



City of Miami

Legislation

Ordinance

City Hall
3500 Pan American Drive
Miami, FL 33133
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File Number: 14-01076zt1

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION, WITH ATTACHMENTS, AMENDING ARTICLE 1 "DEFINITIONS" AND ARTICLE 4 , TABLE 4, DENSITY, INTENSITY AND PARKING, "STANDARDS & TABLES", OF ORDINANCE NO. 13114, THE ZONING ORDINANCE OF THE CITY OF MIAMI, KNOWN AS THE MIAMI 21 CODE, TO UPDATE THE DEFINITION FOR TRANSIT CORRIDOR AND TO MODIFY STANDARDS FOR PARKING REDUCTIONS APPLICABLE IN TRANSIT ORIENTED DEVELOPMENT, TRANSIT CORRIDOR AREAS AND STRUCTURES OF 10,000 SQUARE FEET OR LESS AS HEREIN DESCRIBED, RESPECTIVELY; CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on October 22, 2009, the City Commission adopted Ordinance No. 13114, the Zoning Ordinance of the City of Miami, known as the Miami 21 Code ("Miami 21 Code"); and

WHEREAS, the Miami Planning, Zoning and Appeals Board ("PZAB"), at its meeting on July 30, 2015, considered Item No. PZAB 3, and following an advertised public hearing, adopted Resolution No. PZAB-R-15-051 by a vote of six to one (6-1), and recommends the adoption of this item to the City Commission; and

WHEREAS, it has been determined that the definition of "Transit Corridor" in Article 1 of the Miami 21 Code needs to be updated to reflect current services provided by Miami-Dade County Transit and the City of Miami Trolley; and

WHEREAS, it has been determined that the applicability of "Transit Oriented Development" ("TOD") in Article 4 of the Miami 21 Code needs to be updated in order to encourage continued development in TOD areas while protecting residential neighborhoods; and

WHEREAS, it has been determined that the reductions for TOD and "Transit Corridors" in Article 4 of the Miami 21 Code should be increased from the existing thirty percent (30%) to the proposed fifty percent (50%), as reflected in Exhibit "A", attached and incorporated, in order to reflect current national and international parking best practices and to keep track with current development trends as related to parking requirements as well as encourage future contributions into a transportation trust fund; and

WHEREAS, a geographic analysis was conducted to identify areas in the City of Miami ("City") where parking reductions may apply as described in "Exhibit B", attached and incorporated; and

WHEREAS, current parking reductions do not exist in a T4 Transect Zone, Civic Space, or Civic Institutional Zones; and

WHEREAS, parking reductions are being introduced into the T4 Transect Zone, Civic Space and Civic Institutional Zones; and

WHEREAS, creating an exemption for proposed structures with 10,000 square feet or less of Floor Area, as defined in the Miami 21 Code, will allow the development of small, multi-family, commercial and affordable units which will aid in the revitalization and development of walkable, urban prototypes; and

WHEREAS, on October 23, 2014, the City Commission held a discussion item where extensive public support and comments were received and passed a motion unanimously to direct the City Attorney's Office and the City Administration to draft an ordinance to address parking reductions; and

WHEREAS, the City Commission after careful consideration of this matter deems it advisable and in the best interest of the general welfare of the City of Miami and its citizens to amend the Miami 21 Code as hereinafter set forth;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA, AS FOLLOWS:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are hereby adopted by reference thereto and incorporated herein as if fully set forth in this Section.

Section 2. Ordinance No. 13114, the Miami 21 Code is hereby amended by making modifications in the following particulars {1}:

"ARTICLE 1. DEFINITIONS

* * *

1.2 DEFINITION OF TERMS

* * *

Transit Corridor: A designation established by the City involving an area not exceeding a one-quarter (1/4) mile radius from a non-limited access thoroughfare that includes designated transit stop locations, is served by one or more mass transit route(s). A mass transit route with designated transit vehicle(s) operating at an average of ten (10) minute or less headway Monday thru Friday between the hours of 7am thru 7pm and includes designated transit stop locations. Multiple transit routes or types of transit vehicles may not be added cumulatively under this definition for the purpose of parking reductions.

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ARTICLE 4. TABLE 4 DENSITY, INTENSITY AND PARKING

* * *

[Where parking ratio reductions are allowed for TOD or Transit Corridors ("T5-URBAN CENTER ZONE", "T6-URBAN CORE ZONE", "D1-WORK PLACE", "D2-INDUSTRIAL", and "D3-WATERFRONT INDUSTRIAL"), parking requirements shall be modified as follows, and in addition be included for all uses permitted in the "T4-GENERAL URBAN", "CS - CIVIC SPACE" and "CI-CIVIC INSTITUTION" zones:]

Parking ratio may be reduced within ~~1/2 mile radius of a~~ TOD area or within ~~1/4 mile radius of a~~ Transit Corridor area by thirty percent (30%) by process of Waiver and by more than thirty percent (30%) to not more than fifty percent (50%) by process of Waiver and by payment into a transit enhancement Trust Fund, or by one hundred percent (100%) for any Structure with a Floor Area of ten thousand (10,000) square feet or less, except when site is within 500 feet of ungated T3.

* * **

Section 3. If any section, part of a section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Zoning Ordinance of the City of Miami, Florida, which provisions may be renumbered, relettered, or placed in tables as needed and that the word "ordinance" may be changed to "section", "article", or other appropriate word to accomplish such intention.

Section 5. This Ordinance shall become effective thirty (30) days after final reading and adoption thereof. {2}

APPROVED AS TO FORM AND CORRECTNESS:

VICTORIA MÉNDEZ
CITY ATTORNEY

Footnotes :

{1} Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

{2} This Ordinance shall become effective as specified unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated, whichever is later.