

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 SECTIONS 18-311 AND 18-339 THEREOF, ENTITLED "OPERATION OF SERVICE," AND "PRIVATE STORAGE OF VALET VEHICLES" TO ALLOW PRIVATE STORAGE OF VALET VEHICLES ON LEASED MUNICIPAL SPACES ON OCEAN DRIVE BETWEEN 5TH AND 15TH STREET, AND THE ADJACENT SIDE STREETS BETWEEN OCEAN DRIVE AND COLLINS AVENUE, SUBJECT TO THE DISCRETION OF THE PARKING DIRECTOR; 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 of Miami Beach is small in size geographically, the City is an internationally-renowned tourist destination and host 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**, during the COVID-19 pandemic, the City reconfigured Ocean Drive from 5<sup>th</sup> Street to 15<sup>th</sup> Street by closing vehicle and turning Ocean Drive into a pedestrian zone in order to allow struggling businesses expand their outdoor seating; and

**WHEREAS**, in January 2022 the City re-opened one southbound lane from 13th Street to 5th Street to vehicles; and

**WHEREAS**, due to only one available traffic lane, operators are experiencing significant delays in moving vehicles from limited valet ramp spaces, and increasingly limited private vehicle storage options; and

**WHEREAS**, local businesses and valet companies on Ocean Drive have expressed the desire to lease municipal parking spaces from the City; and

**WHEREAS**, the proposed Ordinance would allow valet operators to lease municipal parking spaces on Ocean Drive from 5<sup>th</sup> Street and 15<sup>th</sup> Street, and the adjacent side streets between Ocean Drive and Collins Avenue; and

**WHEREAS**, authorizing the leasing of valet spaces on the adjacent side streets between Ocean Drive and Collins Avenue, subject to the discretion of the parking director, would alleviate traffic congestion on Ocean Drive by providing staging and storage of valet vehicles.

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

**SECTION 1.** That Sections 18-311 and 18-339 of Article VIII, of Chapter 18 of the Code of the City of Miami Beach is hereby amended as follows:

**CHAPTER 18  
BUSINESSES**

\* \* \*

**ARTICLE VIII. PARKING LOT**

**DIVISION 1. GENERALLY**

\* \* \*

**Sec. 18-311. Operation of service.**

- (a) *Identification of rented spaces.* Rented spaces shall be so designated by the city's parking department as rented parking areas. The designation shall be by clearly marked signs indicating the parking restriction.
- (b) *Ramping.* Ramping shall only be operated in no less than two (2) spaces, and no more than five (5) four (4) spaces provided for ramping. The Parking Director shall have the final authority to determine the number of ramping area spaces. There shall be no storage of vehicles shall only occur pursuant to paragraph (c) of this section. in the area used for ramping. Ramping on public property shall not occur in any location other than the public on-street/curbside parking spaces provided for ramping. Ramping from a moving lane of traffic is prohibited. The parking director ~~City Manager~~ must approve the assignment or transfer of a ramp area, and the assignment or transfer will be deemed approved upon written authorization by the parking director ~~City Manager~~ setting forth the assignment or transfer with any modification or limitations, if any, to the ramping area.

(c) *Storage.* The storage of vehicles shall only be in private spaces with the exception of Ocean Drive, where valet vehicles may be stored in leased municipal spaces between 5th and 15th Street, and the adjacent side streets between Ocean Drive and Collins Avenue, subject to the discretion of the parking director. There must not be any storage of vehicles on any public property or, metered spaces unless specifically leased from the City as provided by the parking department. Storage of vehicles or parking within residential zoning districts zones which is hereby expressly prohibited throughout the City of Miami Beach. The valet operators shall clearly identify the vehicles in their possession during the entire period that the vehicle is in their possession. Such identification shall be made through a ticket stub affixed to the rear view mirror of the stored vehicle and shall state the name of the valet operator and identification of the ramp from which the vehicle was picked-up. Ramp identification shall be made by stating the block number and street name of the establishment(s) which the ramp is servicing. ~~Storage of valet vehicles in municipal parking facilities, or at any public on-street/curbside parking spaces or on any other public property is prohibited, and shall result in the issuance of a violation to the valet operator.~~

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## **DIVISION 2. - VALET PARKING PERMITS FOR USE OF PUBLIC PROPERTY**

\* \* \*

### **Sec. 18-339. Private storage of valet vehicles.**

Valet operators shall only store vehicles on private parking lots, which are properly permitted and zoned as parking lots, and have sufficient vehicle storage capacity, as determined by the planning director, with the exception of Ocean Drive, where valet vehicles may be stored in leased municipal spaces between 5th and 15th Street, and the adjacent side streets between Ocean Drive and Collins Avenue, subject to the discretion of the parking director. The valet operator shall provide to the parking department a copy of the proper city business tax receipt or certificate of use issued to the storage parking facility, with satisfactory documentation from the parking facility owner or operator authorizing the valet operator to use the private parking lot for the purpose of storing valet parked vehicles.

### **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 Vice Mayor Kristen Rosen Gonzalez)

APPROVED AS TO  
FORM & LANGUAGE  
& FOR EXECUTION

Nick Callegas 4/4/22  
for City Attorney Date