

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2021-14

AN ORDINANCE OF THE CITY COMMISSION PROVIDING FOR TEXT AMENDMENTS TO THE CODE OF THE CITY OF CORAL GABLES, CHAPTER 74, ARTICLE III, DIVISION 5 ENTITLED "PARKING REPLACEMENT ASSESSMENT," PROVIDING FOR UPDATES TO THE ASSESSMENT PROVISIONS AND PROCEDURES, AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City established a "Parking Fund" and "Parking Replacement Assessment" in 2011 pursuant to Ordinance No. 2011-01;

WHEREAS, commercial development within Coral Gables impacts traffic volume and occupancy within public parking facilities;

WHEREAS, the City wishes to improve the efficient use of and shared parking impacts of parking infrastructure within the urban areas in the City;

WHEREAS, efficiently planned and developed shared use parking reduces excessive, unnecessary development of expensive parking infrastructure and allows for design of a better pedestrian environment;

WHEREAS, private investment in public parking facilities will enable the development of additional public parking facilities and increase the overall efficiency of the parking system within Coral Gables;

WHEREAS, public and private parking supply within Coral Gables is currently used inefficiently and is underutilized;

WHEREAS, the City wishes to prevent the development of Parking Structure in identified Development Zones or Overlay Districts to preserve pedestrian oriented public spaces; and

WHEREAS, the Parking Advisory Board discussed these amendments to the existing "Parking Replacement Assessment" and recommends approval.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, 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. Chapter 74, Article III, Division 5 of the Code of the City of Coral Gables, Florida, entitled “Parking Replacement Assessment” is amended as follows:

**CHAPTER 74
TRAFFIC AND VEHICLES
ARTICLE III. STOPPING, STANDING AND PARKING***

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DIVISION 5. - PARKING REPLACEMENT ASSESSMENT

Sec. 74-172. - Generally.

- a) *Purpose.* The parking replacement assessment is established for the purpose of developing and maintaining adequate public parking within the city. Funds generated by this assessment shall be used to develop additional public parking owned and operated by the city.

- b) *Lost spaces within the right-of-way.* Any new construction, addition, alteration or rehabilitation that results in the loss of public parking within the right-of-way requires payment of replacement costs as established.
 - 1) Replacement costs must be paid for all parking spaces lost to provide ingress and egress to a development, restrictive signage for a development, streetscape improvements adjacent to a development and/or any other permitted use of the parking right-of-way.
 - a. Any development that provides parking on-site will be allowed up to 22 feet, as established in zoning code section ~~5-1402-10-102~~ (c)(2)(a), of curb space to provide ingress and egress to the parking facility without assessment.
 - b. Any restrictive use of the parking right-of-way or signage must be approved by the parking director and the public works director or their designees.
 - 2) Development including attainable housing may be permitted a reduction in the parking assessment fee as provided in the zoning code or section 1-8.
 - 3) When an on-street parking space abutting a development is lost solely to meet an established streetscape master plan or traffic improvement required by the city or other governmental entity, the parking replacement assessment for that space shall be reduced by 50 percent.

- c) *Existing annual payments.* Where an abutting property owner is making an annual payment for lost parking meter revenue pursuant to prior ordinance, the

property owner may terminate that payment at any time by paying the parking replacement assessment provided for in this division.

d) *Payment in lieu.* Any new construction, addition, alteration or rehabilitation on property within 100 feet of the Ponce de Leon right of way or within the central business district (CBD) that creates or increases off-street parking requirements under zoning code section ~~5-1409-10-110~~ may propose satisfying those requirements for off-street parking by providing a payment-in-lieu as established section 1-8 as follows:

- 1) Where the new construction, addition, alteration, or rehabilitation is in the Central Business District, Design & Innovation District, or along the Ponce de Leon Boulevard Corridor south of SW 8th Street ~~creates a demand for off-street parking of 15 or fewer parking spaces;~~
- 2) For new construction, additions, alterations or rehabilitations that create an off-street parking requirement under the zoning code, such requirements may be satisfied through constructing the parking, providing remote parking or payment into the parking trust fund for 100% of the requirement, or by meeting the requirement through a combination of new parking spaces, remote parking or payment into the parking trust fund as permitted by the zoning code; ~~and demand greater than 15 spaces, a developer may propose a payment in lieu to satisfy the requirement for ten percent of the next 500 off-street parking spaces required. Acceptance of payment in lieu to satisfy parking requirement is at the discretion of the city parking director or designee. When reviewing development plans that propose a payment in lieu, the parking director or designee will consider any relevant information, including the existing supply of parking spaces within 600 feet of the project, current parking occupancies, plans for construction or expansion of public parking facilities and proposed use of public or alternative transportation; or~~
- 3) Where a proposal for payment in lieu is for more than 25 parking spaces, the Parking Advisory Board shall review the proposal for any impacts it may have on the public parking system ~~development abuts a street served by the Coral Gables Trolley, any permitted payment in lieu shall be reduced by 25 percent.~~

(Code 2006, § 74-201; Ord. No. 2011-01, § 2, 1-11-2011)

Sec. 74-173. - Payment of fee.

The parking replacement assessment ~~or~~ payment-in-lieu shall be satisfied by a one-time payment prior to the issuance of a building permit. The assessment will be paid in the amount established in section 1-8.

(Code 2006, § 74-202; Ord. No. 2011-01, § 2, 1-11-2011)

Sec. 74-174. - ~~Deposit of funds.~~Parking Improvement Trust Fund.

- a) There is hereby established a parking improvement trust fund to be maintained and administered by the City of Coral Gables or as designated by the city commission. All funds paid to the City pursuant to City Code Sec. 74-172 – 74-174 shall be deposited into the trust fund.
- b) Funds maintained in the trust fund shall only be used to facilitate parking purposes, create publicly accessible off-street parking, or provide for infrastructure improvements and maintenance. Funds may be expended to accomplish the following activities:
 - 1) Acquire fee simple or other interest in land, and other real property for parking purposes;
 - 2) Construct, lease manage, fund or provide off-street parking facilities for public use;
 - 3) Provide public information to enhance parking utilization including publicity campaigns, graphics and signage, and other informational devices;
 - 4) Coordinate plans for parking facility improvements or expansion;
 - 5) Provide accessibility to off-street parking facilities or alternative transportation facilities by suitable means such as public shuttle, tram or trolley service; or
- c) The Parking Advisory Board shall review and make recommendations on expenditures from the Parking Improvement Trust Fund.
- d) An annual financial report shall be prepared at the close of each fiscal year reporting fund balance, receipts, and expenditures.

~~Funds generated by the parking replacement assessment program shall be deposited into a city account specifically established for parking development reserves. The funds may be used to acquire property or pay for capital improvement, development and construction costs for any public parking facility.~~

(Code 2006, § 74-203; Ord. No. 2011-01, § 2, 1-11-2011)

Secs. 74-175—74-201. - Reserved.

SECTION 3. If the Official Zoning Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 4. This Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-THIRD DAY OF MARCH, A.D.,
2021.

(Moved: Keon/ Seconded: Fors, Jr.)
(Yeas: Lago, Mena, Fors., Jr., Keon, Valdes-Fauli)
(Unanimous: 5-0 Vote)
(Agenda Item: F-6)

APPROVED:



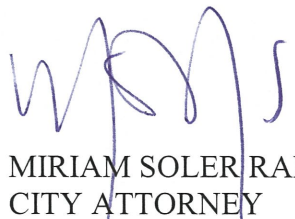
RAUL VALDES-FAULI
MAYOR

ATTEST:



BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS
CITY ATTORNEY