

**Parking District No. 7 – Extension of Sunset Provision**

**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, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," BY AMENDING SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, 8 AND 9" TO EXTEND THE DEADLINE FOR APPLICABILITY OF THE REGULATIONS FOR PARKING DISTRICT NO. 7; 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**, previously, pursuant to the recommendations of the Mayor's Washington Avenue Blue Ribbon Task Force, the City adopted development regulations specific to the Washington Avenue corridor; and

**WHEREAS**, the City has studied the condition of properties located along Washington Avenue, in light of concerns raised by local residents, property owners, and businesses; and

**WHEREAS**, various constituents have expressed concerns regarding the deterioration of the area; and

**WHEREAS**, residents, property owners, and businesses are concerned with the quality of life and condition of the streets within the portions of the Flamingo Park Historic District and National Register Historic District along Washington Avenue; and

**WHEREAS**, the City has studied various approaches to improve residents' quality of life and the quality of businesses within the area; and

**WHEREAS**, the City subsequently adopted Ordinance 2019-4312, as amended, creating the Washington Avenue Overlay, which immediately incentivized new business development, including two new hotels and a new co-living project with an office component; and

**WHEREAS**, these incentives have demonstrably improved the quality of life and viability of new businesses within the Washington Avenue corridor; and

**WHEREAS**, to allow additional time for applicants to obtain building permits, the City Commission finds it in the City's best interest to extend the parking incentives provided for Parking District No. 7.

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

**SECTION 1.** Chapter 130, "Off-Street Parking," Article II, "Districts; Requirements," is hereby amended as follows:

**CHAPTER 130  
OFF-STREET PARKING**

\* \* \*

**ARTICLE II. — DISTRICTS; REQUIREMENTS**

\* \* \*

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

\* \* \*

(d) *[Parking district no. 7].* Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking district no. 7, 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 or parking district no. 2, as applicable.

- (1) Co-living units: No parking requirement.
- (2) Hotel and hostel: No parking requirement. For accessory use to a hotel or hostel, the minimum parking is as set-forth in parking district no. 1.
- (3) Office: No parking requirement.
- (4) Retail:
  - a. Retail existing as of the date of adoption of parking district no. 7 shall have no parking requirement.
  - b. For new retail construction, one space per 300 square feet of floor area.
  - c. Notwithstanding the above, there shall be no parking requirement for retail uses, provided that a parking garage with publicly accessible parking spaces is located within 500 feet.
- (5) Quality restaurants (i.e. full service eating establishments with a typical duration or stay of at least one hour, at which patrons wait to be seated, are served by a waiter/waitress, order from menus, and pay for meals after they eat): No parking requirement.
- (6) Café, outdoor: No parking requirement.
- (7) Approved parklets shall have no parking requirement.
- (8) Any building or structure erected in parking district no. 7 may provide required parking on site as specified in parking district no. 1. Such required parking, if provided, shall be exempt from FAR, in accordance with the regulations specified in chapter 114 of these land development regulations.

The parking requirements in this subsection 130-33(d)(1), (2), (3), (4), (5), (6), and (7) shall only apply to projects that have obtained a full building permit or business tax receipt by September 1, ~~2022~~ 2027.

**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 \_\_\_\_\_, 2022.

\_\_\_\_\_  
Dan Gelber, Mayor


**ATTEST:**

\_\_\_\_\_  
Rafael E. Granado, City Clerk

First Reading: June 22, 2022  
Second Reading: July 20, 2022

Verified By: \_\_\_\_\_  
Thomas R. Mooney, AICP  
Planning Director

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

  
\_\_\_\_\_  
City Attorney

6-25-22  
\_\_\_\_\_  
Date

NK