

Parking Reductions for Residential Uses in MXE District

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, FLORIDA, BY AMENDING CHAPTER 130, ENTITLED "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," AT SECTION 130-31, ENTITLED "PARKING DISTRICTS ESTABLISHED," TO MODIFY PARKING REQUIREMENTS FOR NEW CONSTRUCTION WITHIN THE MXE DISTRICT LOCATED IN THE OCEAN DRIVE/COLLINS AVENUE LOCAL HISTORIC DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") has the authority to enact laws which promote the public health, safety and general welfare of its citizens; and

WHEREAS, the elimination of minimum parking requirements in local historic districts incentivizes the renovation and restoration of existing buildings, by making additions more economically feasible; and

WHEREAS, applications for new additions or restorations within the MXE district are subject to the review and approval of the Historic Preservation Board ("HPB"); and

WHEREAS, the requirement of HPB review ensures that any proposed additions are sensitive and contextually compatible with both existing construction on site and the surrounding area; and

WHEREAS, the Ocean Drive/Collins Avenue Local Historic District is well served by Miami-Dade Transit and the City of Miami Beach Trolley, both of which provide alternative modes of transportation; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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, "District Requirements," is hereby amended as follows:

**CHAPTER 130
OFF-STREET PARKING**

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ARTICLE II. – DISTRICTS; REQUIREMENTS

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Sec. 130-31. - Parking districts established.

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(e) The off-street parking requirements associated with new residential construction, including allowable accessory uses within the new construction, within areas zoned MXE and located in the Ocean Drive/Collins Avenue local historic district, shall be as follows:

- (1) Requirement. One space per residential unit. All accessory uses shall comply with the minimum requirements applicable to Parking District No. 1.
- (2) Voluntary residential parking incentive program. There shall be no parking requirement associated with new residential construction, including allowable accessory uses, for the following developments, provided that the owner of the property elects, at the owner's sole discretion, to voluntarily execute a restricted covenant running with the land, in a form approved by the City Attorney, affirming that, for a term of 30 years, (i) the use of the development shall be limited to residential purposes only (including permitted accessory uses), and (ii) none of the residential units on the property shall be leased or rented for a period of less than six months and one day:
 - a. Lots with a width of 100 feet or less.
 - b. Development sites of 6 residential units or fewer.
 - c. New buildings on development sites with existing buildings for which off-street parking is not currently provided, where the total number of new residential units does not exceed the number of existing residential units.
 - d. Properties located within 1,500 feet of a public transit stop, or within 1,500 feet of any public or private parking garage.
- (3) 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.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same 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 _____, 2021.

Dan Gelber, Mayor

ATTEST:

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION

Rafael E. Granado, City Clerk

City Attorney NK
4-9-21
Date

First Reading: April 21, 2021
Second Reading: May 12, 2021

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