



Meeting Name: Town Council
Meeting Date: February 26, 2025
Prepared By: Mayer, Stephen
Item Title: Subterranean Parking Discussion Item Memo

COUNCIL GOAL #6 (2024-2025)

BACKGROUND:

The Town Council has identified the following Council goals, or subject areas of importance, for staff to discuss. This discussion item is Council Goal #6, as listed in the summary of staff items below (this item is emphasized in bold):

Rank	Subject	Summary	Status
1	Limiting Density for Commercial/ Residential projects	Discussion - as part of the Planning and Zoning Board's 2024 Topics, they wish to discuss tools to limit density in commercial and residential development projects.	Discussed at the November 2024 P&Z Meeting
2	Single-Family Site Plan Review	Town Council requested for staff to prepare a draft ordinance that includes both site plan criteria and appearance review criteria.	Discussed at the October 2024 meeting
3	Excavation Permit	Staff initiated – following the recent adoption of Construction Site Standards and the Town's current requirement on not allowing the regrading of a property without a building permit, staff would like additional information and imposing requirements when projects are removing or adding fill to assure their methods are safe.	Ongoing TC (2/26/25)
4	Tower Structure Height	Discussion – Clarify scope of work to only include RH, RM-1, RM-2 zoning districts. Previous directions were to include all applicable zoning districts.	Scheduled for the March 2025 meeting
5	Definitions	Staff initiated – review Section 34-4 to add/modify existing definitions, such as but not limited to, lot coverage, accessory apartments, dwelling units, accessory structures, recreational vehicle (RV's), swales, Coastal	Ongoing PZ (3/2/25)

		High Hazard Area, North American Vertical Datum (NAVD 88).	
6	Subterranean Parking	Discussion by Council at a future meeting	Ongoing TC (2/26/25)
7	Discussion on Traffic Concerns on Donald Ross Road and US Hwy 1 Intersection	Council requested a temporary moratorium on all new mixed-used development(s) to study the impacts of mixed-use development in commercial zoning districts and determine the appropriate methods and regulatory controls to ensure that future development does not permanently alter the character of the Town and overwhelm existing infrastructure and roadways.	Ongoing
8	Zoning in-progress inspections	Discussion by Council at a future meeting	Pending
9	Vacation Rental Application Fees	Discussion by Council at a future meeting	Pending
10	Non-conforming mechanical equipment	Discussion by Council at a future meeting	Pending

Staff notes that the Council goal was in response to the impact of the subterranean parking structure recently built on the Caretta project. The project included a subterranean (or underground) parking garage that runs below much of the property. The underground parking garage contains most of the project's required parking, 270 out of 365 spaces. The other 95 parking spaces consist of surface parking located on the Donald Ross Road (east) side and on the west side of the project, adjacent to Plaza la Mer. The total square footage of subterranean parking area is approximately 163,000 square feet.

The current Town Code permits subterranean parking and future development, or redevelopment may utilize below-grade parking to satisfy the required parking space counts, just as Caretta. The Town Code has provisions that account for underbuilding parking areas and does not constitute a story in consideration for height (the applicable language ***bold and italicized***). The Town Code defines basement as meaning “a story situated under a building having exterior perimeter walls, a floor level two or more feet below the level of the contiguous exterior ground outside of the building and having one-half or more of its floor-to-ceiling height below the average level of all the exterior ground of the lot comprising the subject building development site. A basement story shall not be considered a story with regards to height regulations contained in this chapter if said story does not exceed eight feet above the average mean elevation for the subject lot, ***and if designed or adapted to and used solely for the purpose of automobile parking*** and/or machinery and essential building utility services not involving habitable space. The exterior walls of said basement story shall be set back from all property lines as required for said building situated over the basement story, and minimum door openings in said basement walls shall be limited to those essential to permit one automobile entry access driveway and ***one automobile exit driveway for each separated under-building parking area***, plus pedestrian lobby entries and required fire escape exit ways.”

The Town Code also defines parking required as “those parking facilities determined as the minimum facilities necessary to comply with this chapter as set forth in the Schedule of Off-Street Parking Requirements in section 34-981(b)(5).” Subterranean parking is considered a parking facility, just like a parking garage, so therefore, the Town Code does not bar the inclusion of basement level, below-grade, or subterranean parking meeting required parking numbers.

In recent years, the State of Florida has seen recent examples of how developers and builders are utilizing underground parking to create more space out of confined real estate. By building the required parking spaces underground, the area that would otherwise be devoted to a surface lot (affecting lot coverage) or above-grade parking levels (affecting building height), wouldn't count against either. This would allow developers to utilize the lot coverage and/or height toward developing more of the site. The Jade Signature Project in Miami, which is a two and a half story subterranean garage built just 100 feet from the ocean, and the Royal Palm Residences in Boca Raton, which is a three-story subterranean garage a half mile from the ocean are two recent and controversial examples of large subterranean parking projects in South Florida. Proponents argue that the use of subterranean parking allows developers to provide retail uses and residential amenities on lower floors, while opponents warn of potential safety, flooding and environmental concerns to these engineering endeavors. Staff also notes that one of the considerations for the Caretta project is the concept that subterranean parking puts the parking out of sight to the public view and could be considered an aesthetic advantage over providing unsightly surface parking.

RECOMMENDATION:

Staff requests from the Town Council review the code provisions for subterranean parking and provide directions regarding issues that need to be addressed by staff.