

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: November 25, 2024

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 exploring automated curb optimization strategies to more efficiently and effectively manage curb space demand.

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 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 and 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 Entertainment 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.

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 30-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 FLZ violations from FY 2023 to FY 2024 is attributed to enhanced parking enforcement efforts, including the addition of tow trucks accompanying Parking Enforcement Specialists to concurrently cite and tow 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 spaces designated for residents. 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 any technology or 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 recommends 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.

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

F/A

CONCLUSION

The Parking Department has made significant strides in managing loading and delivery operations through Ordinance No. 2014-3873, ongoing challenges remain in ensuring that these activities do not disrupt traffic flow or negatively impact the quality of life for residents. The current system of designated Freight Loading Zones (FLZs) and Alley Loading (AL) permits is vital for supporting 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 City can further optimize the loading and delivery process, balancing the needs of businesses with the safety and convenience of the community.

The above information is being presented to the LUSC for discussion and input.

Applicable Area

Citywide

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

Yes

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

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