

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Jimmy L. Morales, City Manager  
DATE: June 5, 2019

SUBJECT: REFERRAL TO PLANNING BOARD - PROPOSED ORDINANCE PERTAINING TO MINIMUM PARKING REQUIREMENTS IN HISTORIC AND CONSERVATION DISTRICTS.

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### RECOMMENDATION

The administration recommends that the City Commission refer the attached ordinance to the Planning Board for review and recommendation.

### ANALYSIS

#### HISTORY

On January 16, 2019, at the request of Commissioner John Elizabeth Aleman, the City Commission referred the subject discussion item to the Land Use and Development Committee (Item C4 AC). On March 6, 2019 the Land Use and Development Committee discussed the item and directed staff to draft an ordinance for review at the May 22, 2019 meeting.

On May 22, 2019 the LUDC discussed the proposed ordinance and recommended that the City Commission refer the item to the planning board for review and consideration.

### BACKGROUND

Chapter 130 of the land development regulations of the city code sets forth the minimum parking requirements for new construction and additions to existing buildings. For residential apartment uses, the following is a summary of the current minimum parking requirements:

#### Parking District No. 1:

- Apartment buildings in RM-1 or RM-2 zoning districts on lots that are 65 feet in width or less: No parking requirement.
- Apartment buildings in RM-1 or RM-2 zoning districts on lots wider than 65 feet: One space per unit for units between 550 and 1,600 square feet; two spaces per unit for units above 1,600 square feet.
- Apartment units in all other zoning districts:
  1. One and one-half spaces per unit for units between 550 and 999 square feet;
  2. One and three-quarters spaces per unit for units between 1,000 and 1,200 square feet;
  3. Two spaces per unit for units above 1,200 square feet.
- Designated guest parking: Developments of 20 units or less shall have no designated guest parking requirements. Multi-family buildings and suites-hotels with more than 20 units shall be required to provide supplemental designated guest parking equal to ten percent of the required residential parking spaces.

#### Parking Districts 2 through 8:

- Apartment buildings on lots that are 50 feet in width or less: 1.5 spaces per unit.
- Apartment buildings on lots wider than 50 feet:
  1. One and one-half spaces per unit for units between 550 and 999 square feet;
  2. One and three-quarters spaces per unit for units between 1,000 and 1,200 square feet;
  3. Two spaces per unit for units above 1,200 square feet.
- Designated guest parking: Developments of 20 units or less shall have not designated guest parking requirements. Multifamily buildings and suites-hotels with more than 20 units shall be required to provide supplemental designated guest parking equal to ten percent of the required residential parking spaces.

#### Additional Regulations for Parking District 5:

- For apartment buildings located within parking district no. 5, there shall be no designated guest parking requirement; there shall be no parking requirement for existing structures utilized for residential apartments; one space per unit for new construction and/or additions utilized for residential apartments.

#### North Shore National Register District:

- Zero spaces per unit for:
  1. Buildings on lots that are 65 feet in width or less;

2. development sites with six units or less, regardless of lot width;
3. New buildings on development sites with existing buildings that do not contain off-street parking, where total number of new units does not exceed the number of existing units.

- One space per unit for buildings on lots greater than 65 feet in width. In the event that the property owner can substantiate that the proposed new construction will not need to provide off-street parking, the design review board or historic preservation board, as applicable, may waive the parking requirement.

- For existing apartment, apartment-hotel and hotel 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 restored, there shall be no parking requirement for the existing structure, and any new additions, whether attached or detached, regardless of lot width and number of units.

Normandy Isles National Register District:

- For existing apartment and apartment-hotel buildings, which are classified as "contributing", and which are being substantially retained, preserved and restored, there shall be no parking requirement for the existing structure, and any addition up to a maximum of 2,500 square feet, whether attached or detached.

**PLANNING ANALYSIS**

This analysis pertains to minimum off-street parking requirements for residential, hotel and non-residential uses within historic and conservation districts. In this regard, most lots within such districts are not well equipped to accommodate the storage of vehicles, due to factors such as the dimensions and location of existing buildings that are being retained, the size of the lot and the difficulty with providing the necessary driveways and back-up dimensions. Additionally, the storage of vehicles makes it more difficult to address the urban form of the larger, as-built context, and promotes more vehicular circulation in and around a given site.

All of the historic and conservation districts south of 44th Street and north of 63rd Street, have easy access to multiple modes of transit (e.g. County buses and City trolleys). In light of this access, as well as the prioritization of the pedestrian and non-vehicular modes of transit in the city's transportation master plan, the administration believes that the minimum parking requirements for these areas should be adjusted. Specifically, while a prohibition of vehicular storage on smaller sites in these areas would be ideal, such a proposal may be ahead of its time. As an alternative, removing the required parking within defined parameters would be a good step in the interim.

The current parking requirements in the land development regulations were drafted almost 30 years, at a time when off street vehicular storage was at a premium, and individual car trips were the primary method of transportation. Staff has found that the market, as opposed to an engineering handbook on suburban parking, is a better guide for establishing whether off street vehicular storage is needed, and how much storage would be needed, particularly in a defined, compact urban area like Miami Beach. Additionally, by not having to construct on site vehicular storage, the cost savings could allow for additional units, as well as increase the probability for such units to serve the city's workforce. In general, residential housing that serves the workforce, does not have the same demand for on-site vehicular storage.

Based on the direction provided at the March 6, 2019 LUDC meeting, planning staff drafted the attached ordinance, which proposes to amend the parking requirements for residential and hotel units, as well as non-residential uses, located in historic and conservation districts, as follows:

1. The minimum parking requirements for the new construction of residential and hotel units would be one space per residential unit and .5 space per hotel unit.
2. The minimum parking requirements for the new construction of non-residential and non-hotel uses, including allowable accessory uses, shall be as specified in the parking district for the underlying property
3. There shall be no parking requirement for the following:
  - Lots 100 feet or less in width.
  - Development sites of 6 units (hotel or residential) or less.
  - Development sites containing less than 5,000 square feet of new floor area.
  - New buildings on development sites with existing buildings that do not contain off-street parking, where total number of new units does not exceed the number of existing units or where the total square footage does not exceed the square footage of the existing building.
  - Properties located within 1500 feet of a public transit stop.
4. 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 restored, there shall be no parking requirement for the existing structure, and any new residential or hotel units, whether attached or detached, regardless of lot width and number of units, as well as new construction of non-residential and non-hotel uses, including allowable accessory uses, regardless of overall square footage.
5. Exemptions. In the event that the property owner can substantiate that the proposed new construction of residential or hotel units, as well as new construction of non-residential and non-hotel uses, including allowable accessory uses, regardless of overall square footage, will not need to provide off-street parking, the design review board or historic preservation board, as applicable, may waive the parking requirements for residential and hotel units within a local historic district or conservation district, in accordance with the Design Review Criteria or Certificate of Appropriateness Criteria, as applicable.

Additionally, minimum bicycle parking requirements, for secure off-site storage for bicycles shall be required.

In addition to the amendments previously discussed for residential units, the administration is recommending additional reductions in the requirements for other non-residential uses, including hotel uses and allowable accessory uses. The same reasons cited above for the removal of the requirements for residential uses, also applies to other uses within historic districts. Typically, hotel guests and patrons of accessory uses such as restaurants are even more likely to utilize alternative modes of transportation including ride-share vehicles, public transit, and walking from nearby hotels. And especially for local residents and tourists staying in Miami Beach, a ride-sharing service is often more affordable and much more convenient than parking.

The attached ordinance would simplify and standardize the parking requirements for the construction of residential units, hotel units, non-residential uses and accessory uses across all historic and conservation districts located within the City. As such, the current specified parking requirements for the North Beach and Normandy Isles National Register Conservation Districts have been removed from the applicable parking districts.

#### **CONCLUSION**

The Administration recommends that the City Commission refer the attached ordinance amendment to the Planning Board for review and recommendation.

#### **Legislative Tracking**

Planning

#### **Sponsor**

Commissioner John Elizabeth Aleman

#### **ATTACHMENTS:**

##### **Description**

- Draft REF ORD

**Parking Requirements in Historic and Conservation Districts**

**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," AND 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 USES LOCATED WITHIN HISTORIC DISTRICTS 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 contains various provisions related to off-street parking ; and

**WHEREAS**, the City proposes to reduce requirements that mandate a minimum number of parking spaces for new residential units; and

**WHEREAS**, there are locations with high-quality transit, which could incentivize public transportation, and as such, the City seeks reduce or eliminate parking requirements; and

**WHEREAS**, excess parking results in more massive buildings, and the current parking requirements severely limit the amount of pervious landscaped areas that can be provided on a site; and

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

**WHEREAS**, these proposed regulations will not affect the general health, safety and welfare of the residents of the City; and

**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 for the new construction of residential and hotel units when located within a local historic district, historic site or conservation district shall be as follows:

(1) One space per residential unit and .5 space per hotel unit.

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

a. Lots 100 feet or less in width.

b. Development sites of 6 units (hotel or residential) or less.

c. New buildings on development sites with existing buildings that do not contain off-street parking, where total number of new units does not exceed the number of existing units.

d. Properties located within 1500 feet of a public transit stop, or within 1,500 feet of any public or private parking garage.

(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 restored, there shall be no parking requirement for the existing structure, and any new residential or hotel units, whether attached or detached, regardless of lot width and number of units. Any proposed addition to the existing structure shall be subject to the certificate of appropriateness or design review criteria in chapter 118, as applicable, and shall include a renovation plan for the existing structure that is fully consistent with the Secretary of the Interior Guidelines and Standards for the Rehabilitation of Historic Buildings.

(4) Exemptions. In the event that the property owner can substantiate that the proposed new construction of residential or hotel units will not need to provide off-street parking, the design review board or historic preservation board, as applicable, may waive the parking requirements for residential and hotel units within a local historic district or conservation district, in accordance with the Design Review Criteria or Certificate of Appropriateness Criteria, as applicable.

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

a. Short-term bicycle parking: Four per building or one per ten units, whichever is greater.

b. Long-term bicycle parking: One per unit.

(d) The off-street parking requirements for non-residential and non-hotel uses, including allowable accessory uses, when located within a local historic district, historic site or conservation district shall be as follows:

(1) The minimum parking requirements for the new construction of non-residential and non-hotel uses, including allowable accessory uses, shall be as specified in the parking district for the underlying property.

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

a. Existing buildings.

b. Lots 100 feet or less in width.

c. Development sites containing less than 5,000 square feet of new floor area.

d. New buildings on development sites with existing buildings that do not contain off-street parking, where the total square footage does not exceed the square footage of the existing building.

e. Properties located within 1500 feet of a public transit stop, or within 1,500 feet of any public or private parking garage.

(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 restored, there shall be no parking requirement for the existing structure, and new construction of non-residential and non-hotel uses, including allowable accessory uses, regardless of overall square footage. Any proposed addition to the existing structure shall be subject to the certificate of appropriateness or design review criteria in chapter 118, as applicable, and shall include a renovation plan for the existing structure that is fully consistent with the Secretary of the Interior Guidelines and Standards for the Rehabilitation of Historic Buildings.

(4) Exemptions. In the event that the property owner can substantiate that the proposed new construction of non-residential and non-hotel uses, including allowable accessory uses,

regardless of overall square footage, will not need to provide off-street parking, the design review board or historic preservation board, as applicable, may waive the parking requirements for residential and hotel units within a local historic district or conservation district, in accordance with the Design Review Criteria or Certificate of Appropriateness Criteria, as applicable.

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

a. Short-term bicycle parking: Four per building or one per ten units, whichever is greater.

b. Long-term bicycle parking: One per unit.

(e) Any building or structure erected in within a local historic district or conservation district 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.

\* \* \*

**Sec. 130-32. - Off-street parking requirements for parking district no. 1.**

Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking district no. 1, accessory off-street parking spaces shall be provided for the building, structure or additional floor area as follows:

\* \* \*

**(6) Apartment building and apartment-hotel:**

a. Apartment buildings in RM-1 or RM-2 zoning districts on lots that are 65 feet in width or less: There shall be no parking requirement, provided secure storage for alternative transportation such as scooters, bicycles, and motorcycles, is provided.

b. Apartment buildings in RM-1 or RM-2 zoning districts on lots wider than 65 feet: One space per unit for units between 550 and 1,600 square feet; two spaces per unit for units above 1,600 square feet.

c. Apartment units in all other zoning districts:

1. One and one-half spaces per unit for units between 550 and 999 square feet;
2. One and three-quarters spaces per unit for units between 1,000 and 1,200 square feet;
3. Two spaces per unit for units above 1,200 square feet.

d. Designated guest parking: Developments of 20 units or less shall have no designated guest parking requirements. Multi-family buildings and suites-hotels with more than 20 units shall be required to provide supplemental designated guest parking equal to ten percent of the required residential parking spaces.

~~e. When located within the North Beach National Register Conservation Overlay District the following parking requirements shall apply:~~

~~1. Zero spaces per unit for:~~

~~A. Buildings on lots that are 65 feet in width or less;~~

~~B. development sites with six units or less, regardless of lot width;~~

~~C. New buildings on development sites with existing buildings that do not contain off-street parking, where total number of new units does not exceed the number of existing units.~~

~~2. One space per unit for buildings on lots greater than 65 feet in width. In the event that the property owner can substantiate that the proposed new construction will not need to provide off-street parking, the design review~~

~~board or historic preservation board, as applicable, may waive the parking requirement.~~

- ~~3. For existing apartment, apartment hotel and hotel 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 restored, there shall be no parking requirement for the existing structure, and any new additions, whether attached or detached, regardless of lot width and number of units. Any proposed addition to the existing structure shall be subject to the review and approval of the design review board or historic preservation board, whichever has jurisdiction, and shall include a renovation plan for the existing structure that is fully consistent with the Secretary of the Interior Guidelines and Standards for the Rehabilitation of Historic Buildings.~~

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

- (a) Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking districts nos. 2, 3, and 4 accessory off-street parking spaces shall be provided for the building, structure or additional floor area as follows. There shall be no off-street parking requirement for uses in this parking district except for those listed below:

- (1) *Apartment building and apartment-hotel:*

- a. Apartment buildings on lots that are 50 feet in width or less: 1.5 spaces per unit.
- b. Apartment buildings on lots wider than 50 feet:  
One and one-half spaces per unit for units between 550 and 999 square feet;  
  
One and three-quarters spaces per unit for units between 1,000 and 1,200 square feet;  
  
Two spaces per unit for units above 1,200 square feet.
- c. Designated guest parking: Developments of 20 units or less shall have not designated guest parking requirements. Multifamily buildings and suites-hotels with more than 20 units shall be required to provide supplemental designated guest parking equal to ten percent of the required residential parking spaces.
- d. For apartment buildings located within parking district no. 5, there shall be no designated guest parking requirement; there shall be no parking requirement for existing structures utilized for residential apartments; one space per unit for new construction and/or additions utilized for residential apartments.
- ~~e. For existing apartment and apartment hotel buildings, which are classified as "contributing", are located within the Normandy Isles National Register District, and which are being substantially retained, preserved and restored, there shall be no parking requirement for the existing structure, and any addition up to a maximum of 2,500 square feet, whether attached or detached. The proposed addition to the existing structure shall be subject to the review and approval of the design review board or historic preservation board, whichever has jurisdiction, and shall include a renovation plan for the existing structure that is fully consistent with the Secretary of the Interior Guidelines and Standards for the Rehabilitation of Historic Buildings.~~

