

**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," 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, HOTEL, NON-RESIDENTIAL AND ACCESSORY USES LOCATED WITHIN HISTORIC DISTRICTS, HISTORIC SITES 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 sets forth various provisions related to off-street parking; and

**WHEREAS**, the City of Miami Beach (the "City") has proposed to reduce minimum off-street parking requirements for certain new residential, hotel, and commercial uses; and

**WHEREAS**, in areas of the City with access to high-quality transit, the City has sought to reduce or eliminate parking requirements in order to incentivize the use of public transportation; and

**WHEREAS**, the construction of excess parking spaces results in more massive buildings and places severe limitations on the amount of pervious landscaped areas that can be provided on a site; and

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

**WHEREAS**, the regulations proposed herein will promote the general health, safety, and welfare of the residents of the City.

**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 associated with the new construction of residential and hotel units that are located within a local historic district, historic site, or conservation district (north of 5<sup>th</sup> Street and south of 24<sup>th</sup> Street, as well as north of 63<sup>rd</sup> Street), shall be as follows:

(1) One space per residential unit and 0.5 space per hotel unit.

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

a. Lots with a width of 100 feet or less.

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

c. New buildings on development sites with existing buildings for which off-street parking is not currently provided, where the total number of new residential and/or hotel units does not exceed the number of existing residential and/or hotel units.

d. Properties located within 1,500 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/or restored, there shall be no parking requirement for the existing building, or for any new residential or hotel units, whether attached or detached, regardless of lot width or number of units. Any proposed addition to the existing building shall be subject to the certificate of appropriateness or design review criteria set forth in chapter 118, as applicable, and shall include a renovation plan for the existing building that is fully consistent with the Secretary of the Interior's Guidelines and Standards for the Rehabilitation of Historic Buildings.

(4) Waiver. The off-street parking requirements set forth in subsection (c)(1) may be waived by the design review board or historic preservation board, pursuant to the design review or certificate of appropriateness criteria, as may be applicable, upon a finding that off-street parking is not necessary to support the construction of new residential or hotel units within a local historic district or conservation district.

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

a. Short-term bicycle parking: Four (4) spaces per building or one (1) space per ten units, whichever is greater.

b. Long-term bicycle parking: One (1) space per unit.

(d) The off-street parking requirements associated with the new construction of uses other than residential and hotel uses, including allowable accessory uses, that are located within a local historic district, historic site, or conservation district (north of 5<sup>th</sup> Street and south of 24<sup>th</sup> Street, as well as north of 63<sup>rd</sup> Street), shall be as follows:

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

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

a. Existing buildings.

b. Lots with a width of 100 feet or less.

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

d. New buildings on development sites with existing buildings for which off-street parking is not currently provided, where the total square footage of new construction does not exceed the square footage of the existing building.

e. Properties located within 1,500 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/or restored, there shall be no parking requirement for the existing building, or for new construction of uses other than residential and hotel uses, including allowable accessory uses, regardless of the building's overall square footage. Any proposed addition to the existing building shall be subject to the certificate of appropriateness or design review criteria set forth in chapter 118, as applicable, and shall include a renovation plan for the existing building that is fully consistent with the Secretary of the Interior's Guidelines and Standards for the Rehabilitation of Historic Buildings.

(4) Exemptions. The off-street parking requirements set forth in subsection (d)(1) may be waived by the design review board or historic preservation board, pursuant to the design review or certificate of appropriateness criteria, as may be applicable, upon a finding that off-street parking is not necessary to support the construction of uses other than residential and hotel uses, including allowable accessory uses, within a local historic district or conservation district, regardless of the overall square footage.

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

a. Short-term bicycle parking: Four (4) spaces per building or one (1) space per ten units, whichever is greater.

b. Long-term bicycle parking: One (1) space per unit.

(e) Any building or structure erected in within a local historic district, historic site, or conservation district may provide required parking on-site as specified in the regulations applicable to parking district no. 1. Such required parking, if provided, shall be exempt from the definition of "floor area," 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.~~

\* \* \*

**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.~~

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**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 \_\_\_\_\_, 2019.

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

ATTEST:

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

APPROVED AS TO FORM  
AND LANGUAGE  
AND FOR EXECUTION

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

First Reading: September 11, 2019

Second Reading: October 16, 2019

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