

**CITY OF HALLANDALE BEACH**  
**MEMORANDUM**

**DATE:** April 17, 2018  
**TO:** Keven Klopp, Development Services Director  
**FROM:** Vanessa Leroy, Associate Planner  
**SUBJECT:** Research and Determine Legal Parking on Swale

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The Code does not specifically address legal parking on 'swale'. Swales are defined as the low-lying or shallow trough-like depression that carries water, mainly during rainstorms, and that provides flood control and onsite water quality mitigation. In public right-of-way, the swales are required to be covered with turf grass for erosion control and assist in onsite water quality mitigation. The right-of-way swale areas are addressed in the Code as public rights-of-way, where they can be located.

Generally, acceptable parking spaces are required to be paved or hard-surfaced ([Section 32-452\(a\)\(3\)](#)), and required parking must be located on the same parcel of property that it is intended to serve ([Section 32-452\(d\)\(1\)&\(2\)](#)). Right-of-way swales are not considered as parking spaces in the Parking Code.

Chapter 28, dedicated to traffic, motor vehicles and boats, better addresses the use of public right-of-way for parking. In residential areas and districts, noncommercial vehicles may be parked in the public right-of-way, but commercial vehicles- except for one resident-owned taxi per property- are not permitted, pursuant to [Section 28-11](#). This Section does not address parking on right-of-way surfaces that are not paved or hard-surfaced. It is the ongoing interpretation that noncommercial vehicles are not prohibited from parking on the sodded right-of-way swales.

In nonresidential areas and districts, commercial vehicle parking is not permitted in public right-of-way between 9:00pm and 6:00am, pursuant to [Section 28-12](#). The Section adds that vehicles and commercial equipment must be parked or stored on hard-paved surfaces.

In both residential and nonresidential areas and districts, exceptions exist for the reasonable parking or use of public right-of-way, usually temporary in nature, while performing lawful and authorized work, public or private.

In conclusion, parking on the right-of-way swale can be allowed in residential areas by noncommercial vehicles, but generally not permitted in nonresidential areas.