

MIAMI BEACH

COMMITTEE MEMORANDUM

TO: Land Use and Sustainability Committee Members

FROM: Eric Carpenter, City Manager

DATE: January 16, 2025

TITLE: DISCUSS THE BUSINESS PRACTICES ASSOCIATED WITH ACCESSING REQUIRED PARKING SPACES ON PRIVATE DEVELOPMENT AND THE UNDERUTILIZED PARKING PROVISIONS IN THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE.

RECOMMENDATION

The Administration recommends that the Land Use and Sustainability Committee (LUSC) discuss and conclude the item with no further action.

BACKGROUND/HISTORY

On December 11, 2024, the Mayor and City Commission (City Commission) adopted an ordinance, at Second Reading, requiring the posting of signage at all vehicular access points in order to ensure that private properties open to the public for paid parking are clearly identified. Attached, for reference, is the commission memorandum and ordinance from the December 11, 2024, meeting (item R5 L).

As part of the discussion for this item, and at the request of Commissioners Alex Fernandez and Kristen Rosen Gonzalez, the City Commission referred a separate discussion to the LUSC, regarding business practices for parking on private properties, as well as the underutilized parking provisions in the Land Development Regulations of the City Code (LDRs).

ANALYSIS

Section 5.5.2 of the LDRs sets forth the requirements for under-utilized parking on private property. For reference, the following is the applicable section:

5.5.2 UNDER-UTILIZED PARKING SPACES

When a building or development contains required parking spaces that are being under-utilized, such spaces may be utilized by another party. However, such under-utilized spaces shall not be considered as required parking spaces of another party. In order to determine if a development has under-utilized spaces, the applicant shall submit a report to the planning and zoning director substantiating this finding. The director may approve or deny the request, and any subsequent request for modification based upon the results of the report.

This section of the code was established to maximize the availability of off-street parking on private properties, particularly when required parking for a particular use is not being utilized.

FISCAL IMPACT STATEMENT

No Fiscal Impact Expected

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-notices/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends that the LUSC discuss and conclude the item with no further action.

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

Planning

Sponsor(s)

Commissioner Alex Fernandez
Commissioner Kristen Rosen Gonzalez

Co-sponsor(s)

Condensed Title

Discuss The Business Practices Associated With Accessing Required Parking Spaces On Private Development And The Underutilized Parking Provisions In The Land Development Regulations Of The City Code.