



City of Miami

Legislation

Ordinance

City Hall
3500 Pan American
Drive
Miami, FL 33133
www.miamigov.com

File Number: 16-00401zt

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING ORDINANCE NO. 13114, THE MIAMI 21 CODE, THE ZONING ORDINANCE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, BY AMENDING ARTICLE 3.6, ENTITLED "OFF-STREET PARKING AND LOADING STANDARDS", TO ADD SUBSECTION 3.6.1(f); CONTAINING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Miami 21 Code codifies Off-Street Parking regulations for the City of Miami ("City"); and

WHEREAS, the Miami 21 Code currently prohibits utilizing properties in T3 Transect Zones to satisfy the parking requirements of abutting T6 Transect Zone properties; and

WHEREAS, approximately twenty percent (20%) of the properties in T6 Transect Zones in the City abut properties in T3 Transect Zones; and

WHEREAS, providing parking for the uses on a T6 Transect Zone property on an abutting T3 Transect Zone property can be responsibly achieved through the compliance with criteria sensitive to the form and intent of T3 Transect Zones; and

WHEREAS, it has been determined that adding Section 3.6.1(f), entitled "Off-Street Parking Standards", is required to establish this criteria; and

WHEREAS, the Miami Planning, Zoning, and Appeals Board ("PZAB"), at its meeting of April 6, 2016, following an advertised hearing, adopted Resolution No. PZAB-R-16-021 by a vote of seven to three (7-3), recommending approval on the condition that compliance with the criteria set forth in new Section 3.6.1(f) shall be reviewed by process of Exception; 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 and its inhabitants to approve the amendments to the Miami 21 Code as hereinafter set forth;

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

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

Section 2. The Miami 21 Code is hereby amended by making modifications to Article 3 in the following particulars: {1}

"ARTICLE 3. GENERAL TO ZONES

* * *

3.6 OFF-STREET PARKING AND LOADING STANDARDS

* * *

3.6.1 Off-street Parking Standards.

* * *

f. New parking facilities that are incidental and subordinate to a principal Use in any T6 Transect Zone may be provided on an abutting property in a T3 Transect Zone if the following criteria are met;

1. The property in the T3 Transect Zone and the property in the T6 Transect Zone shall be joined by a Unity of Title or Covenant in Lieu of Unity of Title, which shall specifically provide that parking facilities on the property in the T3 Transect Zone shall only be accessible through the property in the T6 Transect Zone.
2. There is a preference for underground parking, and if the parking facility proposed on the property in the T3 Transect Zone is not underground, the applicant shall state the reason in the application.
3. Any Parking Structure built on the property in the T3 Transect Zone shall conform to the form based standards of the T3 Transect Zone, excluding the provisions of Article 5, Section 5.3.4(c).
4. Any Parking Structure on the unified site shall be lined and shall be buffered from surrounding Uses with landscaping consistent with Civic Space standards set forth in Article 4, Table 7.
5. No parking shall be provided on the unified site in excess of the required minimum parking as set forth in Miami 21 or Chapter 35 of the City Code, as applicable.
6. Compliance with these standards shall be reviewed by process of Warrant.

* * *

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 Miami 21 Code, which provisions may be renumbered or re-lettered 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 immediately upon adoption and signature by the Mayor.{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 herein 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 herein, whichever is later.