

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 18 OF THE CODE OF THE CITY OF MIAMI BEACH, ENTITLED "BUSINESSES," BY AMENDING ARTICLE VIII THEREOF, ENTITLED "PARKING LOT," BY AMENDING DIVISION I THEREOF, ENTITLED "GENERALLY," BY AMENDING SECTION 18-310, ENTITLED "REQUIREMENTS FOR ISSUANCE OF LICENSE" TO ESTABLISH SUBMISSION STANDARDS FOR A VALET PARKING OPERATIONAL PLAN; AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Miami Beach (the "City") is a small barrier island nestled between Biscayne Bay (on the west) and the Atlantic Ocean (on the east); and

WHEREAS, the City only has approximately 90,000 residents and fifteen (15) square miles of land within its territorial jurisdiction; and

WHEREAS, although the City is small in size geographically, it is an internationally-renowned tourist destination and hosts thousands of visitors each and every day of the year; and

WHEREAS, due to the City's small size, the availability of metered and off-street parking spaces in the City, as well as residential parking, is extremely limited; and

WHEREAS, in 2015, the Mayor and City Commission adopted Ordinance No. 2015-3963, consolidating multiple valet parking ramps to one valet parking ramp within a street block, consisting of no less than two and no more than four parking spaces, in order to alleviate traffic congestion and increase parking availability; and

WHEREAS, Ordinance No. 2015-3963 established the requirement that a valet parking permit will not be issued to a valet operator which conducts its operations on public property unless a valet parking operational plan is submitted which, among other things, shows the storage location is no more than 2,500 feet from the valet ramp; and

WHEREAS, the public policy reasons for the 2,500 foot distance requirement is to minimize traffic impacts and reduce delays in the pick-up and delivery of valet vehicles; and

WHEREAS, the 2,500 foot distance requirement does not apply to valet operators which maintain a ramp on hotel or motel property with 50 rooms or more that front Collins Avenue between 5th Street and 23rd Street, and which use the public rights-of-way to transport the valet vehicle to and from the storage location; and

WHEREAS, the same public policy reasons that apply to valet operators which have a ramp on public property also apply to valet operators which maintain a ramp on hotel or motel property with 50 rooms or more that front Collins Avenue between 5th Street and 23rd Street, that is, to minimize traffic impacts and reduce delays in the pick-up and delivery of valet vehicles; and

WHEREAS, the proposed Ordinance would require valet operators which maintain a ramp on any hotel or motel property with 50 rooms or more that front Collins Avenue between 5th Street and 23rd Street, and which use the public rights-of-way to transport valet vehicles to and from the vehicle storage location to submit a valet parking operational plan which, among other things, shows the storage location is no more than 2,500 feet from the ramp.

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

SECTION 1. That Section 18-310 of Article VII, of Chapter 18 of the Code of the City of Miami Beach is hereby amended as follows:

CHAPTER 18 BUSINESSS

* * *

ARTICLE VIII. PARKING LOT

DIVISION 1. GENERALLY

* * *

Sec. 18-310. Requirements for issuance of license.

No license for the operation of a valet parking service shall be issued except upon:

- (1) Submission of proof, in the form of an original certificate of insurance evidencing that the owner or operator of the service maintains in full force during the license year the following coverages:
 - a. Garage liability, in the minimum amount of \$300,000.00 per occurrence.
 - b. Garagekeepers' legal liability, in the amount of \$300,000.00, with a deductible not to exceed \$1,000.00, per loss and maximum limit per vehicle of at least \$50,000.00.
 - c. Renewal certificates must be submitted and approved by the city's risk manager annually;

- (2) A notarized letter from the owner, or operator of the business from which the valet service is operating must be submitted prior to the city's issuance of a valet parking license.; and
- (3) For a valet parking service operation which maintains a ramp on any hotel or motel property with 50 rooms or more that fronts Collins Avenue between 5th Street and 23rd Street, a valet parking operational plan, which must include:
 - a. Traffic operations analysis containing generally accepted engineering standards for trip duration to and from the authorized vehicle storage location: a distance of no more than 2,500 feet from the ramp to the vehicle storage location shall be permitted unless the city manager finds that no private parking is available at fair market value within such distance, in which case the city manager, in his or her sole and absolute discretion, may authorize a storage location within 3,500 feet from the ramp; and other requirements, as may be determined by the city's transportation director and parking director. The traffic operations analysis must be conducted by a licensed professional engineer, and submitted to the transportation director and parking director for review and approval, or disapproval;
 - b. Staffing levels or schedule of valet parking service operational hours for the establishment, including valet runners, supervisors and managers;
 - c. A minimum number of parking spaces for vehicle storage, as determined by the planning director;
 - d. Valet parking furniture, including signs, stands, and key boxes, must comply with the city's design standards, as determined by the planning director;
 - e. Whether the proposed valet parking service will have a beneficial effect on vehicular and pedestrian safety; and
 - f. Any other documents, reports, studies, materials or information the parking director determines to be appropriate for the issuance of the valet parking license.
 - g. Any valet operator with a valet parking license in effect upon the adoption of this Ordinance which maintains a ramp on any hotel or motel property with 50 rooms or more that fronts Collins Avenue, between 5th Street and 23rd Street, must submit a valet parking operational plan within 30 days of the adoption of this Ordinance. The city manager shall suspend the valet parking license of any valet operator which fails to timely submit a valet parking operational plan.
 - h. Notwithstanding the foregoing, a valet parking operation plan is not required if the valet operator stores vehicles on the same hotel or motel property and does not store vehicles at any other off-site location.

SECTION 2. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 3. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 4. 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 part of the Miami Beach City Code. The sections of this ordinance may be renumbered or relettered 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 on the _____ day of _____, 2022.

PASSED AND ADOPTED this _____ day of _____, 2022.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

Underline denotes additions
~~Strikethrough~~ denotes deletions

(Sponsored by Commissioner Kristen Rosen Gonzalez)