

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA AMENDING THE CODE OF THE CITY OF MIAMI BEACH, FLORIDA, BY AMENDING CHAPTER 106, ENTITLED "TRAFFIC AND VEHICLES," BY AMENDING ARTICLE II, ENTITLED "METERED PARKING," BY AMENDING DIVISION 1, ENTITLED "GENERALLY," BY AMENDING SECTION 106-55, ENTITLED "PARKING RATES, FEES, AND PENALTIES; EXCEPTIONS;" BY AMENDING PARKING METER TIME LIMITS IN THE NORTH BEACH ZONE, EXCEPT SIX (6) METERED PARKING LOTS LOCATED BETWEEN COLLINS AVENUE AND HARDING AVENUE FROM 79 STREET TO 87 TERRACE; AND AMENDING THE CORRESPONDING PARKING FEE SECTION OF APPENDIX A TO THE CITY CODE, ENTITLED "FEE SCHEDULE;" AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, at the July 24, 2024 City Commission meeting, at the request of Commissioner David Suarez, the City Commission referred an agenda item (C4 S) to the Public Safety and Neighborhood Quality of Life ("PSNQLC" or "Committee") to discuss extending the metered hours for parking spaces adjacent to North Beach businesses; and

WHEREAS, during the July 24, 2024 City Commission meeting, the City Commission adopted Resolution No. 2024-33222 (Attachment A), authorizing the Administration to create one (1) unified Restricted Residential Parking Permit ("RRPP") Zone ("Zone 26") in North Beach comprised of the following four (4) neighborhoods: Town Center, North Shore, Biscayne Beach, and Normandy Isle, as part of a 12-month Pilot Program ("Pilot Program"); and

WHEREAS, given the longstanding parking challenges in North Beach due to high demand and limited parking inventory, the RRPP Pilot Program is intended to prioritize on- street parking for North Beach residents and is expected to launch on November 1, 2024; and

WHEREAS, the creation of the North Beach RRPP Zone 26, however, is anticipated to create an increase in competing uses among residents, business patrons, and employees for the limited on-street metered parking spaces adjacent to area businesses, particularly after 6 p.m. when the existing metered spaces are available to the public free-of-charge; and

WHEREAS, to help mitigate the impacts to the employees and patrons of North Beach businesses as well as non-profit organizations, an amendment to Section 106-55 of the City Code, entitled "Parking Rates, Fees, and Penalties; Exceptions" (Attachment B), would be required to extend the current enforceable metered hours beyond the current end time of 6 p.m.; and

WHEREAS, extending the metered hours via a Code amendment would aim to improve parking availability and convenience for employees and patrons of businesses and non-profit organizations located within or adjacent to the proposed North Beach RRPP Zone 26; and

WHEREAS, at the September 18, 2024 PSNQLC meeting, the Administration presented the positive effects that extending metered parking hours in North Beach would have on local businesses; and

WHEREAS, City staff indicated that additional outreach efforts would be conducted to ascertain the hours of operation and parking needs of the affected businesses in North Beach in advance of the commencement of the Pilot Program; and

WHEREAS, the Committee passed a motion recommending that the Administration draft an ordinance to extend the enforceable metered parking hours in North Beach for consideration by the City Commission on first reading during the October 30, 2024 City Commission meeting; and

WHEREAS, this item was not reached during the October 30, 2024 City Commission meeting; and

WHEREAS, at the November 20, 2024 City Commission meeting, the City Commission approved the proposed Ordinance amendment on First Reading and scheduled a Second Reading public hearing for the December 11, 2024 City Commission meeting; and

WHEREAS, Section 106-55, entitled "Parking Rates, Fees, and Penalties; Exceptions" of the City Code, Subsection (a)(5), provides for all metered parking in North Beach (north of 63 Street) to be enforced from 8 a.m. to 6 p.m., seven (7) days a week.; therefore, after 6 p.m., all metered spaces become available to the public free-of-charge; and

WHEREAS, after 6 p.m., these metered spaces, in addition to non-metered on-street parking spaces within Zone 26, may be used by residents registered for the North Beach RRPP Pilot Program; and

WHEREAS, the implementation of the RRPP Zone 26 may affect local businesses and non-profit organizations located within or adjacent to RRPP Zone 26 by reducing the availability of metered on-street and off-street parking spaces for their patrons and employees after 6 p.m.; and

WHEREAS, to facilitate the City Commission's discussion on this item, the Parking Department has prepared a map illustrating the locations of local businesses in proximity to the existing on-street metered parking spaces and off-street metered parking lots within or adjacent to the RRPP Zone 26 (Attachment D); and

WHEREAS, to help mitigate the impact of the Pilot Program on North Beach business patrons and employees, extending the metered parking hours beyond 6 p.m. would be a beneficial adjustment aimed to increase the availability of on-street and off-street metered parking during the evening hours while businesses remain in operation, ensuring that patrons and employees have access to proximate metered parking while also maintaining a balance between residential and commercial parking needs; and

WHEREAS, it should be noted that the enforceable metered hours throughout the City vary depending on the parking needs of the area; pursuant to Section 106-55 of the City Code, the metered hours are currently as follows:

- Entertainment District Parking Zone: Enforced 24 hours a day, seven (7) days a week;
- South Beach Parking Zone: Enforced from 9 a.m. to 3 a.m., seven (7) days a week;
- East Middle Beach Zone: Enforced from 9 a.m. to 3 a.m., seven (7) days a week;
- West Middle Beach Zone: Enforced from 8 a.m. to 6 p.m., seven (7) days a week; and
- North Beach Zone: All metered parking north of 63 Street shall be enforced from 8 a.m. to 6 p.m., seven (7) days a week; and

WHEREAS, currently, the majority of the existing RRPP zones in the City are located in South Beach, adjacent to or including metered parking spaces enforced from 9 a.m. to 3 a.m. daily or 24 hours a day, depending on the location in South Beach, to effectively balance the parking needs of businesses in the proximate area; therefore, extending the enforceable metered hours in North Beach beyond 6 p.m. could replicate this success; and

WHEREAS, to obtain a better understanding of the parking needs of North Beach businesses and help determine the optimal enforceable hours of the metered parking spaces in advance of the November 1, 2024 launch of the Pilot Program, the Parking Department compiled a list of all 178 Business Tax Receipts ("BTR") holders located within and adjacent to the proposed RRPP Zone 26, and an online survey was emailed to each business; and

WHEREAS, following City Commission approval of the proposed ordinance on first reading during the November 20, 2024 City Commission meeting, the Parking Department received resident concerns regarding extending the metered parking hours at lots located north of 79 Street between Harding Avenue and Collins Avenue (Lots 107, 108, 109, 110, 111, and 112); and

WHEREAS, these metered parking lots are located adjacent to residential areas, away from commercial establishments, and are mainly used by visitors during the day and by residents from 6:00 p.m. to 8:00 a.m. when the metered parking is not enforced; and

WHEREAS, to reduce the impact to local residents who utilize these parking lots, the Administration recommends excluding the aforementioned six (6) parking lots from the proposed ordinance (i.e. maintaining the current enforceable meter hours of 8:00 a.m. to 6:00 p.m. at these six (6) parking lots only); and

WHEREAS, all other metered parking lots in North Beach will be subject to the proposed ordinance extending the enforceable meter parking hours to 11 p.m., seven (7) days a week; and

WHEREAS, based on the survey results and resident feedback, the Administration believes that extending the metered parking hours until 11 p.m., with the exception of the six (6) metered parking lots located between Collins Avenue and Harding Avenue, from 79th Street to 87th Terrace, will effectively balance the competing demands for parking spaces in North Beach, and benefit both local businesses and their customers, as well as local residents; and

WHEREAS, the Administration will continue to engage the business and resident community throughout the pilot program to assess the impact and make recommendations for adjustments, if necessary; and

WHEREAS, it is worth noting that the current rate for on-street and off-street metered parking in North Beach is \$1 per hour during the enforceable hours; and

WHEREAS, adopting this ordinance to extend the enforceable hours of metered parking in North Beach is anticipated to generate additional parking revenues to the City as the existing metered parking spaces would be enforceable for a longer period of time.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 106, "Traffic and Vehicles," Article II, "Metered Parking," Division 1, "Generally," Section 106-22, "Parking Rate Fees, and Penalties," of the Code of the City of

Miami Beach, Florida, is hereby amended as follows:

CHAPTER 106 TRAFFIC AND VEHICLES

* * *

ARTICLE II. METERED PARKING DIVISION I. GENERALLY

Sec. 106-55. Parking rates, fees, and penalties; exceptions.

Parking rates, fees, and penalties for the following parking facilities are set forth in appendix A to this Code:

- (a) Parking meter zones and time limits.
 - (1) Entertainment district parking zone: All metered parking from Ocean Drive to Pennsylvania Avenue; and from 5th Street to 15th Street, including Washington Avenue. All metered parking in the Entertainment District Parking Zone shall be enforced 24 hours a day, seven days per week.
 - (2) South Beach Parking Zone: All metered parking south of 23rd Street (Dade Boulevard), from Ocean Drive to the westernmost parking lane of Alton Road, between South Pointe Park and 17th Street; and from 17th Street to 21st Street (Sunset Harbour Drive) from Alton Road to the westernmost parking areas along Purdy Avenue and to Biscayne Bay, with the exception of the areas referenced in subsection 106-55(a)(1) entitled "Entertainment District Parking Zone". All metered parking in the South Beach Parking Zone shall be enforced from 9:00 a.m. until 3:00 a.m., seven days per week.
 - (3) East Middle Beach Zone: All metered parking from 23rd Street to 44th Street, and from Collins Avenue to Indian Creek. All metered parking in this area shall be enforced from 9:00 a.m. until 3:00 a.m., seven days per week.
 - (4) West Middle Beach Zone: All metered parking north of 23rd Street and south of 63rd Street, with the exception of the areas referenced in subsection 106- 55(a)(3) entitled "East Middle Beach Zone". All metered parking shall be enforced from 8:00 a.m. until 6:00 p.m., seven days per week.
 - (5) North Beach Zone: All metered parking north of 63rd Street. All metered parking shall be enforced from 8:00 a.m. until ~~6:00 p.m.~~ 11:00 p.m., seven days per week, with the exception of the six (6) metered lots located north of 79th street which shall be enforced from 8:00 a.m. until 6:00 p.m., seven days per week.

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SECTION 2. Appendix A to the City Code, entitled "Fee Schedule," is hereby amended as follows:

FEE SCHEDULE

Pursuant to section 1-15 of this Code, this appendix includes all fees and charges established by the city commission that are referred to in the indicated sections of the Code of Ordinances. Certain specified fees and charges, as identified herein, shall be subject to annual adjustment by the city manager, pursuant to the provisions of section 1-15 and this Appendix "A". A schedule of all current city fees and charges as set forth in Appendix "A" shall be maintained on the city's website.

Section of this Code	Description	FY2024 Fee	Annual adjustment (References shown are defined at the end of this Appendix A)
	* * *		
	Chapter 106. Traffic and Vehicles		
	* * *		
	Article II. Metered Parking.		
	* * *		
106.55(a)(1)	Parking meter rates for Entertainment District Parking Zone:		
	Per hour for on-street - 24 hours a day, seven (7) days a week	4.00	
	Per hour for off-street - 24 hours a day, seven (7) days a week	2.00	
106-55(a)(2)	Parking meter rates for South Beach Parking Zone:		
	Per hour for on-street - 9:00 A.M. to 3:00 A.M.	4.00	
	Per hour for off-street - 9:00 A.M. to 3:00 A.M.	2.00	
106-55(a)(3)	Parking meter rates for East Middle Beach Zone:		
	Per hour for on-street - 9:00 A.M. to 3:00 A.M.	3.00	
	Per hour for off-street - 9:00 A.M. to 3:00 A.M.	2.00	
106-55(a)(4)	Parking meter rates for West Middle Beach Zone:		
	Per hour for on-street - 8:00 A.M. to 6:00 P.M.	1.00	
	Per hour for off-street - 8:00 A.M. to 6:00 P.M.	1.00	
106-55(a)(5)	Parking meter rates for North Beach Zone:		
	Per hour for on-street - 8:00 A.M. to 6:00 P.M. <u>11:00 P.M. with the exception of the six (6) metered lots located north of 79th Street which shall be enforced from 8:00 A.M. until 6:00 P.M.</u>	1.00	
	Per hour for off-street - 8:00 A.M. to 6:00 P.M. <u>11:00 P.M. with the exception of the six (6) metered lots located north of 79th Street which shall be enforced from 8:00 A.M. until 6:00 P.M.</u>	1.00	
	* * *		

SECTION 3. REPEALER.

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the

remainder shall not be affected by such invalidity.

SECTION 5. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Miami Beach, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

SECTION 6. EFFECTIVE DATE.

This Ordinance shall take effect ten (10) days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2024.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

Underline denotes new language ~~Strikethrough~~ denotes deleted language

Double underline denotes new language after First Reading

~~Double Strikethrough~~ denotes deleted language after First Reading

(Sponsored by Commissioner David Suarez)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

12/4/2024

Date