

**CITY OF HOLMES BEACH
ORDINANCE NO 22-14**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HOLMES BEACH AMENDING SECTION 8.19 OFF-STREET PARKING REQUIRED, OF THE CITY'S LAND DEVELOPMENT CODE, TO PROHIBIT MULTI-LEVEL PARKING STRUCTURES; PROVIDING FOR CONFLICTS, SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Holmes Beach continues to review land development regulations to ensure conformity with the vision of the City's Comprehensive Plan; and

WHEREAS, as development and redevelopment continue to surge throughout the City, the Commission desires to regulate certain aspects of that development in order to maintain the residential nature of the City of Holmes Beach; and

WHEREAS, the City Commission finds that multi-level parking facilities are not supported by the vision in the City's Comprehensive Plan; and

WHEREAS, surrounding island communities have also taken steps to prohibit multi-level parking; and

WHEREAS, the City's Land Development Code presently does not address multi-level parking facilities; however, any use that is not strictly addressed is otherwise prohibited; and

WHEREAS, in order to provide more clarity and resolve any perceived ambiguity in the City's Land Development Code relative to multi-level parking, the City Commission desires to specifically prohibit multi-level parking facilities in all zoning districts; and

WHEREAS, Article VIII, Section 2, of the Florida Constitution and Section 166.021(1), Florida Statutes, provide that a municipality may exercise any power for municipal purposes, except when expressly prohibited by law.

NOW, THEREFORE, be it ordained by the City Commission of the City of Holmes Beach, Florida, as follows:

SECTION 1. The above "whereas" clauses are adopted herein as findings of fact.

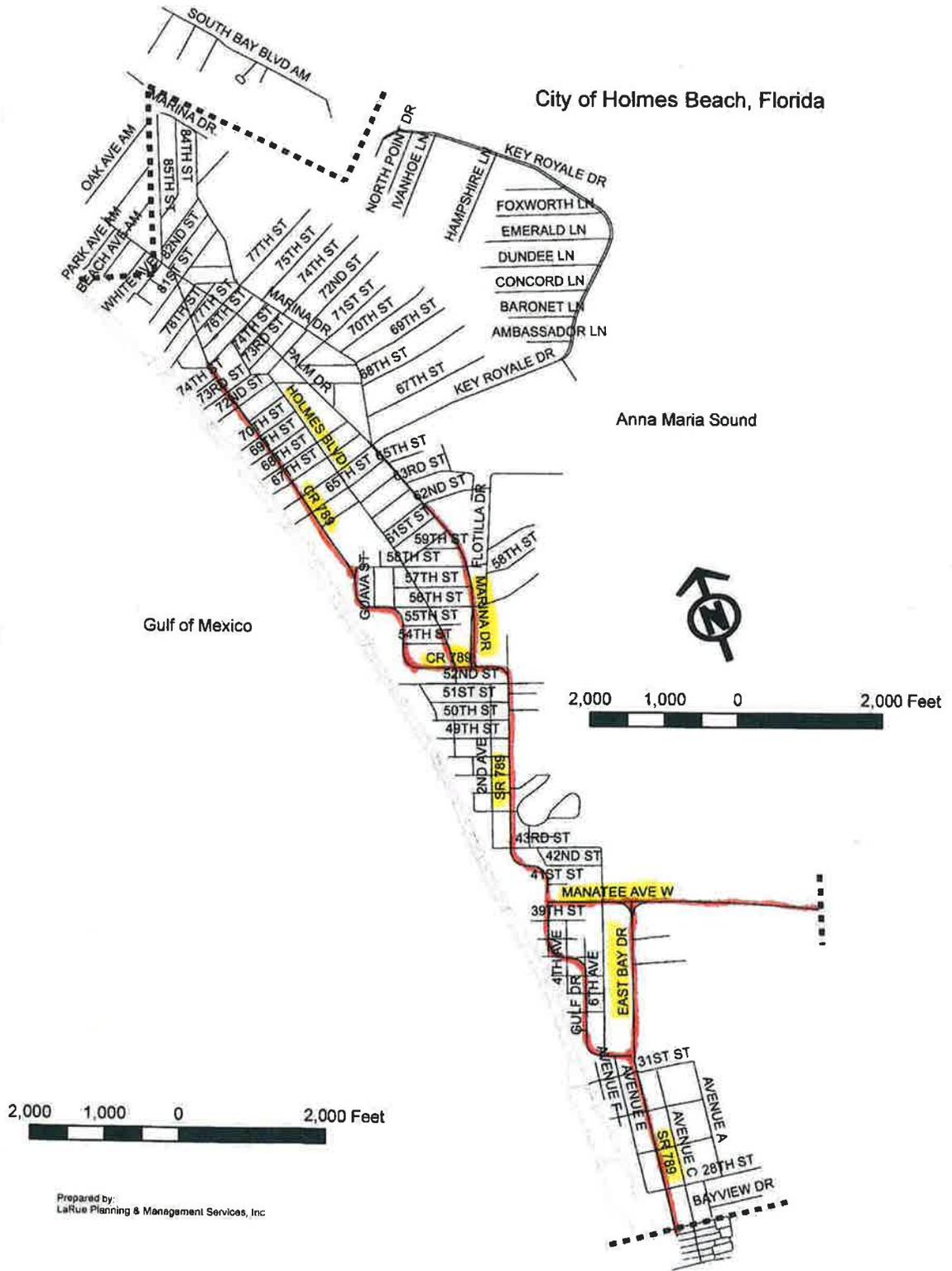
SECTION 2. Section 8.19 (E)(1) is amended as follows:

E. *Location of required off-street parking facilities.*

1. *Location.* All off-street parking facilities whether required by this section or not shall be located only on ground level and shall be located so that all persons using such parking spaces shall be able to traverse the distance between the parking spaces and the

nearest entry or exit location for the associated principal use structure without having to walk on a travel lane , except in marked pedestrian crossings, of portions of Gulf Drive, Marina Drive, Holmes Boulevard, Manatee Avenue, and East Bay Drive as shown on the following map:

City of Holmes Beach, Florida



Prepared by:
LaRue Planning & Management Services, Inc

SECTION 3. Severability. If any section, subsection, paragraph, sentence, clause, or phrase in this Ordinance is held invalid by a court of competent jurisdiction, then such invalidity shall not affect the remaining portions of this Ordinance.

SECTION 4. Conflicting Ordinances. Any section or provision in the City's Code of Ordinances that conflicts with the provisions of this Ordinance is hereby superseded.

SECTION 5. Effective Date. This Ordinance shall be effective upon adoption by the City Commission and approval by the Mayor in accordance with the Charter of the City of Holmes Beach.

PASSED AND ADOPTED, by the City Commission of the City of Holmes Beach, Florida, in regular session assembled, this 23rd day of August, 2022.

First Reading: 7-20-22

Publication Date: 8-7-22

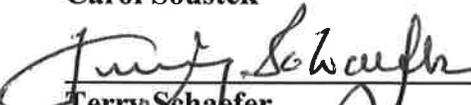
Second Reading and Public Hearing Date: 8-23-22



Pat Morton



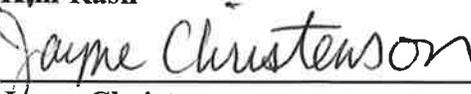
Carol Soustek



Terry Schaefer



Kim Rash



Jayne Christenson

APPROVED THIS 24th **DAY OF** August, 2022.



Judy Titsworth, Mayor

ATTEST: 

Stacey Johnston, MMC, City Clerk