

RM-3 HOTELS – ARCHITECTURAL DISTRICT PARKING

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 THE OFF-STREET PARKING REQUIREMENTS FOR OCEANFRONT HOTELS ZONED RM-3 IN THE ARCHITECTURAL DISTRICT; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, current parking requirements for hotels, and for convention hotels contain a requirement for parking spaces based upon the number of rooms within the hotel and additional parking requirements for accessory uses within hotels; and

WHEREAS, changes in patterns and norms regarding the use of automobiles in urban areas such as Miami Beach, has changed the need for excessive parking in hotels; and

WHEREAS, existing parking requirements for hotels have not kept up with these aforementioned changes in automobile usage; and

WHEREAS, the proposed changes are necessary in order to promote good hotel development and the preservation of certain contributing hotels in the Architectural District.

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

Section 1. Section 130-32, "Off Street parking requirements for Parking District No. 1," is hereby amended as follows:

Section 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:

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(26)(A)For oceanfront lots zoned RM-3 in the architectural district, between 15th Street and 23rd Street, containing a contributing structure, where the primary use is a hotel, the following shall apply to new construction:

- (1) Hotel Units. There shall be no parking requirement for new construction containing hotel units where the total number of hotel units is not increased from the existing business tax receipt (BTR).
- (2) Retail, Meeting rooms or other places of assembly. There shall be no parking requirement for individual accessory use establishments of 5,000 square feet or less. For individual accessory use establishments over 5,000 square feet, there shall be one space for every 300 square feet of floor area. A covenant running with the land, approved by the City Attorney, shall be recorded to ensure that individual accessory use establishments 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. Notwithstanding the above, when the total aggregate square footage of the above-mentioned accessory uses in this subsection (2) exceeds 10% of the gross floor area on the property, then parking shall be required for all of the uses.
- (3) Restaurant, dining area, lounge, outdoor cafe or bar: There shall be no parking requirement for individual accessory establishments of 5,000 square feet per hotel. For individual accessory establishments over 5,000 square feet 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 accessory establishments 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. Notwithstanding the above, when the total aggregate square footage of the above-mentioned accessory uses in this subsection (2) exceeds 20% of the gross floor area on the property, then parking shall be required for all of the uses.
- (4) Gymnasiums, Spas or Saunas: There shall be no parking requirement for accessory gymnasiums, spas or saunas.

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SECTION 2. Repealer.

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

SECTION 3. 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 Code of the City of Miami Beach, Florida, as amended. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. Severability.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this ordinance.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect the ____ day of _____, 2018.

PASSED and ADOPTED this ____ day of _____, 2018.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

First Reading: December 13, 2017

Second Reading: January ____, 2018

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