

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2023-05**

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 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; and

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

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

**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; and

**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; and

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

**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) *Remote Parking and Payment in lieu.* Any new construction, addition, alteration or rehabilitation on property that creates or increases off-street parking requirements under zoning code section 10-110 may propose satisfying those requirements for off-street parking by providing a payment into the Parking Trust Fund ~~payment in lieu~~ as established by 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 8<sup>th</sup> Street; and
  - 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, or providing remote parking ~~or payment into the parking trust fund~~ for up to 100% of the requirement, or by meeting the requirement through a combination of new parking spaces; or remote parking ~~or payment into the parking trust fund~~ as permitted by the zoning code; and
  - 3) Where a proposal for remote parking ~~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; and
  - 4) When the remote parking is terminated or is determined to be infeasible under Zoning Code Section 10-110, a Payment-in-lieu of providing parking may be allowed to satisfy any remaining requirements with a one-time payment. The Payment-in-lieu fee shall be collected in addition to the Remote Parking fee; provided however where a remote parking fee has been paid in the case of a terminated parking agreement then only the Payment-in-lieu of fee shall be due. All payments shall be made into the Parking Trust Fund.

**Sec. 74-173. - Payment of fee.**

The fees related to lost parking ~~replacement assessment~~ spaces within the right-of-way, remote parking, or payment-in-lieu shall be satisfied by a separate one-time payment prior to the issuance of a building permit, as applicable. The assessment will be paid in the amount established in section 1-8.

**SECTION 3.** All Ordinances or parts of Ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4.** If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 5.** It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the City of Coral Gables Code of Ordinances and that the sections of this “Ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 6.** Applications for review that have submitted for preliminary Board of Architects approval by January 23, 2023, shall be vested applications. Applications applying for preliminary Board of Architects approval after January 23, 2023, shall satisfy these regulations.

**SECTION 7.** If the City Code’s Table of Contents, Supplemental History Table, or other reference portions are affected by these provisions, then changes are approved as a part of this Ordinance.

**SECTION 8.** This Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF JANUARY, A.D., 2023.

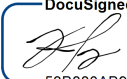
(Moved: Cason / Seconded: Menendez)

(Yeas: Menendez, Anderson, Cason, Mena, Lago)

(Unanimous: 5-0 Vote)

(Agenda Item: F-2)

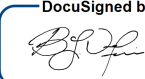
APPROVED:

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VINCE LAGO  
MAYOR

ATTEST:

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

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BILLY Y. URQUIA  
CITY CLERK

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CRISTINA M. SUÁREZ  
CITY ATTORNEY