

**Parking Requirements in Historic and Conservation Districts
(REVISED FOLLOWING FIRST READING)**

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING REQUIREMENTS," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-31, ENTITLED "PARKING DISTRICTS ESTABLISHED," ~~SECTION 130-32, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1" AND SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, AND 8,"~~ TO AMEND THE PARKING REQUIREMENTS FOR RESIDENTIAL, HOTEL, NON-RESIDENTIAL AND ACCESSORY USES LOCATED WITHIN HISTORIC DISTRICTS, HISTORIC SITES AND CONSERVATION DISTRICTS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Chapter 130 of the Land Development Regulations of the City Code sets forth various provisions related to off-street parking; and

WHEREAS, in areas of the City with access to high-quality transit, the City has sought to reduce or eliminate parking requirements in order to incentivize the use of public transportation; and

WHEREAS, the construction of excess parking spaces results in more massive buildings and places severe limitations on the amount of pervious landscaped areas that can be provided on a site; and

WHEREAS, the regulations proposed herein would further facilitate new construction on small lots by reducing the parking requirements generally and, on the smallest of lots, eliminating parking requirements altogether; and

WHEREAS, the regulations proposed herein will promote the general health, safety, and welfare of the residents of the City.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA:

SECTION 1. Chapter 130 of the City Code, entitled "Off-Street Parking," Article II, "Districts; Requirements," is hereby amended as follows:

CHAPTER 130 – OFF-STREET PARKING

* * *

ARTICLE II. - DISTRICTS; REQUIREMENTS

* * *

Sec. 130-31. - Parking districts established.

(a) For the purposes of establishing off-street parking requirements, the city shall be divided into the following parking districts:

* * *

(b) There shall be no off-street parking requirement for main or accessory uses associated with buildings that existed prior to October 1, 1993, which are:

- (1) Located within the architectural district,
- (2) A contributing building within a local historic district, or
- (3) Individually designated historic building.

This provision shall not apply to renovations and new additions to existing buildings which create or add floor area, or to new construction which has a parking requirement.

(c) The off-street parking requirements associated with the new construction of residential and hotel units, including allowable accessory uses, that are located in CD-2 zoning districts within the Normandy Isles national register conservation district and in MXE zoning districts south of 16th Street, shall be as follows:

(1) One space per residential unit and 0.5 space per hotel unit.

(2) There shall be no parking requirement for the following:

a. Development sites of 6 units (hotel or residential) or fewer.

b. Properties located within 1,500 feet of a public transit stop, or within 1,500 feet of any public or private parking garage. **Additionally, for properties located in CD-2 zoning districts within the Normandy Isles national register conservation district, the first level of the structure shall be fully activated at the ground level with non-office and non-financial institution uses.**

(3) Additions to existing buildings. For existing buildings, which are classified as "contributing" and of which at least 75 percent of the front and street side elevations, and 25 percent of interior side elevations, are substantially retained, preserved, and/or restored, there shall be no parking requirement for the existing building, or for any new residential or hotel units, whether attached or detached, regardless of lot width or number of units. Any proposed addition to the existing building shall be subject to the certificate of appropriateness or design review criteria set forth in chapter 118, as applicable, and shall include a renovation plan for the existing building that is fully consistent with the Secretary of the Interior's Guidelines and Standards for the Rehabilitation of Historic Buildings.

(4) Waiver. The off-street parking requirements set forth in subsection (c)(1) may be waived by the design review board or historic preservation board, pursuant to the design review or certificate of appropriateness criteria, as may be applicable, upon a finding that off-street parking is not necessary to support the construction of new residential or hotel units within a local historic district or conservation district.

(5) Minimum bicycle parking requirements. Secure off-site storage for bicycles shall be required as follows:

a. Short-term bicycle parking: Four (4) spaces per building or one (1) space per ten units, whichever is greater.

b. Long-term bicycle parking: One (1) space per unit.

(d) Any building or structure erected in within a local historic district, historic site, or conservation district may provide required parking on-site as specified in the regulations applicable to parking district no. 1. Such required parking, if provided, shall be exempt from the definition of "floor area," in accordance with the regulations specified in chapter 114 of these land development regulations.

SECTION 2. Repealer.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 3. Codification.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. Severability.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. Effective Date.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this ____ day of _____, 2020.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

First Reading: February 12, 2020
Second Reading: March 11, 2020

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

Rafael E. Granado 1-29-20

City Attorney Date
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