

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: April 26, 2022

FROM: Thomas R. Mooney, AICP
Planning Director



SUBJECT: **PB22-0499 – ORD – Lincoln Road West Parking Subzone.**

RECOMMENDATION

Transmit the proposed Ordinance amendment to the City Commission with a favorable recommendation.

HISTORY

On December 8, 2021, at the request of Commissioner Ricky Arriola, the City Commission referred the proposed Ordinance to the Land Use and Sustainability Committee (C4 W). The sponsor indicated in the referral memo that the subject proposal is similar to other recently adopted legislation eliminating the off-street parking requirements for hotel uses on Lincoln Road. This previous legislation was adopted to attract an elevated class of tourists and increase pedestrian foot traffic to support the businesses along Lincoln Road. The proposed legislation would extend that benefit west of Alton Road to encourage the same elevated level of hotel development.

On February 11, 2022, the LUSC discussed the proposal and recommended that the City Commission refer the attached draft Ordinance to the Planning Board. On March 9, 2022, the City Commission referred the proposed amendments to the Planning Board for review and recommendation (Item C4 C).

REVIEW CRITERIA

Pursuant to Section 118-163 of the City Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

Partially Consistent – The proposed ordinance is consistent with the goals, objectives, and policies of the Comprehensive Plan.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

Consistent – The proposed amendment does not amend district boundaries nor create an isolated district unrelated to adjacent or nearby districts.

3. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Consistent - The proposed ordinance amendment does not affect the scale of development and is not out of scale with the needs of the neighborhood or the city.

4. Whether the proposed change would tax the existing load on public facilities and infrastructure.

Consistent – The proposed ordinance will not affect the load on public facilities and infrastructure as it does not increase the intensity of development, and is only applicable to sites that provide significant public parking.

5. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Not applicable – The proposed amendment does not modify district boundaries.

6. Whether changed or changing conditions make the passage of the proposed change necessary.

Consistent – Recently approved outdoor uses during the Covid-19 pandemic have consumed some outdoor parking areas. As a result, there is a need to reduce parking requirements, where those parking spaces are no longer necessary.

7. Whether the proposed change will adversely influence living conditions in the neighborhood.

Consistent – The proposed ordinance amendment will not adversely affect living conditions in the neighborhood as there are significant amounts of public parking in the vicinity, and it applies to uses that have been seeing reduced demands for parking.

8. Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.

Consistent – The proposed change will not create or increase traffic congestion from what is currently permitted, as the FAR is not being modified by this ordinance and the intensity of uses is not proposed to be increased.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

Consistent – The proposed will not reduce light and air to adjacent areas beyond what is currently allowed.

10. Whether the proposed change will adversely affect property values in the adjacent area.

Consistent – The proposed change will not adversely affect property values in the adjacent areas.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Consistent – The proposed change will not be a deterrent to the improvement or development of properties in the City.

12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Not applicable.

13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.

Not applicable.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 133-50(b) of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

(1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.

Partially Consistent – The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.

(2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.

Consistent – The proposal will increase the resiliency of the City with respect to sea level rise by facilitating the development of new buildings in a manner that will comply with the City's resiliency requirements.

(3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

Consistent – The proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

The attached draft Ordinance was prepared by a representative of the owner of the 1212 Lincoln Road Retail Center, which was approved as a phased development, and includes the approved Citizen M Hotel on the adjacent site. The proposal would amend Section 130-33 of the LDR's to

create the Lincoln West Parking Subzone within Parking District No. 6 (See map at the end of this report). This subzone is proposed to be located between 16th Street and Collins Canal, along Alton Road, and would create new parking requirements for hotels and related accessory uses located in the proposed subzone for unified developments that provide at least 200 parking spaces on site. Specifically, the following is proposed as pertains to minimum off-street parking requirements:

- Hotel rooms shall have no parking requirement.
- There shall be no parking requirement for individual dining area, lounge, outdoor café or bar establishments of 60 seats or less or 1,500 square feet or less of eating and/or drinking areas that are accessory to a hotel use, up to a total aggregate square footage of 5,000 square feet per hotel. For hotel uses with more than 5,000 square feet of these accessory uses, there shall be one space per four seats or one space per 60 square feet of space not used for seating. A covenant running with the land, approved by the city attorney, shall be recorded to ensure that individual stores will not be reconfigured internally in a way that would increase the minimum parking requirement without conditional use approval and payment of a one-time parking impact fee for each required parking space.
- Any building or structure erected in the Lincoln West Parking Subzone may provide required parking on site as specified in parking district no. 6. Such required parking, if provided, shall be exempt from FAR, in accordance with the regulations specified in chapter 114 of these land development regulations.

Anecdotal evidence demonstrates that there has been a significant reduction in the demand for parking for hotels. Many hotels have indicated that their guests appear to be arriving via rideshare vehicles or taxis, and are not renting cars. Considering the limited boundaries of the proposed subzone, as well as its proximity to dedicated transit and multiple public parking facilities, staff is supportive of the proposal.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed Ordinance amendment to the City Commission with a favorable recommendation.

Parking District 6 – Lincoln Road West Parking Subzone



Lincoln Road West Parking Subzone

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, "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS" BY AMENDING SECTION 130-33(C) TO CREATE THE "LINCOLN ROAD WEST" PARKING SUBZONE OF PARKING DISTRICT NO. 6; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission desire to encourage innovative and compatible redevelopment in the Alton Road Corridor;

WHEREAS, mixed use development, including, but not limited to, hotel uses in the area of the Alton Road corridor between 16th and 17th Streets, will help encourage the commercial success of both the Alton Road Corridor and the Lincoln Road pedestrian mall;

WHEREAS, Mayor and City Commission desire to incentivize this mixed-use development and encourage the efficient use of private parking.

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", Section 130-33(c) is hereby amended as follows:

Sec. 130-33 Off-street parking requirements for parking districts nos. 2, 3, 4, 5, 6, 7, 8, and 9.

* * *

(c) [Parking district no. 6.] Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking district no. 6, off-street automobile parking spaces shall be provided for the building, structure or additional floor area as follows. For uses not listed below, the off-street parking requirement shall be the same as for parking district no. 1 in section 130-32.

* * *

(8) For sites within the Lincoln West Parking Subzone, which is located between 16th Street and Collins Canal, the following additional provisions shall apply to unified developments that provide at least 200 parking spaces on site:

(a) Hotel rooms shall require no parking;

(b) There shall be no parking requirement for individual dining area, lounge, outdoor café or bar establishments of 60 seats or less or 1,500 square feet or less of eating and/or drinking areas that are accessory to a hotel use, up to a total aggregate square footage of 5,000 square feet per hotel. For hotel uses with more than 5,000 square feet of

these accessory uses, there shall be one space per four seats or one space per 60 square feet of space not used for seating. A covenant running with the land, approved by the city attorney, shall be recorded to ensure that individual stores will not be reconfigured internally in a way that would increase the minimum parking requirement without conditional use approval and payment of a one-time parking impact fee for each required parking space.

- (c) Any building or structure erected in the Lincoln West Parking Subzone may provide required parking on site as specified in parking district no. 6. Such required parking, if provided, shall be exempt from FAR, in accordance with the regulations specified in chapter 114 of these land development regulations.

SECTION 2. 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 3. 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 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 _____, 2022.

Dan Gelber
Mayor

ATTEST:

Rafael E. Granado
City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney Date

First Reading: May 4, 2022
Second Reading: June 22, 2022
Verified By: _____
Thomas R. Mooney, AICP
Planning Director