–	–	Yes	+ 5%

**One-Way Facility Adjustment**

Multiply the corresponding directional volumes in this table by 1.2

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### ARTICLE 7.5 SITE-RELATED IMPROVEMENTS

**Section 1:** *Peak Hour Volumes.* All peak hour turning movements (including pass-by trips) shall be shown and analyzed for all points where the Project's traffic meets the public roads.

**Section 2:** *Required Site-Related Improvements.* The City Engineer may require applicant to provide required site-related improvements, pursuant to the standards below:

- (A) Signalization. Signalization may be required when warranted per Manual on Uniform Traffic Control Devices standards;
- (B) Exclusive Turn Lanes.
  - (1) Exclusive left turn lane may be required so that the impacted lane group would maintain the adopted level-of-service D and/or the safety issue may be mitigated by said left-turn lane.
  - (2) Exclusive right turn lane may be required under the following traffic conditions:
    - (a) 2-lane roadways with posted speed of 45 mph or less with 80 or more right-turning vehicles per hour
    - (b) multi-lane roadways with posted speed of 45 mph or less carrying more than 600 vehicles per lane per hour with 80 or more right-turning vehicles per hour
    - (c) multi-lane roadways with posted speed of 45 mph or less with 125 or more right-turning vehicles per hour
    - (d) 2-lane roadways with posted speed more than 45 mph with 35 or more right-turning vehicles per hour
    - (e) multi-lane roadways with posted speed more than 45 mph with 55 or more right-turning vehicles per hour
    - (f) where safety issues may be mitigated by said right-turn lane
- (C) Other improvements, including roundabouts, all-way stops, or other measures. The City Engineer may require other site-related improvements to ensure the safe and orderly flow of traffic.

**Section 3:** *Construction.* Required site-related improvements shall be provided at the sole expense of the applicant.

### ARTICLE 7.6 MOBILITY FEE

Within eighteen (18) months of the adoption of this ordinance, the City shall undertake a mobility fee study consistent with the requirements of Florida Statutes for the purpose of considering establishing a mobility fee to be applied to new development to ensure that the City's level of service standards are maintained by addressing impacts to the City's local roads and mobility infrastructure, including parking, shared use paths, public transportation, bicycle lanes, and sidewalks.

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**Section 3 Severability.** Should the provisions of this ordinance be declared 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 they shall remain in effect, it being the legislative intent that this ordinance shall remain notwithstanding the invalidity of any part.

**Section 4. Codification.** It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Westlake, Florida, and the sections of this ordinance may be re-numbered or re-lettered to accomplish such intentions, and the word 'ordinance' shall be changed to "section" or other appropriate word.

**Section 5. Effective Date:** This ordinance shall be effective upon adoption on second reading.

**PASSED** this \_\_\_ day of \_\_\_\_\_ 2021, on first reading.

**PUBLISHED** this \_\_\_ day of \_\_\_\_\_ 2021, in the Palm Beach Post.

**PASSED AND ADOPTED** this \_\_\_ day of \_\_\_\_\_ 2021, on second reading.

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City of Westlake  
Roger Manning, Mayor

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Zoie P. Burgess, City Clerk

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Approved as to Form and Sufficiency  
Donald J. Doody, Interim City Attorney





## **STAFF MEMORANDUM**

**DATE:** 8/13/2021

**DESCRIPTION:** City Council Workshop: Chapter 7 Mobility, Land Development Regulations

### I. Introduction

The purpose of the Mobility chapter is to present the City's standards for mobility and provide procedures for traffic analysis required for development applications.

### II. Applicability

The provisions of this chapter apply to all land development in the City with the following exceptions:

- A. City initiated changes to future land use and zoning
- B. City sponsored events
- C. Development orders issued prior to incorporation of the City

### III. Traffic Studies

Traffic studies are required for development applications to address the standards in this Chapter and the County Traffic Performance Standards (TPS), as applicable.

- A. Traffic studies are not required for projects with fewer than 20 peak hour trips.
- B. Traffic studies shall address:
  - a. County TPS and applicability
  - b. Vested project traffic
  - c. Applicable standards
    - i. Level of Service (LOS) D established in the Comprehensive Plan
    - ii. Radius of Development Influence – based on the new external two-way peak hour trip generation
  - d. Peak hour traffic (AM and PM)
  - e. Seasonal factors
  - f. Peak hour turning movements
  - g. Total traffic at the buildout period (traffic volume and trip generation)

### IV. Project Buildout Standards

- A. The comprehensive plan establishes a LOS D for City roads and intersections.
- B. Intersections are analyzed using the Highway Capacity Manual (HCM) methodology.

C. Links are analyzed according to Table 7-3 in the Chapter.

**Table 7-3: LOS D Link Service Volumes**

Facility Type				Peak Hour Directional	
				Class I	Class II
2 lanes undivided <sup>(1)</sup>	2L			792	675
2 lanes divided	2LD			832	709
4 lanes undivided <sup>(1)</sup>	4L			1,710	1,394
4 lanes divided	4LD			1,800	1,467

## V. Site Related Improvements

Developers may be required to provide improvements to accommodate their site. This is based on the analysis of the peak hour volumes at points where the project’s traffic meets the public roads. The following site-related improvements may be required:

- Traffic signal
- Turn lanes
- Roundabouts
- Stop signs

Cost of construction of the site-related improvements shall be the responsibility of the applicant.

## VI. Mobility Fee

Within one-year of adoption of this Ordinance, the City shall undertake a mobility fee study consistent with the requirements of the Florida Statutes. The mobility fee is a mechanism for the City to acquire funds to maintain the desired level of service for the City’s roads, parking lots, shared use paths, public transportation, bicycle lanes, and sidewalks. The mobility fee study will come to the City Council for approval and adoption.

## Conclusion

Chapter 7 Mobility provides the Engineering Department with the standards at which to review traffic impacts from development in the City. Adherence to these standards is critical to ensure the City can maintain adequate level of service of the transportation network. The City Engineering Department recommends that Chapter 7 proceed to the Local Planning Agency.