



**CITY OF SOUTH MIAMI
OFFICE OF THE CITY MANAGER
INTER-OFFICE MEMORANDUM**

TO: The Honorable Mayor & Members of the City Commission

VIA: STEVEN ALEXANDER, CITY MANAGER

FROM: Dwayne Williams, Planning Director

DATE: November 17, 2015

Agenda Item No.: 4

SUBJECT:

An Ordinance amending the City of South Miami Land Development Code, Article IV, "Other Regulations," Section 20-4.4, "Off-street parking requirements," Subsection (B), "Space Requirements," to create new subsection (B)(17), to establish a revised parking requirement for affordable or workforce housing.

BACKGROUND:

The City desires to foster development that benefits its residents and construction of affordable and workforce housing is an established goal in the City's Comprehensive Plan. In order to implement affordable housing projects such as the Madison Square project, it is necessary to provide for a sufficient level of development in order to qualify for funding opportunities. The increase of residential development intensities in targeted zoning districts to provide for the development of sustainable affordable and workforce housing is an appropriate means to implement these strategies and has been made necessary by the State of Florida's policies to encourage more provision of affordable housing opportunities by raising the minimum level of units to be able to qualify for tax credits which in most cases are essential to the funding of such developments.

Since it is necessary to provide adequate parking and not to require an excessive amount of parking spaces to be developed which thereby reduces the amount of developable land exists for the creation of actual affordable living quarters, the parking ratio needs to be altered. The Madison Square site and all similar sites that exist within half a mile of the South Miami Metro Rail Park and ride station should not be expected to require as many parking opportunities as those farther away from such mass transit opportunities. The City's express goal of increasing affordable housing and facilitating the development of such housing must be guided by the limited space and opportunity for such development and the creation of excessive parking spaces is counter-productive given the realities of car ownership levels in such communities as well as the easy access to mass transit.

ANALYSIS:

Affordable and workforce housing typically do not require the same amount of parking as other forms of housing, excess parking unnecessarily raises the cost of such housing for its residents, and excess parking is not needed particularly where such housing is located within the proximity of mass transit facilities. The parking strategy for this ordinance

provides for a new subsection known as (B)(17) for Section 20-4.4 Off-street Parking Requirements.

Section 20-4.4 (B)(17)

One (1) space per unit for each low affordable, affordable or workforce housing units, as defined by the Miami-Dade County, Public Housing and Community Development Department, when located within one half (1/2) mile of the Metrorail station, as an incentive to promote affordable and workforce housing. In addition, one (1) visitor space for every ten (10) units is also required. In an eligible mixed use project, that meets the requirements of this subsection, the Owner shall be permitted a 50% reduction in the parking requirements for all nonresidential uses.

PLANNING BOARD ACTION:

At the November 10, 2015 Planning Board meeting and following a public hearing, the Board voted 4-1 to recommend approval of the ordinance.

STAFF RECOMMENDATION:

Staff recommends Commission approval of the ordinance as written.

ATTACHMENTS:

Ordinance amending the City of South Miami Land Development Code, Article IV, Section 20-4.4(B)(17).

ORDINANCE NO. _____

An Ordinance amending Article IV, “Other Regulations,” Section 20-4.4, “Off-street parking requirements,” Subsection (B), “Space Requirements,” to create new subsection (B)(17), to establish a revised parking requirement for affordable or workforce housing projects.

WHEREAS, the City desires to foster development that benefits its residents; and

WHEREAS, construction of excess parking spaces wastes land, increases housing costs, increases rents for businesses and residents, contributes to localized global warming influences by creating heat islands, and prevents highest and best use of land within the City; and

WHEREAS, the City's parking requirements may be excessive in particular instances; and

WHEREAS, the City has determined that reducing the amount of required parking for affordable and workforce housing will promote the creation of such projects; and

WHEREAS, affordable and workforce housing typically do not require the same amount of parking as other forms of housing, excess parking unnecessarily raises the cost of such housing for its residents, and excess parking is not needed particularly where such housing is located within the proximity of mass transit facilities; and

WHEREAS, the City Commission desires to promote the development of affordable and workforce housing through a multi-targeted strategy, including reducing the cost of such housing, and desires to adopt this amendment a part of such strategy.

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

Section 1. South Miami Land Development Code Article IV, “Other Regulations,” Section 20-4.4, “Off-street parking requirements,” Subsection (B), “Space Requirements,” is hereby amended to create new subsection (B)(17), and shall read as follows:

20-4.4 - Off-street parking requirements.

(A) *Applicability.* All structures and uses which are erected, established or enlarged within the City shall provide adequate off-street parking spaces and control mechanisms for on-site vehicular and pedestrian traffic in order to insure the safety and convenience of the public pursuant to the requirements of this section.

(1) On-street parking spaces not currently assigned or credited to other properties adjacent to a lot may count toward the parking requirements for a building set

1 forth below in subsection (B) for that lot, provided that the property owner complies with
2 subsection 20-4.4 (A)(3); a partial space longer than eleven (11) feet shall count as a full
3 space.

4 (2) Unimproved rights-of-way adjacent to business property in commercial
5 zoning districts may be improved by the abutting property owner for credit as on-street
6 parking spaces by written agreement approved by the application to the City Manager
7 provided that the property owner complies with subsection 20-4.4(A)(3). The City
8 Manager upon the advice of the Parking Board, will determine if the installation of
9 parking meters is warranted and appropriate for the area.

10 (3) An annual fee of one thousand dollars (\$1,000.00), per space, which shall
11 increase five (5) percent annually, shall be paid into the Parking Fund for all on-street
12 parking spaces which are credited or counted toward required parking for new structures,
13 or a change in use that increases the minimum number of off-street spaces required after
14 the date of January 2, 2008.

15 (Ord. No. 31-08-1966, § 1, 8-27-08)

16 (B) *Space Requirements.* The minimum number of off-street parking spaces
17 required for each permitted or special use shall be as set forth below and referenced in
18 Section 20-3.3D. Where fractional spaces result, the number of spaces required shall be
19 the next highest whole number.

20 (1) Two (2) spaces per dwelling unit.

21 (2) Two (2) spaces per dwelling unit, provided that at least one (1) space per
22 unit shall be enclosed.

23 (3) One and one-half (1.5) spaces per efficiency or studio unit and two (2)
24 spaces per unit with one (1) or more bedrooms, plus an additional visitor space for every
25 ten (10) units.

26 (4) One (1) space per guest room, plus two (2) spaces for the reception office.

27 (5) One and three-quarters (1.75) spaces per bed.

28 (6) One (1) space per three (3) seating spaces in the main assembly room.

29 (7) One (1) space per one hundred (100) square feet of gross floor area.

30 (8) One (1) space per one hundred fifty (150) square feet of gross floor area.

31 (9) One (1) space per two hundred (200) square feet of gross floor area.

32 (10) One (1) space per two hundred fifty (250) square feet of gross floor area.

33 (11) One (1) space per three hundred (300) square feet of gross floor area.

34 (12) One (1) space per four hundred (400) square feet of gross floor area.

35 (13) One (1) space per five hundred (500) square feet of gross floor area.

36 (14) One (1) space per one thousand (1,000) square feet of gross floor area.

37 (15) One (1) space per four (4) seats or seating places.

38 (16) Five (5) spaces per alley or five hundred (500) square feet of rink area.

39 (17) One (1) space per unit for each low affordable, affordable or workforce
40 housing units, as defined by the Miami-Dade County, Public Housing and Community
41 Development Department, or its successor, and as may be amended from time to time, or
42 as set forth in the City's Land Development Code (the latter of which shall take
43 precedence in the event of any conflict). when located within one half (½) mile of the
44 South Miami Metrorail station, as an incentive to promote affordable and workforce
45 housing. In addition, one (1) visitor space for every ten (10) units is also required. In an

1 eligible mixed use project, that meets the requirements of this subsection, the Owner shall
2 be permitted a 50% reduction in the parking requirements for all nonresidential uses.
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6 **Section 2.** Codification. The provisions of this ordinance shall become and be made
7 part of the Land Development Code of the City of South Miami as amended.
8

9 **Section 3.** Severability. If any section, clause, sentence, or phrase of this ordinance
10 is for any reason held invalid or unconstitutional by a court of competent jurisdiction, this
11 holding shall not affect the validity of the remaining portions of this ordinance or the
12 Guidelines adopted hereunder.
13

14 **Section 4.** Ordinances in Conflict. All ordinances or parts of ordinances and all
15 sections and parts of sections of ordinances in direct conflict herewith are hereby
16 repealed.
17

18 **Section 5.** Effective Date. This ordinance shall become effective upon enactment.
19

20 PASSED AND ENACTED this ____ day of _____, 2016.
21

22 ATTEST:
23
24

APPROVED:
25

26 _____
CITY CLERK

MAYOR

27 1st Reading

28 2nd Reading
29

30 READ AND APPROVED AS TO FORM:
31 LANGUAGE, LEGALITY AND
32 EXECUTION THEREOF
33
34

COMMISSION VOTE:
Mayor Stoddard:
Vice Mayor Harris:
Commissioner Edmond:
Commissioner Liebman:
Commissioner Welsh:

35 _____
36 CITY ATTORNEY
37



CITY OF SOUTH MIAMI COURTESY NOTICE

NOTICE IS HEREBY given that the City Commission of the City of South Miami, Florida will conduct Public Hearing(s) at its regular City Commission meeting scheduled for Tuesday, December 15, 2015 beginning at 7:00 p.m., in the City Commission Chambers, 6130 Sunset Drive, to consider the following item(s):

A Resolution for special use approval to permit a general restaurant at 6144 S. Dixie Highway.

A Resolution approving an application for a waiver of off-street parking space requirements for the property located at 6144 S. Dixie Highway.

A Resolution of the Mayor and City Commission of the City of South Miami, Florida, adopting a draft amendment to Article VI, Section 9 (B) of the City Charter to restrict the sale or lease of City real property or the purchase of real property by the City, subject to a Referendum of the City's electorate approving the amendment, and to be placed on the ballot at the Presidential Preference Primary Election scheduled for March 15, 2016 and directing the City Clerk to take all necessary actions to carry out the provisions of this resolution.

An Ordinance amending Land Development Code Article III, Section 20-5.8 to correct a scrivener's error in Section 20-5.8 referring to the Permitted Use Schedule.

An Ordinance amending Article IV, "Other Regulations," Section 20-4.4, "Off-street parking requirements," Subsection (B), "Space Requirements," to create new subsection (B)(17), to establish a revised parking requirement for affordable or workforce housing projects.

An Ordinance amending Article III, "Zoning Regulations, Section 20-3.5, "Dimensional Requirements," and other applicable provisions, to adjust the density caps in the Specialty Retail SR zoning districts for affordable and workforce housing projects north of US 1 and within the Community Redevelopment Area boundaries as they existed on October 14, 2015.

An Ordinance establishing an electric franchise with Florida Power & Light Company for installation of city street lighting within the City of South Miami.

An Ordinance amending the City of South Miami Land Development Code, Article VIII Transit Oriented Development District, "Definitions," Section 20-8.2, "Definitions," to amend vertical story floor height maximum.

An Ordinance Adopting The City of South Miami 2015 Text Amendments to the Comprehensive Plan Future Land Use And Housing Elements, And Authorizing Transmittal To The Florida Department Of Economic Opportunity and Review Agencies.

An Ordinance Adopting a Small Scale Amendment to the Future Land Use Map of the Comprehensive Plan, amending the designation of the Sylva Martin Building and a parking lot on the City Hall property located at 6130 Sunset Drive from Parks and Open Space to Transit Oriented Development District (TODD).

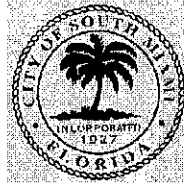
An Ordinance amending the Official Zoning Map to establish a Historic Preservation Overlay (HP-OV) in the Transit Oriented Development District (TODD-PI) for the Sylva Martin Building located at approximately 6130 Sunset Drive.

ALL interested parties are invited to attend and will be heard.

For further information, please contact the City Clerk's Office at: 305-663-6340.

Maria M. Menendez, CMC
City Clerk

Pursuant to Florida Statutes 286.0105, the City hereby advises the public that if a person decides to appeal any decision made by this Board, Agency or Commission with respect to any matter considered at its meeting or hearing, he or she will need a record of the proceedings, and that for such purpose, affected person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.



CITY OF SOUTH MIAMI COURTESY NOTICE

NOTICE IS HEREBY given that the City Commission of the City of South Miami, Florida will conduct Public Hearing(s) at its regular City Commission meeting scheduled for Tuesday, January 5, 2016 beginning at 7:00 p.m., in the City Commission Chambers, 6130 Sunset Drive, to consider the following item(s):

A Resolution authorizing the City Manager to enter into a five year agreement with Taser International to provide body worn cameras for the Police Department.

An Ordinance relating to the City's 2016 fiscal year budget; amending the budget to take into account an increase in the Federal Forfeiture Fund Appropriated Amount.

An Ordinance establishing an electric franchise with Florida Power & Light Company for installation of city street lighting within the City of South Miami.

An Ordinance amending Land Development Code Article III, Section 20-5.8 to correct a scrivener's error in Section 20-5.8 referring to the Permitted Use Schedule.

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