



**City of Coral Gables
CITY COMMISSION MEETING
NOVEMBER 9, 2010**

ITEM TITLE:

An ordinance of the City Commission of Coral Gables providing for text amendments to the code of the City of Coral Gables, Chapter 74, Article III, Division 1, 2, 3, and 4 entitled “Stopping, Standing and Parking”, providing for updates to the parking provisions and procedures, changes to valet parking provisions, enactment of a new Division 5 to provide for a “Parking Replacement Assessment”, containing a repealer provision, a new Division 6 to provide for oversight of public use parking within a private development, and providing for severability, repealer, codification and an effective date.

DEPARTMENT HEAD RECOMMENDATION:

Approved

BRIEF HISTORY:

The parking department is proposing text amendments to Chapter 74; Article III of the Code of the City of Coral Gables entitled “Stopping, Standing and Parking.” A marked version identifying the proposed changes as well as a clean version is provided for review.

Background

Ordinances related to parking are found in the Code of the City of Coral Gables, Chapter 74, Article III. Many of these code provisions were adopted nearly sixty (60) years ago. Over the years, the development of new technologies, equipment and operating systems within the parking system have made many of the existing code provisions inapplicable and outdated. The Parking Department is proposing updated language to meet existing operations within the current parking system. Four of the proposed changes create changes in how we manage parking.

Historically, management of parking spaces within the public right of way was only allowed by using single space mechanical meters. Current systems and equipment within the City’s parking system allow for multiple management options. The City has invested in new systems that include electronic meters, multi-space meters and permit systems (including pay-by-phone). The proposed amendment to Section 74-130(b) specifically allows the use of permit parking to manage parking spaces within meter zones. The terms and conditions of these permit programs are defined within a permit agreement provided that fees are consistent with rate schedules approved by the Commission.

Although the existing valet ordinance allows use of off-site private parking spaces for valet storage, these spaces are not available if they are at any time counted toward the required parking of another development. Many private facilities have significant parking supply available during off-peak hours. The proposed amendments to section 74-166(a)(4) and (b)(3) would allow the use of any privately controlled space for valet parking provided the applicant demonstrates there is adequate capacity for valet storage. Because valet agreements run month to month, it is possible to change the agreement based on changes in occupancy and demand requirements in the private parking facility.

The existing residential decal program does not explicitly provide for permit programs where right

of way parking may be metered. Where residential units are primarily located on arterial streets, within mixed use districts, or where residential units are primarily large multifamily properties, spaces within the right of way may be primarily managed for non residential purposes. However, frequently a permit program can be developed to balance the interests of residential and non residential traffic. The proposed section 74-195(b) specifically allows development of such programs where there is adequate capacity in the on street parking supply. One such existing permit zone exists on the 600 and 700 blocks of Biltmore Way.

The Parking Advisory Board on several occasions reviewed and approved provisions and language for a new Division 5 in the parking code providing for a “Parking Replacement Assessment.” Currently, when a development results in to loss of a public parking space, the developer is responsible for making annual payment to cover lost revenue. Staff and the Parking Advisory Board believe it is better public policy to focus on requiring the developer to pay the cost of replacing the lost parking space. This is accomplished by requiring the developer to make a one time payment to support development of the public parking system. Funds collected would be dedicated to developing additional capacity in the public parking system.

A second provision in the “Parking Replacement Assessment” ordinance allows for a limited “payment in lieu” program. Where parking requirements are triggered by small additions, alterations or infill development, those requirements may be satisfied by paying into the public parking fund a fee sufficient to develop the parking spaces within the public parking system. For larger developments, the payment in lieu program may be used only where an applicant can demonstrate there is adequate parking supply and may be used to satisfy no more than 50 required parking spaces. The Planning Board reviewed the proposed Division 5 and made several recommendations that are incorporated in the current draft.

Finally, the draft ordinance contains a new Division 6 that clarifies and codifies the use and oversight of “public use” parking spaces within a private development. There are a few private developments within the City that have agreed to provide additional “public use” spaces as part of a development agreement. There have occasionally been questions about whether the developer’s operational use of these spaces met the intent of their development agreement with the City. Division 6 is intended to clarify the City’s position on these “public use” parking spaces.

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager

ATTACHMENT(S):

1. **Draft Ordinance**
2. **Draft Ordinance Clean Copy**
3. **Excerpts from Planning and Zoning Board Presentation**
4. **Excerpts from Planning and Zoning Board Minutes**

