

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: September 11, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE PUBLIC SAFETY AND NEIGHBORHOOD QUALITY OF LIFE COMMITTEE, AT ITS JULY 10, 2024 MEETING, DIRECTING THE ADMINISTRATION TO PROCEED WITH THE IMPLEMENTATION OF THE SAFETY STRIPING AND THE PROPOSED REGULATORY SIGNAGE ON THE BEACHWALK; AND TO EXTEND THE SAFETY STRIPING AND REGULATORY SIGNAGE THROUGH THE CUTWALK AND BAYWALK TO 5 STREET, SUBJECT TO FUNDING AVAILABILITY; AND TO PROCEED WITH THE IMPLEMENTATION OF THE PROPOSED REGULATORY SIGNAGE AT THE LINCOLN ROAD MALL; AS RECOMMENDED BY THE ADMINISTRATION AND SUPPORTED BY THE WORKING GROUP.

RECOMMENDATION

The City Administration ("Administration") recommends that the Mayor and City Commission ("City Commission") adopt the Resolution (Attachment A) pursuant to the recommendation of the Public Safety and Neighborhood Quality of Life Committee ("PSNQLC" or "Committee").

BACKGROUND/HISTORY

At the December 13, 2023 City Commission meeting, the City Commission referred an agenda item (C4 I), sponsored by Commissioner Tanya K. Bhatt and co-sponsored by Commissioner Laura Dominguez, to the PSNQLC to discuss regulations pertaining to electric vehicles and devices, along with the City's enforcement efforts and any additional regulations that may be necessary to aid in ensuring the safe operation of electric vehicles and devices for all.

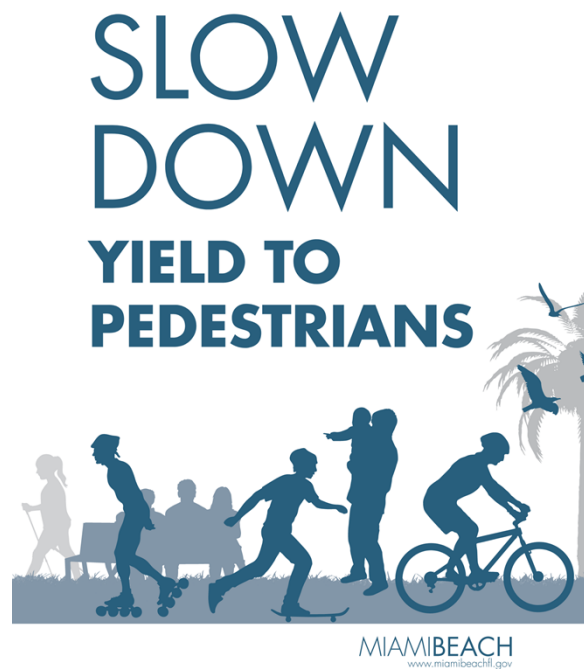
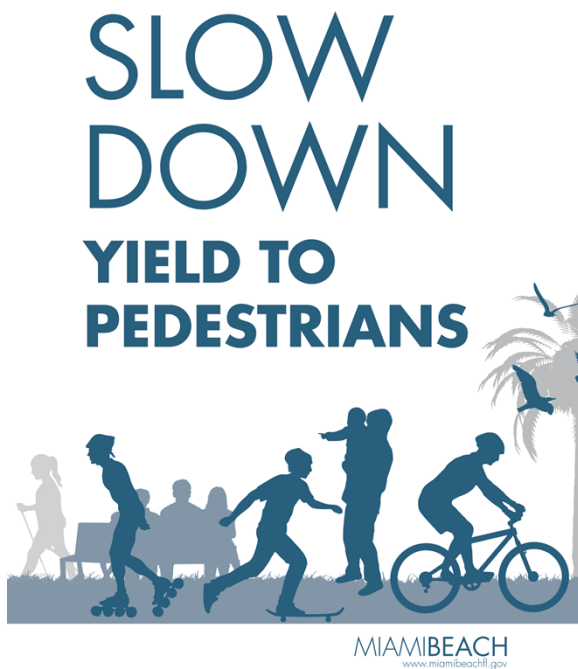
Pursuant to the City of Miami Beach ("City") Code of Ordinances, it is unlawful to operate any motorized means of transportation, in, on, or upon any sidewalk or sidewalk areas in the City, except for (a) wheelchairs or other motorized means of transportation when used by disabled persons and (b) electric personal assistive mobility devices, where otherwise not prohibited, which are restricted to a maximum speed of eight (8) miles per hour. It is also unlawful for any person to engage in skateboarding, roller skating, and in-line skating at any time; to operate any motorized means of transportation at any time; or to engage in bicycling between 9:00 a.m. and 2:00 a.m., on Lincoln Road between Washington Avenue and Alton Road. Furthermore, it is unlawful to operate any motorized means of transportation at any time on the Beachwalk; the Lummus Park Promenade (Serpentine Walkway between 5 Street and 15 Street); the South Pointe Park Cutwalk (adjacent and parallel to Government Cut); the Marina Baywalk (adjacent and parallel to Biscayne Bay and south of 5 Street); the interior pathways within South Pointe Park and Collins Park; and the South Pointe Park Pier.

Beachwalk

The Beachwalk is an at-grade, paved, and highly utilized seven (7)-mile long shared-use path facility abutting the western limit of the dune vegetation system along the east coast of the City. The Beachwalk serves recreational, leisure, work and other trips throughout the City and is one of the most active public trails within the state of Florida and a component of the United States Atlantic Greenway Network extending from Florida to Maine. The Beachwalk's popularity, coupled with its constrained width, contributes to frequent conflicts among pedestrians, bicyclists, and

other users sometimes resulting in crashes, including some with serious injuries. An additional concern is the intermixing of pedestrians and unauthorized motorized/electric devices, including electric stand-up scooters, electric bikes, and electric skateboards operating illegally on the Beachwalk. Although Section 70-67 of the City Code prohibits motorized means of transportation on the Beachwalk, among other pedestrian facilities throughout the City, the growing popularity of these electric mobility devices poses a significant safety concern for pedestrians and an enforcement challenge for the Police Department.

In March 2020, pursuant to the recommendation of the Neighborhood and Quality of Life Committee (“NQLC”), various city departments, including Police, Communications, Facilities and Fleet Management, and Transportation and Mobility, collaborated to develop a holistic approach to address the pedestrian safety concerns on the Beachwalk through better signage and enhanced enforcement. This effort resulted in the installation of 142 new regulatory signs along the Beachwalk and at all Beachwalk entrance points to assist Police Officers and Park Rangers with enforcing applicable provisions of the City Code. In addition, the City installed 70 advisory signs along the Beachwalk to advise users that the area is a pedestrian-friendly zone where permitted/non-motorized devices such as bicycles, skates, and skateboards must slow down and yield to pedestrians (see images below).





In March 2021, the Miami Beach Police Department initiated a daily Beachwalk pedestrian safety detail entitled “Clear Path”. Since early 2022, Police Officers and Park Rangers have conducted regular enforcement of the Beachwalk, including enforcement of Section 70-67 of the City Code prohibiting motorized means of transportation on the Beachwalk.

In May 2022, to further enhance pedestrian safety on the Beachwalk, the Transportation and Mobility Department launched an initial pilot project consisting of segregating bicyclists and pedestrians between 15 Street and 24 Street (a typical 15’ wide section of the beachwalk) through striping and signage. The initial pilot required bi-directional bicycle traffic to travel along an 8’ wide path on the eastern side of the beachwalk. While the goal of the pilot program was to achieve the separation of pedestrians and bicyclists on the Beachwalk, based on data analysis and field observations, City staff concluded that the initial pilot was not practical and created significant safety concerns due to the high amount of pedestrians and bicyclists traveling in opposing directions within the same confined space which resulted in user non-compliance. User feedback regarding the initial pilot configuration was overwhelmingly negative, particularly from cyclists who felt that mode segregation was more unsafe than the original Beachwalk configuration. Users stated that the initial pilot project provided insufficient space to accommodate bicyclists traveling in both directions on only one side of the Beachwalk.

In light of staff’s analysis, observations, and user feedback, the Transportation and Mobility Department discontinued the initial pilot configuration, and, in September 2022, launched a modified pilot within the same segment of the Beachwalk from 15 Street to 24 Street. The modified pilot maintained the white painted solid line along the centerline of the Beachwalk and painted new directional arrows and symbols in both directions guiding all users to keep right while walking and cycling. To supplement the pavement markings and reinforce the new configuration, the Transportation and Mobility Department worked with the Office of Marketing and Communications to design and install new contextual signage in accordance with the modified pilot configuration. Below is an image of the current signage within the pilot segment.



Under the leadership of Commissioner Tanya K. Bhatt, with the participation of the Administration, a multi-departmental working group, including a representative from the Mayor's Office and a City resident, is currently working on developing a comprehensive, multi-pronged, and unified approach to improve micromobility, bicycle, and pedestrian safety on the Beachwalk and other shared-use facilities as well as bicycle lanes throughout the City. The working group recommends replacing the existing advisory signs on the Beachwalk with a simpler regulatory sign (below) which is easier to understand. More details on the working group and other proposed recommendations are discussed further in this memorandum.



While the modified configuration is not intended to achieve the original goal of mode separation along the Beachwalk, it provides a safer configuration for pedestrians and bicyclists as compared to the original pilot configuration as it follows the basic rules of a two-way street where all traffic traveling in the same direction keeps to the right side of the facility. This modified pilot program remains in effect to date and has received generally positive feedback from users and support from the Mid-Beach Neighborhood Association (“MBNA”). As a result of the current modified pilot’s effectiveness, through the Fiscal Year 2024 budget process, the City Commission endorsed a funding allocation in the amount of \$200,000 to implement the pavement marking and signage enhancements throughout the entire length of the Beachwalk on a permanent basis. As further described below in the Analysis section of this Committee Memorandum, this work is anticipated to commence during summer 2024 with anticipated completion in fall 2024.

ANALYSIS

The goal of the multi-departmental working group is to develop a comprehensive and unified work plan with recommendations, including potential new legislation, for short-term and long-term improvements, cost estimates, and timelines for implementation. The working group’s focus areas and participating City department(s) are as follows:

- Crash Data/Statistics (Police)
- Enforcement of Current Regulations (Police/Park Rangers, Code Compliance)
- Beachwalk Safety Concerns and Recommendations (various city departments)
- Signage and Messaging (Marketing and Communications)
- Condition Survey of Existing Bicycle Lanes (Transportation and Mobility)
- Proposed Bicycle Lane Improvements and Safety Enhancements (Transportation and Mobility)

In addition, on Saturday, April 4, 2024, Commissioner Bhatt led a bicycle ride along the Beachwalk with key members of the working group and residents to experience first-hand the safety issues on the Beachwalk.

Below is a synopsis of each of the working group’s focus areas, including relevant statistics, issues, opportunities, challenges, recommendations, and next steps, as appropriate.

Crash Data

Given the Beachwalk is classified as a recreational shared-use facility and not a vehicular roadway, during the working group’s discussions, Police Department representatives articulated a concern regarding the inability to capture specific crash data as it relates to micromobility devices. Bicycle and pedestrian crashes are captured statewide via the Florida Traffic Crash Report (Attachment A), a state-issued form provided by the Department of Highway Safety and Motor Vehicles (“DHSMV”). Due to the automated nature of the form, specific information regarding crashes/incidents by specific location and micromobility devices throughout the City of Miami Beach is not currently available. Even as the DHSMV is considering modifying the standard report to include micromobility devices, data from the form would only apply to crashes with motor vehicles and not to incidents on the Beachwalk with pedestrians. The Police Department, therefore, is exploring the possibility of capturing these incident types in-house through digital changes to its departmentwide Offense Incident Report through which to better gauge and document reported bicycle, pedestrian, and micromobility crashes throughout the City.

For reference, below is the Florida Statute pertaining to micromobility:

316.2128 Micromobility devices, motorized scooters, and miniature motorcycles; requirements.—

(1) The operator of a motorized scooter or micromobility device has all of the rights and duties applicable to the rider of a bicycle under s. 316.2065, except the duties imposed by s. 316.2065(2), (3)(b), and (3)(c), which by their nature do not apply. However, this section may not be construed to prevent a local government, through the exercise of its powers under s. 316.008, from adopting an ordinance governing the

operation of micromobility devices and motorized scooters on streets, highways, sidewalks, and sidewalk areas under the local government's jurisdiction.

Enforcement of Current Regulations

The Miami Beach Police Department and Park Ranger Service began tracking Uniform Traffic Citations, verbal warnings and written warnings related to the enforcement of the non-motorized Ordinance (70-67) on the Beachwalk in October of 2021. Beat officers throughout the City, officers assigned to the Redevelopment Agency ("RDA"), and Park Rangers have proactively addressed the illegal use of motorized vehicles on the Beachwalk daily and through various specialized details that have run concurrently since 2022. Data regarding these activities is provided below.

Enforcement Related to Section 70-67 (Prohibition of motorized means of transportation)												
	2021 (October - December)			2022			2023			2024 (January - June)		
	Park Rangers	Police Officers	RDA	Park Rangers	Police Officers	RDA	Park Rangers	Police Officers	RDA	Park Rangers	Police Officers	RDA
Uniform Traffic Citations	N/A	37	127	N/A	54	2	N/A	74	1	N/A	170	1
Written Warnings	3686	259	123	18	356	31	106	4	28	156	59	2
Verbal Warnings	(not tracked separately)	188	321	8966	1139	676	13652	919	308	1992	313	147

During the month of April 2024, the Police Department deployed a zero-tolerance campaign strictly enforcing the prohibited use of micromobility devices on the Beachwalk. The Police Department has also carried out social media campaigns to inform the public on the City Ordinance, reached out to hotels in order to educate tourists, as well as distributed flyers on the prohibited use of motorized/electric vehicle use on the Beachwalk.

Furthermore, from June 30, 2023 to June 30, 2024, the Code Compliance Department issued 16 violations for vegetation overgrowth (including hedges) on the Beachwalk between 24 Street and 61 Street. To date, the property owners cited have complied with these violations.

Beachwalk Safety Concerns and Recommendations

The working group has been discussing various Beachwalk safety issues and potential solutions. Following is a list of safety concerns identified by the working group and associated recommendations:

- Concern #1: Conflicts between bicyclists and pedestrians traveling along the Beachwalk.

Recommendation #1 (In Progress): Building on the success of the existing modified pilot configuration along the Beachwalk from 15 Street to 24 Street, the Transportation and Mobility Department staff anticipates painting a continuous white line along the center of the Beachwalk with directional arrows on either side along the entire 7-mile length of the Beachwalk. Signage advising users to "KEEP RIGHT" (see below) will supplement the new striping and pavement markings. This work is anticipated to commence in late summer 2024 using one of the City's pre-qualified contractors and be completed in fall 2024.



- Concern #2: Overgrown vegetation on private property encroaching onto the Beachwalk results in reduced effective width for Beachwalk users.



Recommendation #2: Explore new legislation requiring a private property setback from the Beachwalk and developing regulations governing the type of vegetation permitted for planting within the setback area.

- Concern #3: User conflicts due to limited sight visibility where private property egress and/or beach egress intersects the Beachwalk.



Recommendation #3: 1) Install signage and/or advance warning pavement markings (e.g. “LOOK”) on the Beachwalk to alert users of approaching conflict zones.



2) At the May 15, 2024 City Commission meeting, Commissioner Tanya K. Bhatt sponsored a dual referral item (C4 AE) to the Land Use and Sustainability Committee (“LUSC”) and the

Planning Board to discuss an ordinance modifying the land development regulations governing maintenance of oceanfront properties facing the Beachwalk. Specifically, the proposed ordinance seeks to modify maximum allowable height of fencing, walls, gates, shrubbery, hedges, and trees to ensure clear and unobstructed sightlines for all who are traveling along, or entering/exiting the Beachwalk.

- Concern #4: Lack of street number signs at intersecting streets along the Beachwalk.

Recommendation #4: The Parking Department will manufacture and install street number signs along the Beachwalk at each intersecting street and beach access based on the working group's recommended sign design below.



- Concern #5: Ponding at various locations along the Beachwalk affects safety and mobility.



Recommendation #5: The Administration will identify locations where ponding occurs and develop a work plan with estimated costs and timelines to implement spot-drainage improvements at these locations. Should the fiscal impact require action by the City Commission, the Administration will request funding.

Signage and Messaging Recommendations

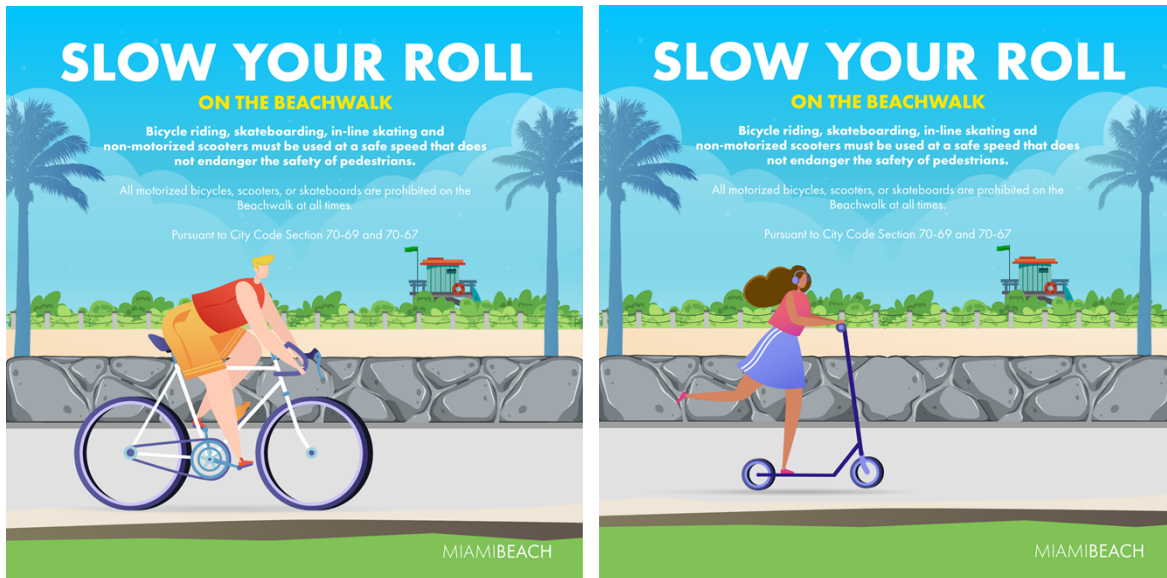
The working group recommends that the City remove all existing mobility signs along the Beachwalk which detract from the experience and are currently not providing much direction or warning and install standard black and white regulatory-type signs, including "SLOW DOWN" and "KEEP RIGHT" signs as depicted above and below.



Regulatory signs are easier to recognize and understand by people of all backgrounds and languages. In addition, the working group discussed the possibility of establishing a speed limit on the Beachwalk and installing speed limit signs; however, Police Department representatives

expressed concerns with the inability to enforce a speed limit as most conventional bicycles are not equipped with speedometers, thus making it difficult for cyclists to be aware of their speed.

The working group also recommends launching an organic, digital campaign to advise Beachwalk users, including cyclists, skateboarders, in-line skaters, and non-motor scooters to “SLOW YOUR ROLL.” The new signage (temporary decals) will reinforce that all motorized means of transportation are prohibited on the Beachwalk as depicted below.



A similar campaign targeted to the Lincoln Road pedestrian mall will include the installation of new signage (temporary decals) advising patrons to “WALK YOUR WHEELS” as depicted below.



In addition, the working group recommends replacing the existing regulatory signs on Lincoln Road (below) with a simpler regulatory sign which is easier to understand.



Existing Regulatory Signs on Lincoln Road



Proposed Regulatory Sign for Lincoln Road

The working group anticipates that the updated signage approach and messaging campaign will change behavior and enhance the safety of all Beachwalk users. Staff will communicate the proposed signage changes with the Lincoln Road Business Improvement District. Costs for signage production and replacement/installation may be absorbed through the Transportation and Mobility Department's Fiscal Year 2023/2024 Operating Budget.

Condition Survey of Existing Bicycle Lanes

The Transportation and Mobility Department recently conducted an assessment of the current condition of all existing bike lanes (i.e. pavement markings and green paint) throughout the City. Based on the assessment, staff identified multiple locations which require restriping and/or repainting as a result of peeling, fading, and poor restoration following underground utility work. A draft report is anticipated to be completed in September 2024. The draft report will include the locations that require restriping and/or repainting as well as cost estimates. Funding for these improvements has not been identified, budgeted, or appropriated.

Proposed Bicycle Lane Improvements and Safety Enhancements

The Transportation and Mobility Department conducted an evaluation of projects recommended in the adopted 2016 Bicycle-Pedestrian Master Plan ("BPMP") to identify current project status (i.e. completed, in-progress, funded/not started, not feasible, part of future neighborhood improvement/infrastructure project, and unfunded). Attachment B includes a BPMP Project Implementation Matrix.

It is important to note that 1) the BPMP is a visionary plan with a horizon year of 2035; 2) many pending BPMP projects are anticipated to have a significant impact to existing on-street parking; and 3) while several BPMP projects have been completed or are underway in various phases of development, many BPMP projects are pending construction as part of future large-scale stormwater drainage/neighborhood improvement projects (e.g. West Avenue, 17 Street, 22/23 Street, North Bay Road, North Shore D, Washington Avenue, among others) or future roadway improvement projects on State and County roadways to be undertaken by the Florida Department of Transportation ("FDOT") and Miami-Dade County Department of Transportation and Public Works (e.g. Collins Avenue, Alton Road, Dade Boulevard, Venetian Causeway, among others).

Pursuant to the working group's recommendation, Transportation and Mobility Department staff identified various pending BPMP projects which could potentially be undertaken in a relatively short timeframe and at a low cost. Following is a list of six (6) "low-hanging" BPMP projects for further consideration by the working group:

1. Closing the bike lane gap on northbound Ocean Drive at 5 Street (traffic analysis in progress pursuant to City Commission action)
2. BPMP Category 1 - Project No.30: Bicycle lane on 5 Street between Collins Avenue and Atlantic Way
3. BPMP Category 3 - Project No. 6: Greenway on Michigan Avenue between 2 Street to 11 Street
4. BPMP Category 3 - Project No.15: Greenway on Prairie Avenue between 44 Street to 47 Street
5. BPMP Category 3 - Project No. 21: Greenway on 69 Street between Indian Creek Drive to Atlantic Way
6. BPMP Category 3 - Project No. 25: Greenway on Royal Palm Avenue between 26 Street and 41 Street

Solar-Powered Electronic Speed Feedback Devices

To deter cyclists speeding on the Beachwalk, the working group recommends that the Administration test, as a pilot program, the effectiveness of solar-powered electronic speed feedback devices - as depicted in the image below - at key locations on the Beachwalk. While the devices would not display a speed limit (due to concerns from the Police Department regarding enforcement), the devices will serve to alert bicyclists to "SLOW DOWN" and raise awareness while cycling on the Beachwalk.



Based on City staff's observations and coordination with the Police Department and Park Rangers, the following locations have been identified as areas on the Beachwalk where conflicts between users are regularly occurring due to high activity or speeding:

- South Pointe Park
- 5 Street
- 10 Street
- 14 Court
- 17 Street
- Lincoln Road
- 21 Street
- 27 Street
- 53 Street
- 64 Street
- 73 Street
- 75 Street
- 77 Street
- 79 Street

The cost of purchasing and installing this device would be approximately \$20,000. Since posting a speed limit for bicycles on the Beachwalk is not recommended by Police at this time due to challenges with enforcement, the working group recommends programming the electronic speed feedback device such that it would display a "SLOW DOWN" message if an approaching bicyclist is traveling at a rate of speed greater than what would be considered a reasonable speed limit for bicyclists on a shared-use path with pedestrians (i.e. 10 miles per hour). As such, any bicyclist traveling faster than 10 miles per hour while approaching the electronic speed feedback sign would trigger a "SLOW DOWN" message. It is worth noting that while these electronic signs can collect speed data, they do not collect volume data and do not differentiate between motorized and non-motorized mobility devices. The Transportation and Mobility Department is in discussions

with various vendors that provide this technology to install one (1) speed feedback sign at a suitable location on the Beachwalk as part of a pilot program, at no cost to the City, to gauge user compliance and effectiveness.

Speed, Volume, and Modal Data Collection Sensors

The working group acknowledged the importance of installing electronic sensors to collect speed and volume data in real-time of pedestrians, bicycles, and micromobility devices, in order to corroborate anecdotal information from users and make informed decisions and recommendations to enhance safety on the Beachwalk and other shared-use paths, as well as bicycle lanes throughout the City. In addition, it is essential for the data collection sensors to have the capability to differentiate among the various modes (pedestrians, bicycles, scooters, skateboards, in-line skates, etc.) and type of mobility devices (i.e. motorized and non-motorized).

To this end, the Transportation and Mobility Department recently purchased six (6) bicycle counters which will be installed on existing bicycle lanes in the City, including Ocean Drive, Venetian Causeway, and Meridian Avenue, in the next few months. Additional funding is being requested through the Fiscal Year 2024/2025 budget process for the purchase and installation of additional counters on bicycle lanes and shared-use paths throughout the City. It is worth noting that the FDOT will be installing a new bicycle/pedestrian counter on the Beachwalk at 54 Street in the coming months as part of the Statewide Non-Motorized Traffic Monitoring Program. While the FDOT counter will classify pedestrians, bicyclists, and scooters, it will not differentiate between motorized and non-motorized mobility devices and will not collect speed data.

The working group also acknowledged the need to install sensors on the Beachwalk to collect speed, volume, and modal data. Furthermore, the working group determined that any data collection sensors to be installed on the Beachwalk should be wireless and non-intrusive in order to be effective. The Transportation and Mobility Department staff is currently conducting research to determine the type and number of data sensors to purchase and install along the Beachwalk.

An operating budget enhancement in the amount of \$175,000 has been recommended by the Administration as part of the Fiscal Year 2025 budget process for the purchase and installation of six (6) data collection sensors and six (6) solar-powered electronic speed feedback signs throughout the Beachwalk.

At the July 10, 2024 PSNQLC meeting, the Committee discussed this item following a presentation from the Administration (Attachment C). During the discussion, the PSNQLC recommended that the Administration move forward with the safety striping and the proposed regulatory signage, as supported by the working group, on the Beachwalk and Lincoln Road. In addition, during public comment, a resident spoke in support of extending the safety striping and signage through the Cutwalk and Baywalk to 5 Street. The Administration responded that, provided the current budget allocation is sufficient, the safety improvements would be extended to the Cutwalk and Baywalk. Furthermore, the PSNQLC recommended to refer this item to the Finance and Economic Resiliency Committee ("FERC") to discuss funding needs for: 1) bicycle lane improvements and safety enhancements identified in the BPMP Projects Implementation Matrix; 2) restriping and/or repainting green bicycle lanes citywide; 3) drainage improvements along the Beachwalk to address ponding; 4) potential widening of the Beachwalk at critical chokepoints; and 5) purchasing solar-powered electronic speed feedback devices and data collection sensors.

FISCAL IMPACT STATEMENT

The fiscal impact is not yet determined. However, implementation of Beachwalk safety striping, including through the Cutwalk and Baywalk to 5 Street, may be completed as part of an existing capital project, subject to funding availability. Beachwalk and Lincoln Road Mall regulatory signage modifications will be implemented through the City's sign shop via the Parking Department.

Does this Ordinance require a Business Impact Estimate?

(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

TBD

CONCLUSION

The Administration recommends that the City Commission adopt the Resolution accepting the recommendation of the PSNQLC directing the Administration to move forward with the implementation of the safety striping and the proposed regulatory signage on the Beachwalk, as recommended by the working group; and to extend the safety striping and the proposed regulatory signage through the Cutwalk and Baywalk to 5 Street, subject to funding availability; and to proceed with the proposed regulatory signage on Lincoln Road Mall, as recommended by the working group.

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): N/A

Department

Transportation and Mobility

Sponsor(s)

Commissioner Tanya K. Bhatt

Co-sponsor(s)

Commissioner Laura Dominguez

Condensed Title

Accept Recommendation, Proceed with Beachwalk Safety Signage. (Bhatt/Dominguez) TR