

DRAFT - ORDINANCE NO. 2022-XX

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF NORTH MIAMI BEACH, FLORIDA, AMENDING ARTICLE IX “OFF-STREET PARKING AND LOADING”, BY SPECIFICALLY AMENDING SECTION 24-95 “MINIMUM SPACE REQUIREMENTS” TO REQUIRE ADDITIONAL PARKING SPACES FOR MULTI-FAMILY DEVELOPMENT; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the shortage of parking in multi-development zoning districts has reached a crisis level in the City; and

WHEREAS, residents of multi-family buildings are using the City’s rights-of-way as additional parking due the parking shortage in their development project; and

WHEREAS, the parking requirements for multi-family development require modification to support the demand for parking spaces in multi-family developments; and

WHEREAS, the City Commission believes it is in the best interests of the City to approve this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Commission of the City of North Miami Beach, Florida:

Section 1. That the recitals and findings contained in the forgoing “whereas” clauses are adopted by reference and incorporated as if fully set forth in this section.

Section 2. That Article IX, entitled “Off-Street Parking And Loading,” Section 24-95 entitled “Minimum Spare Requirements” is hereby amended to state as follows (underlined is added; ~~stricken through~~ is deleted):

Sec. 24-95- Minimum Space Requirements.

All uses shall be subject to the following minimum space requirements unless additional spaces may be required as a condition for securing a permitted conditional use. All fractional space requirement shall be rounded off to the next highest number. For uses not specified the Director shall determine the space requirements; a parking study may be required.

(A) Residential Uses.

Use	Parking Space Requirement
Single-family and two-family	2 spaces for each dwelling unit
Multifamily	1.0 spaces for each efficiency unit, 1.5 spaces 1 bedroom <u>except that a unit with the size of 1,800 square feet or greater shall be required to provide a minimum of 2 spaces. And 2</u> bedroom unit, and 2 spaces for each 3

	bedroom unit or larger except Multifamily development in Eastern Shores which shall have 2 spaces per efficiency or 1 bedroom unit and 3 spaces per 2 bedroom unit or larger
Mobile Home	1 space per unit

Section 3. Conflicts. All ordinances or parts of ordinances in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. Severability. If any clause, section, other part or application of this Ordinance is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or application, it shall not affect the validity of the remaining portions or applications of this Ordinance.

Section 5. Codification. Specific authority is given to codify this Ordinance.

Section 6. Effective Date. This Ordinance shall become effective ten days after adoption on second reading.

APPROVED on this first reading this **8th day of February, 2022.**

APPROVED AND ADOPTED on second reading this _____ day of _____, 2022.

ATTEST:

 ANDRISE BERNARD, MMC
 CITY CLERK

 ANTHONY F. DEFILLIPO
 MAYOR

(CITY SEAL)

APPROVED AS TO FORM, LANGUAGE
 AND FOR EXECUTION

 HANS OTTINOT
 INTERIM CITY ATTORNEY

Sponsored by: Vice Mayor Fortuna Smukler