

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: November 20, 2024 First Reading

TITLE: 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 2, ENTITLED "RESIDENTIAL PARKING PERMITS," BY AMENDING SECTION 106-79, ENTITLED "ISSUANCE OF PERMITS; PLACEMENT OF SIGNS;" TO ALLOW THE CITY MANAGER DISCRETION TO MODIFY ELIGIBILITY IN ESTABLISHED RESTRICTED RESIDENTIAL PARKING PERMIT ZONES; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

RECOMMENDATION

The City Administration ("Administration") recommends that the Mayor and City Commission ("City Commission") approve the subject Ordinance amendment on First Reading and schedule a Second Reading/Public Hearing.

BACKGROUND/HISTORY

The process for establishing a Restricted Residential Parking Permit ("RRPP") zone in the City of Miami Beach ("City") is set forth in the City Code.

Article II, entitled "Metered Parking", of the City Code, Section 106-78, entitled "Creation of residential permit parking area", states: "Whenever the City Manager or his (or her) designee shall make a determination that a residential area is impacted by commuter vehicles in accordance with the criteria set forth in sections 106-76 and 106-77, he (or she) may initiate the creation of a residential permit parking area. A request for a determination by the City Manager or his (or her) designee may also be initiated through a petition of a majority of the bona fide residents of a residential area."

From time to time, the Administration reevaluates established zones and determines that certain modifications to a zone(s) are beneficial.

On July 24, 2024, the City Commission adopted Resolution No. 2024-33222 (Attachment A) establishing the North Beach RRPP Zone 26 Pilot Program ("Zone 26 Pilot Program"). Upon conducting further community outreach, the City staff has discovered that there are certain residential buildings located outside of the Zone 26 Pilot Program boundaries that do not have any on-site parking and are currently not allowed to participate in the Zone 26 Pilot Program. Residents of these residential buildings have requested to participate in the Zone 26 Pilot Program as they do not have a parking option, other than metered

on-street parking.

Sec. 106-79 of the City Code, entitled “Issuance of Permits; Placement of Signs”, paragraph (b) states that “a permit shall be issued upon application and payment of fees, if any, only to the owner or the operator of a motor vehicle who resides on property immediately adjacent to a street or other location within the designated area.” (Attachment B).

ANALYSIS

In order to expand the eligibility for participation in the North Beach RRPP Zone 26 Pilot Program and include residential buildings that are not directly adjacent to the designated zone, an amendment to the City Code is necessary.

This ordinance would amend the current City Code, granting the City Manager authority to exercise his or her discretion to make modifications to established RRPP zones, provided that the affected properties meet certain predefined criteria. The specific requirements (criteria) that must be met for such modifications to be considered include the following:

- The resident(s) resides immediately adjacent to a street or other location within the designated area or within 1,500 feet of the outside boundary of the residential parking permit area;
- The original certificate of occupancy for the building was issued prior to October 1, 2024;
- The residential building does not have off-street parking on the property (i.e. no on-site parking); and
- The issuance of the residential parking permit would not have a material impact on the available parking within the RRPP zone.

It is important to note that, if approved, this criteria would apply to all RRPP Zones citywide. If this Ordinance amendment is approved by the City Commission, the proposed modifications, including the specific addresses of the residential buildings to be included in the Zone 26 Pilot Program, will be presented via resolution as a companion item during the Second Reading/Public Hearing of this Ordinance.

FISCAL IMPACT STATEMENT

N/A

Does this Ordinance require a Business Impact Estimate? No
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

N/A

CONCLUSION

To allow residents of certain residential buildings located outside the North Beach RRPP Zone 26 Pilot Program boundaries to participate in the Zone 26 Pilot Program, the Administration recommends that the City Commission amend the City Code to allow the City Manager discretion to modify eligibility in the zone(s).

The Administration recommends that the City Commission approve the subject Ordinance amendment on First Reading and schedule a Second Reading/Public Hearing.

Applicable Area

North Beach

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 David Suarez

Co-sponsor(s)

Condensed Title

1st Rdg, Ch. 106, Residential Parking Permits/Issuance of Permits. (Suarez) PK.