

Electric Vehicle Parking Amendments

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, “OFF-STREET PARKING,” ARTICLE II, “DISTRICTS; REQUIREMENTS,” BY AMENDING SECTION 130-39, ENTITLED “ELECTRIC VEHICLE PARKING,” TO INCREASE THE MINIMUM REQUIREMENTS FOR ELECTRIC VEHICLE PARKING SPACES AND CHARGING STATIONS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (“City”) has declared that it is in the interest of the public health, safety, and welfare of its residents and visitors to reduce pollutants in the air, on the lands, and in the waters of the City; and

WHEREAS, electric vehicles generate reduced greenhouse gas emissions as compared to gasoline and diesel powered vehicles; and

WHEREAS, on January 13, 2016 an Ordinance was adopted by the City Commission establishing the city’s current electric vehicle parking requirements for new construction; and

WHEREAS, the number of electric vehicles sold in the U.S. has increased from approximately 159,000 in 2016 to 763,00 in 2020, an increase of almost 400%; and

WHEREAS, with the increasing numbers of electric vehicles, an increase in the parking requirements for electric vehicles is warranted; and

WHEREAS, it is in the best interest of the city to encourage and support an increased rate of adoption for electric vehicles; and

WHEREAS, the amendment set forth below is necessary to accomplish the objectives identified above.

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

SECTION 1. The City of Miami Beach Land Development Regulations, at Chapter 130, “Off-Street Parking,” Article II, “Districts; Requirements,” are hereby amended as follows:

CHAPTER 130 OFF-STREET PARKING

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ARTICLE II. – DISTRICTS; REQUIREMENTS

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Sec. 130-39. Electric vehicle parking.

(a) Definitions.

- (1) *Electric vehicle* means any motor vehicle registered to operate on public roadways that operates either partially or exclusively on electric energy. Electric vehicles include:
 - a. Battery-powered electric vehicles;
 - b. Plug-in hybrid electric vehicles;
 - c. Electric motorcycles; and
 - d. A fuel cell vehicle.
- (2) *Electric vehicle charging level* means the standardized indicator of electrical force, or voltage, at which the battery of an electric vehicle is recharged.
 - a. Level 1 transfers 120 volts (1.4-1.9 kW) of electricity to an electric vehicle battery.
 - b. Level 2 transfers 240 volts (up to 19.2 kW) of electricity to an electric vehicle battery.
 - c. Level 3 (DC fast charging) transfers a high voltage (typically 400—500 volts or 32—100 kW, depending on the electrical current) of direct current to vehicle batteries.
- (3) *Electric vehicle parking space* means an off-street parking space that is equipped with an electric vehicle charging station.
- (4) *Electric vehicle charging station* means battery charging equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

(b) Except in single-family residential districts, wherever off-street parking is provided, electric vehicle parking spaces shall be required, in accordance with the following standards:

- (1) *Commercial and hotel.* In all commercial, industrial and mixed-use zoning districts, as well as developments within any district that contain hotel units, the following requirements shall apply:
 - a. *Level 2 Charging.* A minimum of 10% of the required parking spaces shall be equipped with an electric vehicle charging station rated at Level 2 or higher.
 - b. *Level 3 Charging.* When 60 or more parking spaces are required, a minimum of two (2) spaces shall be equipped with an electric vehicle charging station rated for Level 3 charging. For every additional 60 required parking spaces, one additional Level 3 charging station shall be required. When required, Level 3 charging stations shall be made available to any member of the public with an electric vehicle for active charging and may not be reserved for building patrons.
 - c. *Exclusive Use.* When more than 20 off-street parking spaces are required, all electric vehicle parking spaces shall be reserved for the exclusive use of electric vehicles.
- (2) *Residential.* Residential multifamily developments shall comply with the following requirements regardless of zoning district:

- a. Level 2 Charging. A minimum of 10% of the provided off-street parking spaces shall be equipped with an electric vehicle charging station rated at Level 2 or higher.
 - b. Guest Parking. When guest parking is required, a minimum of 10% of the of the required guest parking spaces shall be equipped with an electric vehicle charging station rated at Level 2 or higher.
 - c. EV-Ready Spaces. All parking spaces that are not equipped with a Level 2 or higher charging station, shall be required to have an electrical power supply rated at 240 volts or greater installed for each parking space, for the future installation of electrical vehicle charging stations rated at Level 2 or higher.
 - d. Level 3 Charging. For developments of 60 units or more, a minimum of two (2) spaces shall be equipped with an electric vehicle charging station rated for Level 3 charging. For every additional 60 units, one additional Level 3 charging station shall be required. All required Level 3 charging stations shall be made available to all residents, guests, invitees and employees. Only those Level 3 charging stations that exceed the minum requirements may be reserved for individual units
 - e. Mechanical Parking. When mechanical parking is utilized, where access to a charging station is not feasible, a Level 3 charging station shall be required for every ten (10) spaces that do not include an electrical power supply rated at 240 volts or greater.
- (3) Stand-Alone Parking Garages and Lots. Stand Alone parking garages and parking lots in any zoning district shall comply with the following requirements:
- a. Level 2 Charging. A minimum of 10% of the provided parking spaces shall be equipped with an electric vehicle charging station rated at Level 2 or higher.
 - b. Level 3 Charging. When more than 60 parking spaces are provided, a minimum of Two (2) spaces shall be equipped with an electric vehicle charging station rated for Level 3 charging. For every additional 60 required parking spaces, one additional Level 3 charging station shall be required.
 - c. Exclusive Use. When more than 20 off-street parking spaces are provided, all electric vehicle parking spaces shall be reserved for the exclusive use of electric vehicles.
 - d. Mechanical Parking. When mechanical parking is utilized, where access to a charging station is not feasible, a Level 3 charging station shall be required for every ten (10) spaces that do not include an electrical power supply rated at 240 volts or greater.
- ~~(b) Except in single-family residential districts, wherever off-street parking is required pursuant to the land development regulations, a minimum of two percent of the required off-street parking spaces, with a minimum of one parking space, shall contain electric vehicle parking spaces in accordance with the following standards:~~
- ~~(1) In commercial zoning districts where 20 or more off-street parking spaces are required by the land development regulations, all electric vehicle parking spaces shall be reserved for the exclusive use of electric vehicles.~~
 - ~~(2) In commercial and residential multifamily zoning districts, electric vehicle parking spaces shall, at a minimum, be equipped with an electric vehicle charging station rated at electric vehicle charging level 2.~~

~~(3) For residential uses, electric vehicle charging stations shall be limited to the use of building residents and their invited guests.~~

~~(4) Any residential multifamily or hotel development with 20 or more units shall install and provide access to electrical power supply rated at 240 volts or greater, in all off-street parking facilities, to allow for the installation of additional electric vehicle parking spaces in the future for the exclusive use of residents, guests, invitees, and employees.~~

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

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

SECTION 4. CODIFICATION.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2023.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO FORM
AND LANGUAGE
AND FOR EXECUTION

City Attorney

Date

First Reading:
Second Reading:

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