



**MONROE COUNTY, FLORIDA
MONROE COUNTY BOARD OF COUNTY COMMISSIONERS
ORDINANCE NO. 013 - 2011**

AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 114-67(C), REQUIRED OFF-STREET PARKING, REQUIRED NUMBER OF OFF-STREET PARKING SPACES, TO REVISE THE MINIMUM PARKING STANDARD FOR MULTIFAMILY DWELLING UNITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, currently per the Monroe County Land Development Code, for multi-family developments, the minimum off-street parking requirement is 1.5 spaces per dwelling unit. The current standard does not consider the intensity that each dwelling unit may have, in terms of family size or number of bedrooms; and

WHEREAS, the current regulation is not always proportionate to the number of residents for each dwelling and visitors. In some multi-family areas, the solution adopted by residents has been to park or store vehicles on open space areas not approved for parking, public rights-of-way, or neighboring properties. This may lead to internal disputes within the community and could compromise life and safety. The aim of this text amendment is to introduce parking requirements that are more proportionate to the size and occupancy of the dwelling; and

WHEREAS, the Planning & Environmental Resources Department determined that using the total number of bedrooms, as opposed to total number of units, is a more effective to calculate off-street parking requirements; and

WHEREAS, during a regularly scheduled public hearing held on July 27, 2011, the Planning Commission reviewed the ordinance and recommended approval to the Board of County Commissioners;

NOW, THEREFORE, BE IT ORDAINED BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS:

Section 1. Section § 114-67(c) shall be amended as follows:

Sec. 114-67. Required off-street parking.

* * * * *

(c) Required number of off-street parking spaces.

The following is the number of parking spaces to be provided for each use:

<i>Specific Use Category</i>	<i>Minimum Required Number of Parking Spaces Per Indicated Unit of Measure</i>
Single-family dwelling units, including mobile homes on individual lots or parcels	2.0 spaces per dwelling unit or mobile home
Multifamily residential developments	2 spaces per each 1 or 2 bedroom dwelling unit, and 3 spaces per each 3 or more bedroom dwelling unit
Mobile home parks	1.0 space per space or pad
Commercial retail except as otherwise specified below	3.0 spaces per 1,000 sq. ft. of nonresidential floor area (nrfa) of building and 1.5 spaces per 1,000 sq. ft. of nonresidential floor area devoted to outdoor retail sales and display area
Eating and drinking establishments	14.0 spaces per 1,000 sq. ft. of nonresidential floor area and 7.0 spaces per 1,000 sq. ft. of unenclosed nonresidential floor area devoted to dining and/or bar area
Convenience stores	4.0 spaces per 1,000 sq. ft. of (nrfa)
Commercial recreation (indoor)	5.spaces per 1,000 sq. ft. of (nrfa)
Commercial recreation (outdoor)	5.0 spaces per 1,000 sq. ft. of the parcel that is devoted to the outdoor recreational activity, excluding areas used for parking and driveways, required yards and required landscaping and buffer areas
Theaters, conference, or activity centers	1.0 space per 3.0 actual seats or based on seating capacity
Offices	3.0 spaces per 1,000 sq. ft. of (nrfa)
Medical and dental clinics	4.0 spaces per 1,000 sq. ft. of (nrfa)
RV parks	1.0 space per pad

Hotels/destination resorts	1.0 space for first bedroom plus .5 space for each additional bedroom
Miniwarehouses/self storage center	3.0 spaces for the office use plus a parking aisle of 10 feet in width adjacent the storage unit access doors if outside access to the storage units is provided
Industrial uses; excluding repair and or servicing of vehicles	2.0 spaces per 1,000 sq. ft. of (nrfa)
Repair and or servicing of vehicles	3.0 spaces per service/repair bay or 3.0 spaces per 1000 sq. ft. of (nrfa) whichever is greater, the service/repair bays shall not be counted as parking spaces
Warehousing	1.0 space per 1,000 sq. ft. (nrfa)
Hospitals	1.8 spaces per bed
Churches	0.3 space per seat and/or 0.3 space per 24 inches for pews
Live-aboard	1.5 spaces per berth
Marinas and commercial fishing facilities	1.0 space per berth plus one space per four dry storage racks
Charter/guide boats, six or fewer passengers capacity	2.0 spaces per berth
Party and charter/guide boats, more than six passengers capacity	0.3 space per passenger capacity of vessel
Boat ramps	6.0 spaces per ramp; all spaces shall be a minimum of 14 feet by 55 feet, to accommodate trailers and oversized vehicles

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Section 2. Severability.

If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate, or nullify the remainder of this ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence, or provision immediately involved in the controversy in which such judgment or decree shall be rendered.

Section 3. Conflicting Provisions.

In the case of direct conflict between any provision of this ordinance and a portion or provision of any appropriate federal, state, or County law, rule code or regulation, the more restrictive shall apply.

Section 4. Transmittal.

This ordinance shall be transmitted to the Florida State Land Planning Agency as required by F.S. 380.05 (11) and F.S. 380.0552(9).

Section 5. Filing.

This ordinance shall be filed in the Office of the Secretary of the State of Florida but shall not become effective until a notice is issued by the Florida State Land Planning Agency or Administration Commission approving the ordinance.

Section 6. Inclusion in the Monroe County Code.

The provisions of this Ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform marking system of the Code.

Section 5 . Effective Date.

This ordinance shall become effective as provided by law and stated above.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the 21st day of September, 2011.

Mayor Heather Carruthers
Mayor *pro tem* David Rice
Commissioner Kim Wigington
Commissioner George Neugent
Commissioner Sylvia Murphy

No
No
Yes
Yes
Yes

MONROE COUNTY BOARD OF COUNTY COMMISSIONERS

Attest: DANNY L. KOLHAGE, CLERK

By

Isabel C. DeStantis
Deputy Clerk

By

Heather Carruthers
Mayor Heather Carruthers

FILED FOR RECORD
2011 OCT 13 PM 1:06
MONROE COUNTY CLERK
DANNY L. KOLHAGE