

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: January 16, 2025

TITLE: REVIEW CURRENT LOADING REQUIREMENTS, AND HOW TO MITIGATE THE IMPACTS OF LOADING AND DELIVERIES ON TRAFFIC CONGESTION AND RESIDENTS' QUALITY OF LIFE (INCLUDING, WITHOUT LIMITATION, INCREASED ENFORCEMENT EFFORTS AS WELL AS LEGISLATIVE AMENDMENTS).

RECOMMENDATION

The City Administration ("Administration") recommends pursuing legislative amendments to expand the enforcement capabilities and penalties associated with Freight Loading Zones. Additionally, the Administration recommends continuing to collaborate with Uber (and other rideshare companies) to expand the current pilot program consisting of geo-fencing existing on-street parking spaces at key locations for designated rideshare passenger pick-up and drop-off activity, and exploring automated curb optimization strategies to more efficiently and effectively manage curb space demands.

BACKGROUND/HISTORY

At the July 24, 2024 City Commission meeting, at the request of Commissioner Tanya K. Bhatt, the Mayor and City Commission ("City Commission") referred an item (C4 X) to the Land Use and Sustainability Committee ("LUSC") to discuss a review of the current loading requirements, and how to mitigate the impacts of loading and deliveries on traffic congestion and residents' quality of life (including, without limitation, increased enforcement efforts as well as legislative amendments).

Loading and delivery operations in the City of Miami Beach ("City") have raised concerns regarding traffic congestion and their impact on residents' quality of life, particularly in commercial areas. Issues include disruptions to traffic flow and safety risks. To address these challenges, the Parking Department has implemented various programs and strategies over the years, including the creation of designated areas in the public rights-of-way for loading/unloading and deliveries and augmenting enforcement efforts. In addition, the Parking Department is exploring additional innovative strategies, including automated curb management solutions, to minimize these impacts.

In 2014, traffic congestion in Miami Beach was identified as a significant issue, with research revealing that deliveries to local businesses were a major contributing factor. The City recognized that the success of businesses depends on efficient delivery of goods and services, especially in high-demand areas such as the Art Deco Cultural District in South Beach, where daily replenishment of food and beverage inventories is often required.

On May 28, 2014, the City Commission adopted Ordinance No. 2014-3873 (Attachment A), establishing regulations for parking in Freight Loading Zones ("FLZ"). This ordinance included a permit system for freight vehicles, with requirements for permit display, electronic permits, and compliance with other laws. The ordinance also introduced two (2) types of permits for purveyors: the FLZ permit and the Alley Loading ("AL") permit, along with permit fees and alternatives

for payment via parking meters. The Parking Department enforces FLZ and AL permits in collaboration with the Police Department.

This item was not reached during the November 25, 2024 LUSC meeting.

During the December 17, 2024 LUSC meeting, the Parking Department staff presented this item and provided an update on FLZ enforcement, including the number of permits and citations issued for the last two (2) fiscal years, as well as an update on the ongoing pilot program in partnership with Uber. The Committee discussed the item and requested that the Administration return to the January 16, 2025 LUSC meeting with an update on police enforcement of FLZ, a status on the Uber pilot program during Art Week 2024, and the potential for automated curb space management and optimization strategies.

ANALYSIS

Since the adoption of Ordinance 2014-3873, the Parking Department has created designated areas for on-street loading/unloading and delivery operations; and permits are issued to purveyors based on the type of vehicle and delivery performed. To accommodate freight vehicles weighing over 10,000 pounds, the Parking Department has established and designated FLZ on or adjacent to major roadway corridors. **Currently, there are approximately 107 FLZ utilizing 397 on-street parking spaces throughout the City (Attachment B) with the majority located in South Beach and North Beach.** It is important to note that creating FLZ along the Collins Avenue corridor from 41 Street to 63 Street in Mid Beach is not feasible due to the lack of on-street parking spaces and side streets along that segment. As such, delivery vehicles utilize the service road that runs east of and parallel to Collins Avenue.

The FLZ are in effect during specific times of the day, each with a 30-minute time limit, to meet customers' delivery needs and allow permitted purveyors to safely perform their loading/unloading operations. However, purveyors sometimes exceed their permitted time limit if their drivers are performing multiple deliveries in the proximate area. The Parking Department strictly enforces FLZ and routinely evaluates FLZ locations, sizes, and time restrictions, taking into consideration input from the affected purveyors, to ensure the proper operation and overall effectiveness of the FLZ program. An interactive map on the City website allows freight delivery companies to see the location and characteristics of each existing FLZ in the City. For occasional deliveries, purveyors may pay parking meters in lieu of obtaining an FLZ permit, provided delivery vehicle requirements are met.

In addition, the Parking Department issues AL permits to allow purveyors who utilize smaller vehicles to conduct deliveries in the City's alleyways. These permits are also restricted to a 20-minute time limit, and vehicles are not permitted to block an alleyway at any time. In addition, commercial loading zones are located primarily on-street in commercial areas and serve to accommodate quick deliveries with a 15 to 30-minute time limit, at no charge to users.

Enforcing designated loading and delivery zones throughout the City is essential for the success of the FLZ and AL programs and for minimizing disruptions to traffic flow and ensuring the community's quality of life. Currently, four (4) Parking Enforcement Specialists (PES) are dedicated exclusively to enforcing FLZ. The PES are supported by tow trucks, enabling prompt removal of illegal vehicles parked in FLZ spaces. Once a vehicle is towed, the designated FLZ space becomes available for use by authorized vehicles, reducing the likelihood of trucks obstructing travel lanes and interrupting traffic flow.

Below are some key enforcement statistics:

Fiscal Year (FY)	Total # of FLZ Permits Issued	Total # of AL Permits Issued	Total # of FLZ Citations Issued	Total # of Right-of- Way (ROW) Violations Issued
FY 2023	256	72	7,241	767
FY 2024	248	149	9,461	1,562

It is important to note that the increase in the number of citations issued for FLZ violations from FY 2023 to FY 2024 is attributed to enhanced parking enforcement efforts, including the prompt towing of illegally parked vehicles.

The Parking Department engages with purveyors, individually and collectively, to raise awareness of the City's FLZ and AL programs and restrictions, address issues related to violations and citations, including blocking the right-of-way, and gather input on the need for additional FLZ spaces in specific areas. For example, the Parking Department recently met with representatives from FedEx, United Parcel Services (UPS), and Amazon to discuss the volume of outstanding violations and the purveyors' concerns with the difficulty of effectuating deliveries in residential areas, mainly due to limited parking space and times for commercial deliveries. As an outcome of these meetings, to help address delivery operations, the Parking Department has installed 107 new alleyway permit signs (Attachment C) allowing for delivery vehicles to park in the alleyway and conduct their loading/unloading operations provided the delivery vehicles do not block the flow of traffic in the alleyway. Another concern that has been expressed by various purveyors is the lack of FLZs in Mid Beach. In the last year, Parking Department staff has evaluated the feasibility of creating additional FLZ spaces in the Mid Beach area and, as result, two (2) additional FLZ have been recently designated. However, as noted above, creating FLZ spaces along Collins Avenue from 44 Street to 63 Street in Mid Beach is not feasible due to the lack of on-street parking spaces and side streets along that segment.

Currently, the Parking Department deploys a team of three (3) to four (4) PESs each day to monitor and enforce FLZ regulations. The enforcement mechanisms available for addressing FLZ violations include the following:

- **Freight Loading Zone Violations:** If a vehicle is found parked in a FLZ without the proper authorization, a citation in the amount of \$74 is issued.
- **Traffic Obstruction Violations:** In instances where a freight vehicle is parked in a manner that obstructs the flow of traffic, a more severe penalty is required. In such cases, pursuant to City Code Section 82-151 (b), a citation of \$124 is issued for obstructing traffic, in addition to a \$500 right-of-way fine, which is applied as a first offense. However, the right-of-way fine is often dismissed by Special Magistrate due to the inability of a purveyor to obtain a right-of-way permit for freight deliveries as the City does not issue right-of-way permits for deliveries. As such, pursuant to the City Attorney's Office, an amendment to Section 82-151 Permit Required Section (b) is recommended to remove the requirement to obtain a right-of-way permit in order for these types of violations to have legal standing. This potential code amendment could expand enforcement capabilities by allowing the imposition of a right-of-way fine in situations where a freight vehicle is parked in a FLZ without a valid permit or payment. This change would strengthen the existing regulatory framework by providing an additional deterrent against improper use of these designated spaces, ensuring that the FLZ are used appropriately.

Automated Curb Space Management and Optimization

The significant increase in ride sharing, deliveries, and micromobility over the past few years has placed a strain on the limited curb space in the City. Currently, the City does not employ automated solutions to enforce, optimize, and more efficiently manage the use and demand on our limited curb space. Many highly urbanized cities, however, are implementing sensors and CCTV cameras to more efficiently and effectively manage and enforce competing demands for

curb space, offering real-time insights to optimize parking, loading zones, and traffic flow. As such, the Administration is exploring innovative/automated curb management strategies to optimize the City's limited curb space and help mitigate the impact of loading and deliveries on traffic flow.

Update Since the December 17, 2024 LUSC Meeting

Police Enforcement of FLZ

Since the December 17, 2024 LUSC meeting, a similar item regarding parking enforcement efforts was discussed at the December 20, 2024 Finance and Economic Resiliency Committee ("FERC") meeting. During the FERC discussion, it was highlighted that the Parking Department allocates \$100,000 annually to the Police Department to fund the costs associated with a police detail enforcing FLZ throughout the City. This detail, which includes issuing citations and towing unauthorized vehicles parked in FLZ, is essential in reducing traffic congestion caused by freight and delivery vehicles obstructing travel lanes, thereby improving traffic flow, mobility, and residents' quality-of-life.

Unlike parking enforcement officers who can only issue a parking citation in the amount of \$74 to a vehicle illegally parked in a FLZ, police officers have statutory authority to issue a Uniform Traffic Citation ("UTC") in the amount of \$129 to the driver of a vehicle obstructing a FLZ, travel lane, or public right-of-way, provided the driver is present at the time of citation. Furthermore, police officers can also initiate the towing of unauthorized vehicles. Police's issuance of UTCs are particularly effective in the enforcement of FLZ, as deliveries are typically performed by large purveyor companies which generally perceive the lower parking citation amount as a "cost of doing business." However, issuing a UTC to the driver of a freight/delivery vehicle impacts the driver's license, prompting corrective action. This punitive approach is intended to change driver behavior and encourage drivers to take precautionary steps to avoid obstructing an FLZ or travel lane and potentially being issued a UTC. The Parking Department and the Police Department will continue to collaborate on FLZ enforcement, and an action plan to enhance Police enforcement of FLZ will be provided at the LUSC and FERC meetings.

Uber Rideshare Pilot Program

The Parking and Transportation and Mobility departments collaborated with Uber to develop and deploy a pilot program during Art Week 2024 aimed at reducing traffic congestion on major thoroughfares through the implementation of geo-fenced on-street parking spaces designated for Uber passenger pick-up and drop-off at the following locations:

- Convention Center Drive (east side) between 17 Street and 18 Street (Miami Beach Convention Center);
- Washington Avenue (east side) between 6 Street and 7 Street (Goodtime Hotel); and
- Collins Avenue and 24 Street (One Hotel).

Data obtained by Uber during the pilot program showed an increase in the number of pick-ups and drop-offs at the designated geo-fenced locations, including along Convention Center Drive, with fewer rideshare trips spilling onto 17 Street. Additionally, as compared to last year, the data indicated a significant shift in passenger pick-up and drop-off activity along the side streets rather than on Collins Avenue.

The Parking Department will continue to collaborate with Uber to build upon the success of the pilot program and evaluate the potential for geo-fencing additional on-street parking spaces at key locations throughout the City for use by rideshare companies.

In addition, pursuant to recent City Commission direction, the Parking Department will also coordinate with Miami-Dade County to evaluate the utilization of existing taxicab stands and explore the potential to create "flex" spaces in order to accommodate the increasing demand for rideshare and help reduce the proliferation of rideshare vehicles blocking travel lanes, particularly

on major thoroughfares in the City. Currently, there are 31 designated taxicab stands utilizing approximately 62 on-street parking spaces throughout the City.

Automated Curb Space Management and Optimization

Parking Department staff is having preliminary discussions with the City's vendor currently providing automated parking enforcement solutions to explore the potential deployment of automated curb management and optimization strategies.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? (FOR ORDINANCES ONLY)

The Business Impact Estimate (BIE) was published on .

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

FINANCIAL INFORMATION

N/A

CONCLUSION

The Parking Department has made significant strides in managing loading and delivery operations through Ordinance No. 2014-3873, however, ongoing challenges remain in ensuring that these activities do not disrupt traffic flow or negatively impact residents' quality of life. The current system of designated Freight Loading Zones (FLZ) and Alley Loading (AL) permits is vital for supporting the delivery needs of local businesses while maintaining safety and efficiency in commercial areas. Continued enforcement, regular evaluation of FLZ locations, and the potential expansion of these zones in response to vendor feedback are key to addressing existing concerns. By strengthening communication with vendors and considering additional legislative measures, the Administration can further enhance the loading/unloading process, balancing the delivery needs of businesses with the mobility needs of the community.

The Parking Department's collaboration with the Police Department on FLZ enforcement aims to reduce congestion through the issuance of Uniform Traffic Citations to drivers and towing of unauthorized vehicles obstructing FLZ, travel lanes, and the public rights-of-way, thereby encouraging drivers to adhere to FLZ and traffic regulations.

In addition, the Parking Department's collaboration with Uber on a pilot program during Art Week 2024 demonstrated the positive impact of geo-fencing existing on-street parking spaces to more effectively manage rideshare passenger pick-up and drop-off activity, providing valuable insights for further expansion. Furthermore, ongoing discussions regarding automated curb space management and optimization strategies demonstrate the Parking Department's commitment to exploring innovative solutions to more efficiently manage existing curb space demands and challenges as well as meet future curb space needs.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Is this item related to a G.O. Bond Project?

Yes

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Parking

Sponsor(s)

Commissioner Tanya K. Bhatt

Co-sponsor(s)

Condensed Title

Review Current Loading Requirements. (Bhatt) PK