

Parking District No. 6 – Restaurant Parking Amendment

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, ENTITLED "OFF-STREET PARKING," ARTICLE II, ENTITLED "DISTRICTS; REQUIREMENTS," SECTION 130-33, ENTITLED "OFF-STREET PARKING REQUIREMENTS FOR PARKING DISTRICTS NOS. 2, 3, 4, 5, 6, 7, AND 8," TO MODIFY THE PARKING REQUIREMENTS FOR RESTAURANT USES IN PARKING DISTRICT NO. 6; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, recently, the City has reviewed the minimum off-street parking requirements for Parking District No. 6; and

WHEREAS, the City has studied various mechanisms for accommodating small, locally owned businesses to improve the quality of life and quality of businesses within the lower Alton Road area; and

WHEREAS, the amendments set forth below will incentivize local restaurant development which, in turn, will promote the quality of life of the lower Alton Road area; and

WHEREAS, the amendment set forth below is 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. Chapter 130, "Off-Street Parking," Article II, "Districts; Requirements," is hereby amended as follows:

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

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(c) *[Parking district no. 6.]* Except as otherwise provided in these land development regulations, when any building or structure is erected or altered in parking district no. 6, off-street automobile parking spaces shall be provided for the building, structure or additional floor area as follows. For uses not listed below, the off-street parking requirement shall be the same as for parking district no. 1 in section 130-32.

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

- a. On lots that are 65 feet in width or less: There shall be no parking requirement, provided the apartment building or apartment-hotel site secures off-site storage for alternative transportation such as scooters, bicycles, and motorcycles.
 - b. On lots wider than 65 feet:
 1. One space per unit for units between 550 and 1,600 square feet;
 2. Two spaces per unit for units above 1,600 square feet.
 - c. Designated guest parking: Developments of 20 units or less shall have no 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. Car sharing: The minimum parking requirements listed in a.—g. above may be reduced by four parking spaces for every one parking space reserved for a vehicle owned and operated by an official car-share program sanctioned by the City of Miami Beach, not to exceed a total of four car-share parking spaces or 20 percent of the total number of required residential parking spaces, whichever is less.
- (2) *Retail stores, food stores, personal service establishments*: There shall be no parking requirement for individual establishments of 2,500 square feet or less up to a total aggregate square footage of 10,000 square feet per development site. For individual establishments over 2,500 square feet or for development sites with a total aggregate square footage of more than 10,000 square feet of these uses, 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 stores 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.
 - (3) *Restaurant, outdoor cafe or bar*: There shall be no parking requirement for individual establishments of 60 seats or less or 1,500 square feet or less of eating and/or drinking areas, up to a total aggregate square footage of 5,000 square feet per development site. For individual establishments over 60 seats or 1,500 square feet of eating and/or drinking areas, or for development sites with a total aggregate square footage of more than 5,000 square feet of these uses, 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 stores 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 foregoing, for restaurants operating as of December 1, 2022 and located south of 10th Street, there shall be no parking requirement for an individual establishment of 150 seats or less. If the total number of seats exceeds 150, at any time, there shall be a minimum off-street parking requirement of one space per four seats or one space per 60 square feet of space not used for seating, for the entire restaurant.
 - (4) *Hotel, suites hotel, motel or motor lodge*: One space per two units; however, suites hotel units as defined in section 142-1105 that are greater than 550 square feet and that contain full cooking facilities shall have the same parking requirement as apartment buildings in (1) above. Required parking for hotel accessory uses shall be the same as for (2) and (3) above:
 - (5) *Offices*: One space per 400 square feet of floor area. However, medical offices and clinics or offices located on the ground floor shall provide one space per 300 square feet of floor area. The minimum parking requirements for office uses may be reduced by up to 20 percent in cases where the developer voluntarily proffers a restrictive covenant running with the land, form approved by the city attorney, ensuring that the

required office parking spaces shall be shared by all users in the building and shall not be reserved for individual persons or tenants.

- (6) *All nonresidential uses:* The minimum parking requirement may be reduced as follows:
 - a. *Centralized parking:* The minimum parking requirement may be reduced for properties located near a publicly accessible off-street parking facility according to the following formulas: Up to 30 percent within 500 feet, up to 20 percent within 1,000 feet, up to ten percent within 1,200 feet. Such reduction shall be subject to a finding by the planning director based upon a parking study provided by the applicant that documents the availability of parking spaces within the publicly accessible parking facility to serve the residual demand resulting from the reduced number of on-site parking spaces, and the availability of safe and convenient pedestrian access routes to the off-site parking supply. Distances shall be measured along the pedestrian pathway between the pedestrian access points for the subject uses and the parking facility. Additionally, in order for any use to receive the above-reduced rates a shuttle service shall be provided and maintained and an employee parking plan required which shall be subject to the review and approval of the planning department. Such employee parking plan shall include mandatory measures to address employee parking including, but not limited to, provision of transit passes carpool or vanpool programs, off-site parking when available, monthly city parking passes and/or other measures intended to limit the impact of employee parking on surrounding neighborhoods.
 - b. *Shared parking:* Mixed use development is encouraged to utilize the shared parking calculations in section 130-221. Parking for residential uses may be included in the shared parking calculation at a rate of 50 percent for daytime weekdays, 70 percent for daytime weekends and 100 percent for all other times. Shared parking shall be designated by appropriate signage and markings. The shared parking facility may be located off-site within 600 feet of the uses served, subject to section 130-36.
 - c. *Carpool/vanpool parking:* The minimum parking requirement may be reduced by three parking spaces for every one parking space reserved for carpool or vanpool vehicles registered with South Florida Commuter Services, not to exceed a reduction of more than ten percent of the off-street parking spaces that would otherwise be required. The property manager must submit an annual report to the planning director documenting the carpool/vanpool registration and ongoing participation by registered users.
- (7) *Bicycle parking:* Short-term and long-term bicycle parking shall be provided for new construction or substantial rehabilitation over 1,000 square feet, according to the minimum standards in the table below and the "Guidelines for the Design and Management of Bicycle Parking Facilities" available from the planning department.
 - a. Short-term bicycle parking (bicycle racks) serves 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.
 - b. Long-term bicycle parking includes 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.

Land use	Minimum short-term bicycle parking spaces (whichever is greater)	Minimum long-term bicycle parking spaces (whichever is greater)
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Commercial non-retail	4 per project or 1 per 10,000 square feet	1 per 10 percent of employees; or 2 for 5,000 square feet and under; 3 for 5,001—20,000 square feet; 6 for 20,001—50,000 square feet; 10 for 50,000 square feet and over
Retail	1 per business, 4 per project or 1 per 10,000 square feet	1 per 10 percent of employees; or 2 per 5,000 square feet and under; 3 per 5,001—20,000 square feet; 6 for 20,001—50,000 square feet; 10 for 50,000 square feet and over
Restaurants, bars, nightclubs	1 per 10 seats or occupants	1 per 10 percent of employees
Hotel	2 per hotel or 1 per 10 rooms	1 per 10 percent of employees
Multifamily residential	4 per project or 1 per 10 units	1 per unit

- c. Developers are encouraged to provide more than the minimum requirement as appropriate for the particular uses in a building. The minimum required vehicular parking shall be reduced by: One space for every five long-term bicycle parking spaces and one space for every ten short-term bicycle parking spaces, not to exceed a total of 30 vehicular parking spaces or 15 percent of the required vehicle parking spaces whichever is less.
- d. Nonresidential uses that provide showers and changing facilities for bicyclists shall be exempted from vehicle parking requirements at a rate of two vehicle parking spaces for each separate shower facility up to a maximum of eight parking spaces.
- e. Short-term bicycle parking spaces may be provided in the public right-of-way subject to design review, in situations where suitable space near the entrance to the building or storefront is not available on private property. Bicycle parking in the public right-of-way shall be subject to review and approval by the public works department and shall not encroach on the pedestrian throughway zone.

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 _____, 2023.

Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION



City Attorney NK 1-5-22
Date

First Reading: February 1, 2023
Second Reading: February 22, 2023

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