

ORDINANCE NO. 460

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HAVERHILL, FLORIDA, AMENDING CHAPTER 58, ZONING, OF THE TOWN'S CODE OF ORDINANCES, BY AMENDING ARTICLE IX, SUPPLEMENTAL DISTRICT REGULATIONS, DIVISION 3, OFF-STREET PARKING REQUIREMENTS, BY AMENDING SECTION 58-362, PARKING SPACE SIZE REQUIREMENTS, AND SECTION 58-363, NUMBER OF PARKING SPACES REQUIRED, TO CLARIFY THAT GUEST PARKING SPACES IN MULTI-FAMILY, TOWNHOUSE AND ZERO LOT LINE UNITS SHALL UTILIZE CONCRETE PARKING BUMPERS, AND INCREASING THE NUMBER OF OFF-STREET SPACES FOR RESIDENTIAL PROPERTY FROM TWO TO FOUR EXCEPT THAT TOWNHOUSE OR ZERO LOT LINE UNITS APPROVED PURSUANT TO CHAPTER 54, SUBDIVISIONS, SHALL HAVE THREE SPACES PLUS GUEST PARKING EQUAL TO 20% OF THE TOTAL NUMBER OF LOTS IN THE DEVELOPMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Haverhill, Florida is a duly constituted municipality having such power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, Division 3 of Article IX, Supplemental District Regulations, provides regulations for Off-Street Parking within the Town of Haverhill; and

WHEREAS, the Town Council hereby desires to amend its off-street parking requirements to clarify that guest parking in zero lot line and townhouse developments shall utilize concrete bumpers, and to increase the number of off-street spaces for residential development from two to four except that any townhouse or zero lot line development approved pursuant to Chapter 54 shall have three off-street parking spaces plus guest parking equal to 20% of the total number of lots in the development; and

WHEREAS, the Town Council has considered the evidence and testimony presented by the Town Staff and other interested parties; and

WHEREAS, the Town Council, after duly noticed public hearings has determined that the adoption of these regulations would further the public's health, safety and general welfare.

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

Section 1. Recitals. The "WHEREAS" clauses are incorporated herein as true and correct and as the legislative findings of the Town Council.

Section 2. Amendment. Chapter 58, Zoning, Article IX, Supplemental District Regulations, Division 3, Off-Street Parking Requirements, is hereby amended as follows:

See Exhibit "A" attached hereto and made a part hereof.

Section 3. Codification. The Mayor and Town Administrator are hereby authorized and directed to do all things necessary to effectuate this amendment; and authority is hereby granted to codify and incorporate this ordinance into the existing Code of Ordinances of the Town of Haverhill. The provisions of this Ordinance, including its recitals, shall become and be made a part of the *Code of Ordinances of the Town of Haverhill, Florida* and the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections 3, 4, 5 and 6 of this Ordinance shall not be codified. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 5. Repeal of laws in conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Modification. Sections of the Ordinance may be renumbered or re-lettered to accomplish such, and the word "Ordinance" may be changed to "Section", "Article", or any other appropriate word.

Section 7. Effective Date. This Ordinance shall take effect immediately upon adoption.

FIRST READING this 12th day of July, 2018.

THE SECOND AND FINAL READING was held this 26th day of July, 2018. Council member Sohn offered the foregoing Ordinance, and moved its adoption. The Motion was seconded by Council member Uptegraph, and upon being put to a vote, the vote was as follows:

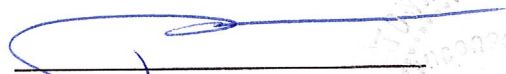
JAY G. FOY, Mayor
LAWRENCE GORDON, Vice Mayor
MARK C. UPTEGRAPH, Council Member
REMAR HARVIN, Council Member
DANIEL H. SOHN, Council Member

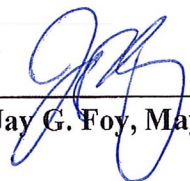
Aye
Aye
Aye
Aye

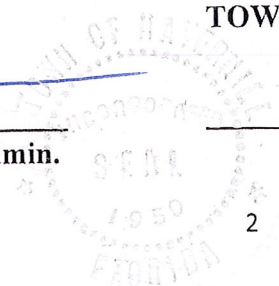
The Mayor thereupon declared this Ordinance approved and duly adopted by the Town Council of the Town of Haverhill, Florida.

Attest:

TOWN OF HAVERHILL, FLORIDA


Janice C. Rutan, Town Admin.


Jay G. Foy, Mayor



TOWN OF HAVERHILL

Exhibit “A” – Ordinance 460

Sec. 58-361. - Purpose and intent of division.

Off-street parking shall be provided and adequately maintained by each property owner or lessee in every zoning district for the use of occupants, employees, and patrons of each building or premises constructed, altered, or enlarged after February 8, 1990. The provisions and standards set forth in this division are intended to promote safe and efficient storage of motor vehicles, to avoid unnecessary interference with the public use of streets, and to help relieve traffic congestion.

Sec. 58-362. - Parking space size requirements.

Parking spaces shall be ten (10) feet by twenty (20) feet. Except for residential zoning districts, but including guest parking spaces as required for multi-family, townhouse or zero lot line units, each space shall have concrete parking bumpers and be appropriately striped. Adequate handicap parking shall be provided as required by federal and state law. Curb cuts or ramps shall be provided from the parking lot to the building.

Sec. 58-363. - Number of parking spaces required.

(a) The number of off-street parking spaces in all zoning districts shall be in accordance with the following minimum requirements:

| Uses | Required Parking Spaces |
|-----------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|
| Single-family dwelling | Four per dwelling unit |
| Duplexes | Four per dwelling unit |
| Multifamily units | Four per dwelling unit plus two guest spaces for the first six units and one additional space for each three additional units or less |
| <u>Townhouse or Zero Lot Line units approved per Ch. 54</u> | <u>Three spaces per unit plus guest parking equal to 20% of the total number of lots in the development.</u> |
| All nonresidential uses not specifically listed in this section | One space for every 200 square feet, per gross floor area. |

(b) Parking spaces for specific nonresidential uses shall be required as follows: All new, altered, or enlarged multifamily and nonresidential uses shall provide at least one parking space designed and maintained for the exclusive use of the handicapped on the following basis: One handicapped parking space required for each 25 parking spaces or fraction thereof. All off-street parking spaces and parking areas shall be constructed of such material as is customary in the industry, shall be clearly distinguishable as parking spaces or parking areas and shall be

approved by the building official prior to construction. No more than 30 percent of the front yard shall be designated and/or utilized for parking.

- (c) Within six months from February 8, 1990, the use of more than 30 percent of the front yard for parking shall be discontinued, whether such use is presently being conducted as a nonconforming use, accessory use to a conforming primary use, or otherwise, and thereafter, off-street parking shall only be permitted as provided for in this section.
- (d) In addition to the required number of parking spaces set forth in subsection (a) above, each dwelling unit in the R-1, R-2, and R-3 residential districts shall have a fully enclosed garage with capacity for a minimum of two motor vehicles, and at least 400 square feet. For purposes of this requirement, an accessory dwelling unit shall be exempt. For nonconforming structures of record, enlargement or alteration of dwelling unit shall not be deemed to increase its nonconformity. The capacity of parking spaces within a garage shall count toward the total number of off-street parking spaces required for each unit.
- (e) At least two guest parking spaces serving multifamily, townhouse and zero lot lines homes shall be located no farther than 150 feet from each residential unit.