

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: September 5, 2024

TITLE: REVIEW AND, IF NECESSARY, AMEND PARKING REQUIREMENTS
APPLICABLE TO DISTRICTS WHERE LIVE LOCAL PROJECTS ARE PERMITTED

RECOMMENDATION

The Administration recommends that the Land Use and Sustainability Committee discuss the item and provide a recommendation to the Planning Board.

BACKGROUND/HISTORY

On May 15, 2024, at the request of Commissioner Kristen Rosen Gonzalez, the Mayor and City Commission referred the item (C4 AB) to the Land Use and Sustainability Committee (LUSC) and the Planning Board. On June 10, 2024 the item was deferred to a future date.

As noted in the attached referral memo, the item sponsor has requested that the LUSC discuss and review parking requirements in zoning districts where Live Local Act projects are permitted and consider amending parking requirements for new residential development to ensure that parking demands created by new development are satisfied and reduce impacts on traffic and existing parking inventory.

Under the Live Local Act, adopted by the Florida Legislature in 2023, qualifying developments (which include at least 40% workforce housing) are an allowable use in commercial, industrial, and mixed-use districts. The Live Local Act preempts the City as to certain requirements in the Land Development Regulations, including maximum height and density.

In 2024, the Legislature approved amendments to the Live Local Act (SB 328), which has been signed by the Governor, that preempt the City as to Floor Area Ratio (FAR) (by granting 150% of the highest FAR allowed in the City) and provide for mandatory parking reductions for qualifying projects. The following is a summary of the applicable parking reductions:

1. SB 328 eliminates off-street parking requirements for Live Local projects in areas designated by municipalities for "transit-oriented development" ("TOD"). Currently, Miami Beach does not have designated TOD areas.
2. SB 328 provides for a 20% reduction to the parking requirement if the project is within 1/2 mile of a "major transportation hub." Miami Beach currently does not have a "major transportation hub."

SB 328 reduces off-street parking requirements by up to 20% for Live Local Act projects within 600 feet of "on-street parking, parking lots, or parking garages available for use by residents of the proposed development." This reduction could, potentially, apply to certain Live Local Act projects in Miami Beach.

ANALYSIS

Under the Live Local Act qualifying residential projects are an allowable use in the following zoning districts within the City of Miami Beach:

CD-1 (Commercial, Low Intensity)
CD-2 (Commercial, Medium Intensity)
CD-3 (Commercial, High Intensity)
C-PS1 (Commercial Performance Standard, Limited Mixed Use)
C-PS2 (Commercial Performance Standard, General Mixed Use)
C-PS3 (Commercial Performance Standard, Intensive Mixed Use)
C-PS4 (Commercial Performance Standard, Intensive Phased Bayside)
TC-C (North Beach Town Center Central Core)
TC-1 (North Beach Town Center Core)
TC-2 (North Beach Town Center Mixed-Use)
I-1 (Light Industrial)
MXE (Mixed Use Entertainment)

Pursuant to the off-street parking regulations in Chapter 5 of the Land Development Regulations of the City Code (LDRs), the current parking requirements for residential apartments in the above noted districts are generally as follows:

- One and one-half (1.5) spaces per unit for units between 550 and 999 square feet.
- One and three-quarters (1.75) spaces per unit for units between 1,000 and 1,200 square feet.
- Two (2) spaces per unit for units above 1,200 square feet.
- Designated guest parking. Developments of 20 units or less have no designated guest parking requirements. Developments with more than 20 units are required to provide supplemental designated guest parking equal to ten percent of the required residential parking spaces.

The following are exceptions to the above noted parking requirements:

1. In all districts, workforce and affordable housing units require one-half (0.5) of the normally required parking spaces per unit.
2. In the MXE district south of 16th Street, new residential construction requires one (1) space per residential unit, regardless of unit size and there is no designated guest parking requirement. However, there is no parking requirement associated with new residential construction in the MXE district, if the development project consists of non-transient units and complies with the following:
 - The property has a maximum lot width of 100 feet.
 - The project contains a maximum of six (6) residential units.
3. In the TC-C, TC-1, TC-2 and TC-3 districts, the minimum parking requirement for residential units are as follows:
 - Units between 550 and 850 square feet require one half (0.5) spaces per unit.
 - Units between 851 and 1,250 square feet require three-quarters (0.75) spaces per unit.
 - Units above 1,250 square feet require one (1) space per unit
4. In the Sunset Harbor area, new residential construction requires one (1) space per residential unit, regardless of unit size and there is no designated guest parking requirement.
5. On the Alton Road corridor, from 6th Street to Dade Boulevard, the minimum parking requirements for residential units are as follows:
 - 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.

- On lots wider than 65 feet, one (1) space per unit for units between 550 and 1,600 square feet and two (2) spaces per unit for units above 1,600 square feet.
- Designated guest parking. Developments of 20 units or less have no designated guest parking requirements. Developments with more than 20 units are required to provide supplemental designated guest parking equal to ten percent of the required residential parking spaces.

The Administration does not recommend increasing the minimum off-street parking requirements set forth in the City Code. In this regard, affordable and workforce housing projects are challenged by other zoning regulations, as well as land costs and construction costs. Providing increased, required parking would further add to this burden. We think it is worth considering a provision that the applicant can apply either the Live Local parking reduction or the City code reduction for workforce or affordable housing but not both.

Additionally, the current parking requirements for all other residential units are robust in the commercial, industrial, and mixed-use districts. The areas noted above that contain reduced parking requirements were developed in a careful manner, based on access to transit and proximity to parking garages. Removing these reduced parking requirements could result in residential development that prioritizes single occupancy vehicles, as opposed to the use of transit and micro-mobility opportunities.

One option to incentivize non-transient residential units in those districts with reduced parking requirements would be to apply the reductions to non-transient residential units.

If there is consensus on modifying the minimum off-street parking requirements set forth in Chapter 5 of the LDRs, an ordinance can be drafted and either reviewed at committee or transmitted directly to the Planning Board.

FISCAL IMPACT STATEMENT

No Fiscal Impact

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

N/A

CONCLUSION

The Administration recommends that the Land Use and Sustainability Committee discuss the item and provide a recommendation to the Planning Board.

Applicable Area

Citywide

Is this a “Residents Right to Know” item, pursuant to City Code Section 2-17?

Is this item related to a G.O. Bond Project?

Yes

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Planning

Sponsor(s)

Commissioner Kristen Rosen Gonzalez

Co-sponsor(s)

Condensed Title

Review and, if Necessary, Amend Parking Requirements Applicable to Districts Where Live Local Projects Are Permitted