

LDRs - TRANSIT INTERMODAL FACILITIES

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, AMENDING SECTION 114-1, ENTITLED "DEFINITIONS" TO PROVIDE A DEFINITION FOR A "TRANSIT INTERMODAL FACILITY" AND ASSOCIATED DEFINITIONS; AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE II, "DISTRICTS; REQUIREMENTS," SECTION 130-32, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICT NO. 1," AND SECTION 130-33, "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, AND 7," TO ESTABLISH PARKING REQUIREMENTS FOR "TRANSIT INTERMODAL FACILITIES," AND ESTABLISHING SECTION 130-40, "BICYCLE PARKING REQUIREMENTS," TO ESTABLISH MINIMUM REQUIREMENTS FOR BICYCLE PARKING FOR "TRANSIT INTERMODAL FACILITIES"; AMENDING CHAPTER 130, "OFF-STREET PARKING," ARTICLE III, "DESIGN STANDARDS," SECTION 130-68, "COMMERCIAL AND NONCOMMERCIAL PARKING GARAGES," ESTABLISHING REGULATIONS AND TO ALLOW FOR UP TO FIVE STORIES IN ADDITIONAL BUILDING HEIGHT (50 FEET) SHOULD A "TRANSIT INTERMODAL FACILITY" BE AN ACCESSORY USE TO A MAIN USE PARKING GARAGE; BY AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," AT ARTICLE II, "DISTRICT REGULATIONS," TO INCLUDE A "TRANSIT INTERMODAL FACILITY" WITHIN THE LIST OF PERMITTED USES FOR THE FOLLOWING DISTRICTS: COMMERCIAL LOW INTENSITY (CD-1), COMMERCIAL, MEDIUM DENSITY (CD-2), COMMERCIAL, HIGH INTENSITY (CD-3), CIVIC AND GOVERNMENT USE (GU), HOSPITAL DISTRICT (HD), COMMERCIAL PERFORMANCE STANDARD, GENERAL MIXED USE (C-PS2), NORTH BEACH TOWN CENTER CORE (TC-1), NORTH BEACH TOWN CENTER MIXED USE (TC-2); BY ESTABLISHING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," AT ARTICLE V, "SPECIALIZED USE REGULATIONS," DIVISION 4, "TRANSIT INTERMODAL FACILITIES," TO ESTABLISH REGULATIONS AND PROVIDE UP TO FIVE STORIES IN ADDITIONAL HEIGHT (50 FEET) SHOULD A "TRANSIT INTERMODAL FACILITY" THAT IS NOT ASSOCIATED WITH A MAIN USE PARKING GARAGE BE AN INCLUDED USE WITHIN A PROPERTY OR UNIFIED DEVELOPMENT SITE WITHIN ONE OF THE ABOVE DISTRICTS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the traffic congestion has a negative impact on the quality of life of residents, visitors, and the workforce of Miami Beach; and

WHEREAS, the Mayor and City Commission have recognized the need to encourage the development of transit infrastructure in the City; and

WHEREAS, the Mayor and City Commission recognize the need to construct facilities that allow for safe and convenient transfer between various modes of transportation; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

SECTION 1. That Chapter 114, "General Provisions," Section 114-1, "Definitions," of the City Code, is hereby amended as follows:

Sec. 114-1. - Definitions.

The following words, terms and phrases when used in this subpart B, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

* * *

Townhome or townhome development means a grouping of single-family attached or detached units on one site arranged so that no unit is above another with each unit having separate ingress and egress.

Transit intermodal facility means a transfer facility that provides convenient connections between streetcars, bus rapid transit (BRT), busways and bus lines, while offering some pedestrian and bicycle amenities and services; accommodates more than two (2) articulated buses; provides accessory parking spaces at intercept locations, generally between 75 and 500 spaces; and may include amenities such as retail, restrooms and lounge areas.

SECTION 2. That Chapter 130, "Off-Street Parking," Article II, "Districts; Requirements," of the City Code, is hereby amended as follows:

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

* * *

(44) Transit intermodal facilities: five (5) spaces per 500 square feet of floor area. Required parking for transit intermodal facility accessory uses shall be as per the requirements of the use in parking district no. 1, or if projections for the use of a facility are available, the parking requirement shall be sufficient to ensure that the projected demands are met.

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

Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking districts nos. 2, 3, 4 and 5 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:

* * *

(6A) Transit intermodal facilities: five (5) spaces per 500 square feet of floor area. Required parking for transit intermodal facility accessory uses shall be as per the requirements of the use in the applicable parking district.

* * *

Sec. 130-40. – Bicycle parking requirements.

(a) Definitions.

(1) Short-term bicycle parking shall mean bicycle racks that serve people who leave their bicycles for relatively short periods of time, typically for shopping, recreation, eating or errands. Bicycle racks should be located in a highly visible location near the main entrance to the use.

(2) Long-term bicycle parking shall mean facilities that provide a high level of security such as bicycle lockers, bicycle cages and bicycle stations. These facilities serve people who frequently leave their bicycles at the same location for the day or overnight.

(b) Except as otherwise provided in these land development regulations, when any building or structure is erected or altered, accessory bicycle parking shall be provided for the building, structure or additional floor area as follows:

<u>Land use</u>	<u>Minimum short-term bicycle parking spaces (whichever is greater)</u>	<u>Minimum long-term bicycle parking spaces (whichever is greater)</u>
<u>Transit intermodal facilities</u>	<u>10 per project; or one (1) per 10,000 square feet of floor area, inclusive of accessory parking</u>	<u>10 per project; or one (1) per 1,500 square feet of floor area, inclusive of accessory parking</u>

SECTION 3. That Chapter 130, “Off-Street Parking,” Article III, “Design Standards,” Section 130-68, “Commercial and Noncommercial parking garages,” of the City Code, is hereby amended as follows:

Sec. 130-68. - Commercial and noncommercial parking garages.

Commercial and noncommercial parking garages as a main use on a separate lot shall be subject to the following regulations, in addition to the other regulations of this article:

* * *

(10) When associated with an accessory transit intermodal facility, the following regulations shall apply to main use garages in addition to any of the aforementioned restrictions. In the case of a conflict, the following regulations shall supersede:

a. Main use garages with an accessory transit intermodal facility shall only be permitted in CD-1; CD-2; CD-3; HD; C-PS2; TC-1; TC-2; and GU districts, provided

the underlying future land use designation in the comprehensive plan authorizes the use.

- b. Prior to consideration of an application for a main use garage with an accessory transit intermodal facility by a land use board, the inclusion of an intermodal transit facility shall first require authorization by the City Commission as delineated in section 142-1302 (b).
- c. An additional 50 feet/five (5) stories shall be permitted beyond what would be otherwise permitted in subsections (1) to (9) above, as applicable.
- d. Required off-street parking for a transit intermodal facility shall be satisfied by the parking provided for the main use garage, provided that there are a minimum of 75 spaces.
- e. Following a public hearing, the development regulations required by these land development regulations for main use garages associated with transit intermodal facilities, except for the historic preservation and design review processes, may be waived by a five-sevenths vote of the city commission for such facilities. Notwithstanding the above, no property may be used in a manner inconsistent with the comprehensive plan.
- f. The accessory transit intermodal facility may occupy up to the maximum floor area permitted for accessory uses in subsections (1) to (9) above, as applicable.

SECTION 4. That Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," of the City Code, is hereby amended as follows:

DIVISION 4. - CD-1 COMMERCIAL, LOW INTENSITY DISTRICT

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Sec. 142-272. - Main permitted uses.

The main permitted uses in the CD-1 commercial, low intensity district are commercial uses; transit intermodal facilities, pursuant to the regulations set forth in section 142-1302; apartments; bed and breakfast inn (pursuant to section 142-1401); religious institutions with an occupancy of 199 persons or less, and alcoholic beverage establishments as listed in article V, division 4 of this chapter, pursuant to the regulations set forth in chapter 6.

* * *

DIVISION 5. - CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT

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Sec. 142-302. - Main permitted uses.

The main permitted uses in the CD-2 commercial, medium intensity district are commercial uses; transit intermodal facilities, pursuant to the regulations set forth in section

142-1302; apartments; apartment/hotels; hotels; religious institutions with an occupancy of 199 persons or less and alcoholic beverage establishments pursuant to the regulations set forth in Chapter 6.

* * *

DIVISION 6. - CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT

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Sec. 142-332. - Main permitted uses.

The main permitted uses in the CD-3 commercial, high intensity district are commercial uses; transit intermodal facilities, pursuant to the regulations set forth in section 142-1302; apartments; apartment/hotels; hotels, alcoholic beverage establishments pursuant to the regulations set forth in Chapter 6, and religious institutions with an occupancy of 199 persons or less. Offices are prohibited on the ground floor on that portion of Lincoln Road which is closed to traffic, unless the office area is located in a mezzanine, or at least 75 feet back from the storefront; also apartments, apartment/hotels and hotels located on that portion of Lincoln Road shall comply with section 142-335. Dance halls (as defined in section 114-1 of this Code) not also operating as restaurants with full kitchens and serving full meals and licensed as alcoholic beverage establishments are prohibited on properties having a lot line adjoining Lincoln Road, from the Atlantic Ocean to Biscayne Bay, unless the dance hall is located within a hotel with a minimum of 100 hotel units.

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DIVISION 9. - GU GOVERNMENT USE DISTRICT

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Sec. 142-422. - Main permitted uses.

The main permitted uses in the GU government use district are government buildings and uses, including but not limited to parking lots and garages; transit intermodal facilities, where permitted by the underlying future land use designation in the comprehensive plan, pursuant to the regulations set forth in section 142-1302; parks and associated parking; schools; performing arts and cultural facilities; monuments and memorials. Any use not listed above shall only be approved after the city commission holds a public hearing. See subsection 142-425(e) for public notice requirements.

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DIVISION 10. - HD HOSPITAL DISTRICT

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Sec. 142-452. - Permitted uses.

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In the HD hospital district, no land, water or structure may be used, in whole or in part, except for one or more of the following permitted uses. The sale of alcohol within the HD shall be regulated pursuant to the requirements of Chapter 6.

* * *

(1) Hospital

(2) All accessory structures and parking facilities shall be subordinate to the main use and incidental to and customarily associated with a hospital, including accessory hospital facilities, consisting of:

* * *

i. Transit intermodal facilities, pursuant to the regulations set forth in section 142-1302.

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DIVISION 18. - PS PERFORMANCE STANDARD DISTRICT

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Sec. 142-693. - Permitted uses

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(i) Transit intermodal facilities shall be permitted in C-PS2 districts, pursuant to the regulations set forth in section 142-1302.

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DIVISION 20. - TC NORTH BEACH TOWN CENTER DISTRICTS

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Sec. 142-736. - Main permitted uses, conditional uses, accessory uses, and prohibited uses.

(a) Land uses in the TC-1 town center core district shall be regulated as follows:

(1) The main permitted uses in the TC-1 district are commercial uses; transit intermodal facilities, pursuant to the regulations set forth in section 142-1302; alcoholic beverage establishments pursuant to the regulations set forth in chapter 6; apartments; apartments/hotels; and hotels. The ground story frontage along 71st Street and Collins Avenue shall be governed by subsection 142-737(c). The provisions of chapter 6 concerning distance separation for consumption of alcoholic beverages on-premises in restaurants shall not apply to this district.

SECTION 5. That Chapter 142, "Zoning Districts and Regulations," Article V, "Specialized Use Regulations," of the City Code, is hereby amended as follows:

DIVISION 4. - RESERVED MAIN USE TRANSIT INTERMODAL FACILITIES

Sec. 142-1301. – Purpose.

The purpose of this division is to provide additional regulations and incentives for the development of main use transit intermodal facilities.

Sec. 142-1302. – Additional Regulations.

In addition to the regulations of the underlying zoning district and any overlay district, the following regulations shall apply to all main use transit intermodal facilities:

- (a) Such facilities shall only be permitted where authorized by the underlying zoning district designation.
- (b) Prior to consideration of an application for a main use garage with an accessory transit intermodal facility by a land use board, the inclusion of an intermodal transit facility shall first require authorization of the use at the location, by the City Commission, pursuant to the following criteria:
 - (1) Whether the Transportation Department has certified if there is a need for an Intermodal Transit Facility at the proposed site;
 - (2) Whether there is a contract or interlocal agreement for public transit operations at the proposed site with the City of Miami Beach, Florida Department of Transportation (FDOT), Miami-Dade County, or other entity authorized to operate public transit services within the City of Miami Beach; and
 - (3) Whether the proximity of the proposed transit intermodal facility to other transit intermodal facilities creates adverse impacts and how such impacts are mitigated.
- (c) An additional 50 feet/five (5) stories shall be permitted beyond what would be otherwise permitted in the underlying zoning district or overlay district, as applicable.
- (d) Following a public hearing, the development regulations required by these land development regulations for transit intermodal facilities, except for the historic preservation and design review processes, may be waived by a five-sevenths vote of the city commission for such facilities. Notwithstanding the above, no property may be used in a manner inconsistent with the comprehensive plan.

SECTION 6. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 7. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained, that the provisions of his 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 re-numbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 8. SEVERABILITY.

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

SECTION 9. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this ____ day of _____, 2016.

Philip Levine
Mayor

ATTEST:

Rafael E. Granado
City Clerk

Underline denotes additions
~~Strike through~~ denotes deletions

First Reading: September 14, 2016
Second Reading: October 19, 2016

Verified By: Thomas R. Mooney, AICP / *for*
Thomas R. Mooney, AICP
Planning Director

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION
Jeffery B. ... 8/29/16
City Attorney Date