MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMITTEE MEMORANDUM

TO: Land Use and Development Committee

FROM: Kathie G. Brooks, Interim City Manager for KGB

DATE: December 19, 2012

SUBJECT: **PARKING ORDINANCES AND PARKING DISCUSSION ITEMS**

BACKGROUND/ANALYSIS

This item addresses three (3) separate parking issues; a summary of the background for each issue is provided hereto:

Residential / Live-Work Parking Requirements for the Newly Created Sunset Harbour Parking District

As part of the discussion on the recently approved Sunset Harbour Parking District Ordinance, the City Commission referred a discussion item to the Land Use Committee regarding parking reductions for certain types of urban residential and 'Live-Work' uses. The adaptive re-use of existing buildings into live-work spaces is a very worthwhile initiative, as it encourages people to live above or within their work place. Such close proximity of work and office can have positive benefits such as reducing the intensity of the district (depending on the type of work that would be permitted), decreasing the need for parking spaces and possibly reducing the carbon footprint by eliminating the need for vehicles that would be necessary to go to and from work.

Currently, for Live/Work projects, if customers/clients are intended to visit the premises, parking is required to be provided both for the residential use and the commercial use. Now that the Sunset Harbour parking garage is completed and operational, it might be feasible to waive the parking requirements for the residential unit itself, as well as the commercial portion (which is by definition a small sized business), with the expectation that customers not living within walking distance will find parking in the nearby public parking garage.

This type of initiative could be used as an incentive to either adaptively re-use existing buildings, or to foster the development of more low-scale, less intense, new construction projects. However, this type of use would likely not become predominant, as the number of buildings and properties within the Sunset Harbour parking district that would be available for 'Live-Work' uses and conversions is limited.

Hotel Parking Requirements

A discussion regarding parking requirements for hotels and how the City can incentivize good hotel development was referred to the Land Use and Development Committee by the City Commission on February 9, 2011. On May 16, 2012, the LUDC referred the matter to the Planning Board and recommended that the Board review a proposed

ordinance amending hotel parking requirements for hotel units only, but not the parking requirements for accessory uses. On October 30, 2012, the Planning Board approved the proposed Ordinance (see attached).

The proposal also takes into account the issue of hotel employee parking. Staff has concluded that additions to existing hotel facilities should not result in the same magnitude of new employees requiring parking as would a new hotel project on a vacant lot. Incremental addition of rooms should be more easily absorbed by existing labor corps, without the same reliance on hiring large numbers of new employees that new construction of brand new hotels would.

The purpose of the proposed ordinance is to foster new hotel development. However, during the course of discussion, it became clear that this type of development should occur within areas of the City that are compatible with hotel development and it is not the intention of the ordinance to incentivize hotel development in those areas where hotels are not compatible. As such, the proposed ordinance removes the West Avenue Corridor and the South of Fifth Street area, in order to address the concerns of residents and stakeholders who do not want to encourage additional tourism and hotel development within these particular established residential areas.

As part of the Planning Board review process, staff re-evaluated the ratio of parking spaces per hotel unit being proposed, and recommended that a distinction be made between the tightly developed historic areas most closely linked with tourism, and those areas less focused on tourism and more oriented towards nontransient residents. However, the Planning Board concluded that a uniform parking space ratio of .5 spaces per hotel unit, applied City wide, was their preference for recommendation. However, for larger structures in excess of 100 hotel units, the ratio would be adjusted upward, as the likelihood for increased vehicular trips rises with larger hotel developments.

Planning Department staff continues to recommend that a difference be made between the compact historic areas closely tied to tourism, and those areas that are more automobile oriented or more oriented towards permanent residents. Therefore, two versions of the ordinance are presented, the Planning Board recommended version, and the staff recommended version.

Intensity of Mechanical Parking Systems

Pursuant to a discussion at the January 18, 2012 Land Use Committee Meeting, staff has drafted an Ordinance regarding the intensity of mechanical parking systems (see attached). The proposed Ordinance would the requirements and standards for mechanical parking in order to limit the extra intensity these systems might enable, and also to clarify and correct any unclear language in the existing ordinance. The following is a summary of the proposed modifications:

- Currently, parking spaces within commercial main use parking garages utilizing mechanical parking may be used to satisfy off street parking requirements for residential or commercial uses required by the Code for activating the first floor and for the cladding of garage. In order to ensure that the main use of these structures is that of a 'main use parking garage', the proposed Ordinance would place limitations on the intensity of these ancillary uses. Specifically, any accessory use within commercial main use parking garages utilizing mechanical

parking would not be able to generate an off-street parking requirement in excess of 25% of the total number of spaces in the garage.

- The existing Ordinance requires that any proposed use of mechanical parking systems to satisfy off-street parking requirements must include two (2) separate schematic floor plans as part of the site plan review process by the applicable land use board. The first set of schematic plans must meet the minimum requirements and design standards of the city code for off street parking, with the total number of parking spaces shown on the plans. The second set of schematic plans must show how the proposed development project would utilize a mechanical parking system to satisfy accessory off-street parking requirements.

  The purpose of requiring these 2 schematic drawings is to ensure that a property is not over developed by substantiating that required parking can be provided in a conventional manner. Under current code, there are no restrictions or limitations on the use of below grade parking spaces in the first set of schematic plans noted above. However, the use of below grade parking has the potential to artificially inflate the actual ability to provide required off street parking in a conventional manner, as required by the first set of schematic plans. The reason for this is that the practicality of providing one or more sub grade parking levels is highly questionable from a cost feasibility stand point.

  In order to address this issue, the proposed Ordinance would allow the first set of schematic plans to include one level of below grade parking spaces, provided such below grade spaces are within the confines of the subject development site, and are not located below City property, adjacent private property that is not part of the development site or any rights-of-way. Additionally, if the first set of schematic plans includes one level of below grade parking spaces, at least 50% of the proposed mechanical system parking spaces must be located below grade.

CONCLUSION

The Administration recommends the following actions for the aforementioned items:

1. Refer an Ordinance Amendment to the Planning Board, which provides parking reductions for certain residential and 'Live-Work' uses within the Sunset Harbour Parking District that are either low scale new construction or adaptive re-use projects.

2. Transmit the staff's recommended version of the proposed Hotel Parking Requirements Ordinance to the City Commission with a favorable recommendation.

3. Refer the proposed Ordinance pertaining to Mechanical Parking Systems to the Planning Board as an Ordinance Amendment.

RL
KGB/JGG/RGL/TRM
Attachments

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MECHANICAL PARKING SYSTEMS 2013

ORDINANCE NO._____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE BY AMENDING CHAPTER 130 "OFF-STREET PARKING," ARTICLE II "DISTRICTS, REQUIREMENTS," BY MODIFYING THE REQUIREMENTS FOR MECHANICAL PARKING DEVICES AND ROBOTIC PARKING SYSTEMS; PROVIDING FOR REPEALER; CODIFICATION; SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the regulations governing off-street parking spaces contained in Chapter 130 of the City Code, Sections 130-61 through 130-65 of Article II "Design Standards" delineate the requirements for parking space dimensions and layout; and

WHEREAS, the use of mechanical and robotic parking systems are intended to be used within parking garages in order to increase parking capacity in Miami Beach and to provide a more suitable method of providing required parking without increasing the intensity of a development project; and

WHEREAS, the City Commission is concerned that the current requirements of the City's mechanical parking systems Ordinance have increased the density and intensity of certain types of development within the City; and

WHEREAS, The City seeks to modify the requirements for mechanical and robotic parking systems so that off-street parking requirements may be satisfied in a more appropriate manner as it pertains to the scale, mass, bulk and design of the parking structure, without increasing the intensity of a development project.

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

SECTION 1. That Chapter 130, Off-Street Parking, Article II, Districts, Requirements, Section 130-38 entitled "Mechanical And Robotic Parking Systems" is hereby amended as follows:

Sec. 130-38. Mechanical and Robotic Parking Systems.

* * *

3) Exceptions to the mechanical parking prohibition may be permitted if the proposed project meets the following conditions:

   a) Commercial main use parking garages on a separate lot.

      i) Commercial main use parking garages, open to the public, may utilize mechanical parking devices, robotic parking systems and/or vehicle elevators, subject to all other provisions of Section 130-68.

ii) Parking spaces within commercial main use parking garages utilizing mechanical parking may be used to satisfy off street parking requirements for residential or commercial uses required within the building by Section 130-68 for the cladding of such garages, as may be required by the design review procedures. Notwithstanding the foregoing, any accessory commercial use within commercial main use parking garages utilizing mechanical parking shall not generate an off-street parking requirement in excess of 25% of the total number of spaces in the garage.

* * *

c) Projects proposing to use mechanical parking devices, robotic parking systems and/or vehicle elevators to satisfy accessory and main use off-street parking requirements.

i. Projects proposing to use mechanical parking devices, robotic parking systems and/or vehicle elevators to satisfy accessory and main use off-street parking requirements shall prepare schematic floor plans prior to site plan review by the applicable land use board. Two sets of schematic floor plans shall be required:

1. One set of schematic plans sufficient to show the proposed development project with accessory and main use off-street parking requirements satisfied by traditional, non-mechanical means, meeting all aspects of the design standards for parking spaces required in Article III of Chapter 130, and other provisions of these land development regulations, and requiring no variances from these provisions; and,

2. A second set of schematic plans, sufficient to show the same proposed development project, utilizing mechanical parking devices, robotic parking systems and/or vehicle elevators to satisfy accessory and main use off-street parking requirements.

The first set of schematic plans shall be reviewed by Planning Department staff for zoning compliance prior to the site plan review hearing by the applicable land use board. This first set of schematic plans may include one level of below grade parking spaces, provided such below grade spaces are within the confines of the subject development site and are not located below City property, adjacent private property that is not part of the development site or any rights-of-way. If it is determined that these schematic plans meet the requirements of the design standards of the city code, then the total number of parking spaces shown on the plans shall be noted. Henceforth, the project may proceed to site plan approval based on the second set of plans, using mechanical parking. However, if the first set of schematic plans includes one level of below grade parking spaces, at least 50% of the proposed mechanical system parking spaces must be located below grade. Further, the allowable residential density, and the intensity of the uses permitted for the proposed project, shall not exceed that which would have been permitted using the number of parking spaces noted on the first set of plans using traditional parking. No variances to these provisions shall be permitted.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same 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 _____, 2013.

ATTEST:

_____
MAYOR

_____
CITY CLERK
First Reading:
Second Reading:

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

_____ _____
City Attorney Date

First Reading: _____, 2013
Second Reading: _____, 2013

Verified by: _____
Richard G. Lorber, AICP, LEED AP
Acting Planning Director

Underscore denotes new language
~~Strikethrough~~ denotes deleted language

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HOTEL PARKING REQUIREMENTS

PLANNING BOARD RECOMMENDED VERSION

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 HOTELS IN ALL DISTRICTS; 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, a review of parking requirements for hotels in other Florida cities and in other tourist destination cities throughout the country show that most of them have a lower parking requirement for the dense, walkable, urban districts than our current requirement of one parking space per hotel room (1:1); and

WHEREAS, parking requirements for accessory uses within hotels, such as retail, restaurants, clubs, etc., actually draw a large percentage of patrons from outside of the hotel, and would rationally need more parking than those that were primarily used by hotel guests and, therefore, such parking is necessary for the operation of a hotels, such requirements are not being amended; and

WHEREAS, the proposed changes are necessary in order to promote good hotel development.

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

Section 1. That 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:

* * *

(26) Hotel, suites hotel, motel or motor lodge: For properties located south of Fifth Street and properties zoned residential and located south of 17th Street, west of Alton Court, east of Biscayne Bay and north of 6th Street: 1 space per unit. For properties located within a local historic district or a national register historic district, and properties bounded by 62nd Street on the south, 73rd Street on the north, Indian Creek on the west and the Atlantic Ocean on the east: .5 spaces per unit, up to a maximum of 100 units and 1 space per unit for all units in excess

of 100 units. However, for a building or structure that is classified as 'Contributing', and is located within a National Register Historic District, those portions of the building identified in Section 118-395(b)(2)d.1 of these Land Development Regulations must remain substantially intact, retained, preserved and restored in order to qualify for the aforementioned parking space requirement; in the event such building or structure is substantially demolished, the parking requirement shall be 1 space per hotel unit. For properties not located within a local historic district or a national register historic district: .5 spaces per unit, up to a maximum of 100 units and 1 space per unit for all units in excess of 100 units. ~~h~~However, suites hotel units as defined in Section 142-1104 that are greater than 550 square feet and that contain full cooking facilities on lots that are greater than 50 feet in width, shall have the same parking requirement as apartment buildings in (6) b. and c. above. Required parking for hotel accessory uses shall be as follows:

* * *

Section 130-33 - Off-street parking requirements for parking districts nos. 2, 3 and 4

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:

* * *

(3) *Hotel, convention:* ~~For structures with less than 250 units,~~ one space per two (2) units; ~~for structures with 250 to 499 units, 0.75 space per unit; for structures with 500 units or more, 0.50 space per unit~~. Required parking for convention hotel accessory uses shall be as follows:

* * *

(4) *Hotel, suites hotel, motel or motor lodge:* For properties located south of Fifth Street and properties zoned residential and located south of 17th Street, west of Alton Court, east of Biscayne Bay and north of 6th Street: 1 space per unit. For properties located within a local historic district or a national register historic district, and properties bounded by 62nd Street on the south, 73rd Street on the north, Indian Creek on the west and the Atlantic Ocean on the east: .5 spaces per unit, up to a maximum of 100 units and 1 space per unit for all units in excess of 100 units. However, in the event a building or structure, which is classified as 'Contributing' and is located within a National Register Historic District, those portions of the building identified in Section 118-395(b)(2)d.1 of these Land Development Regulations must remain substantially intact, retained, preserved and restored in order to qualify for the aforementioned parking space requirement; in the event such building or structure is substantially demolished, the parking requirement shall be 1 space per hotel unit. For properties not located within a local historic district or a national register historic district: .5 spaces per unit, up to a maximum of 100 units and 1 space per unit for all units in excess of 100 units. ~~h~~However, suites hotel units as defined in Section 142-1105

that are greater than 550 square feet and that contain full cooking facilities in buildings on lots that are greater than 50 feet in width shall have the same parking requirement as apartment buildings in (1)b. and c. above. Required parking for hotel accessory uses shall be as follows:

SECTION 2. Repealer.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same 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 _____, 2013.

_____

MAYOR

ATTEST:

_____

CITY CLERK

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

_____ _____

City Attorney Date

First Reading: January __, 2013
Second Reading: February ___. 2013

Verified by: _____
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Acting Planning Director

Underscore denotes new language

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HOTEL PARKING REQUIREMENTS

PLANNING DEPARTMENT STAFF RECOMMENDED VERSION

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WHEREAS, parking requirements for accessory uses within hotels, such as retail, restaurants, clubs, etc., actually draw a large percentage of patrons from outside of the hotel, and would rationally need more parking than those that were primarily used by hotel guests and, therefore, such parking is necessary for the operation of a hotels, such requirements are not being amended; and

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of 100 units. However, for a building or structure that is classified as 'Contributing', and is located within a National Register Historic District, those portions of the building identified in Section 118-395(b)(2)d.1 of these Land Development Regulations must remain substantially intact, retained, preserved and restored in order to qualify for the aforementioned parking space requirement; in the event such building or structure is substantially demolished, the parking requirement shall be 1 space per hotel unit. For properties not located within a local historic district or a national register historic district: .75 spaces per unit, up to a maximum of 100 units and 1 space per unit for all units in excess of 100 units. ~~h~~However, suites hotel units as defined in Section 142-1104 that are greater than 550 square feet and that contain full cooking facilities on lots that are greater than 50 feet in width, shall have the same parking requirement as apartment buildings in (6) b. and c. above. Required parking for hotel accessory uses shall be as follows:

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