



MIAMI SHORES

DEPARTMENT OF PLANNING & ZONING
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PLANNING BOARD HEARING			
Miami Shores Village Town Hall Council Chambers 10050 NE 2 nd Avenue Miami Shores			
Hearing Date	February 23, 2017		
Subject	Amendment to Chapter 20 Streets, Sidewalks and other Public Places; resident only parking		
Action Required	Review code of ordinance requirements, consider amendment and make a recommendation to the Village Council.		
Staff Report	David A. Dacquisto AICP, Director, Planning and Zoning	Report Date	February 15, 2017

Background

The village council heard a presentation on the downtown design manual at a village council meeting November 11, 2016 and following discussion requested that the planning board review and consider an amendment to the code of ordinances to restrict parking around the downtown to residents only.

The board held a public hearing on the resident only parking amendment on January 26, 2017. The board tabled the matter to February 23, 2017 for further consideration.

Analysis

Staff drafted language that will restrict parking around the downtown to only residents living in the defined area. Resident only parking will protect the residents from overflow parking that may result from successful redevelopment of the downtown.

The draft language amends Chapter 20 Streets, Sidewalks and other Public Places. The amendment does not technically require a hearing before the planning and zoning board however the village council has requested that the board hold a public hearing to solicit comments on the draft and to make a recommendation to council.

Recommendation

Planning board to provide a recommendation to village council on the adoption of the resident only parking amendment as written, as amendment or that the village council not amend the code to include resident only parking.

CHAPTER 20. – STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

Article VII. Parking by Permit Only

Sec. 20-140. Prohibited parking.

- (a) When signs authorized by Miami-Dade County and Miami Shores Village are installed prohibiting parking in a place designated by permit only, it shall be a violation for any person to stop, stand or park a vehicle in such designated area without a proper residential permit parking area decal or hang tag.
- (b) The parking prohibition and the area subject to parking by permit only, shall include the entire right of way including but not limited to the paved roadway, the swale and the sidewalk.

Sec. 20-150. Declaration of necessity and purpose.

- (a) The village council may designate a residential permit parking area in neighborhoods where the incursion of vehicles parking in the right-of-way on neighborhood streets and swales, and whose owners reside outside of said residential neighborhood, creates an unacceptable shortage of parking availability for area residents and/or their guests or visitors.
- (b) The presence of these additional vehicles cause traffic congestion, impede the movement of traffic, block driveways and unduly restrict entry of residents to their homes.
- (c) The additional vehicles contribute to pollution in the area, noise and litter.
- (d) By ordinance, it is the responsibility of residents of Miami Shores Village to maintain the swale in front of their home and parking there by non-residents damages the swale creating a maintenance and financial burden for the adjacent homeowner.
- (e) Establishment of residential permit parking areas will help to preserve the character of these areas as residential neighborhoods, will preserve property values, and will preserve the safety of children and other pedestrians.
- (f) Establishment of residential permit parking areas will promote efficiency in the maintenance of those streets.

- (g) Residential permit parking regulations are necessary to promote the health, safety and welfare of the inhabitants of the village.

Sec. 20-151. – Creation of residential permit parking area.

- (a) Areas within the village may be designated as a residential parking permit area in the manner described in this section, and after being so designated shall be subject to the regulations set forth in this Article, together with any other regulations or laws not inconsistent herewith.
- (b) The village council may by resolution, approve and declare an area to be designated as a residential parking permit area. Prior to the village council's approval of such a district, notice of a designation of a residential parking permit area shall be sent to all persons identified as property owners in the district, insofar as possible.
- (c) The village council may, if it deems proper or necessary, set a fee and the duration of the permit and impose specific parking restrictions for a residential parking permit area to accompany its declaration of the residential permit parking area.
- (d) Permit fees, if any, shall be calculated by the village manager based on the actual cost of manufacture and installation of pertinent signs, applications, permits and administrative costs in connection with the issuance of permits and the recommended fees shall be presented to the village council for approval.

Sec. 20-152. - Issuance of permits; placement of signs.

- (a) *Installation of no parking signs.* Following village council approval of the designation of a residential parking permit area and Miami-Dade County approval for the installation of signs, the village manager or his designee shall issue the appropriate permits and shall cause no parking signs to be erected in the area, displaying the message "Except by Residential Permit" indicating the times and locations where permit parking shall be permitted, and clearly stating "Tow-Away Zones."
- (b) *Parking decals and hand tags.* Apply to the village clerk for program decals and hang tags.
- (c) The residents of each dwelling unit located within a residential parking permit area are eligible for residential permit parking area decals for motor vehicles registered to that address.
- (d) The resident shall apply in person for the initial parking permit and shall present all required documentation at that time. Personal appearance

shall not be required for parking permit renewals as required and in accordance with the conditions and procedures as specified for each residential permit program area by village council resolution.

- (e) The application for a parking permit shall contain the name of the owner or lessee of the motor vehicle, residential address, phone number, make, model and year of the motor vehicle, a copy for the applicant's driver's license and a copy of the vehicle registration, VIN and license plate number. The applicant shall also provide proof of residence either a current utility bill, a copy of a fully executed lease for property located within the program area, or other official document establishing residence at the location specified, all of which shall be in the name of the person acquiring the program decal. All documentation listed herein shall reflect an address within the program area boundaries.
- (f) A parking permit decal 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 residential permit program area.
- (g) *Display of parking decal.* The residential parking permit area decal shall be displayed on the outside bottom left-hand corner of the rear window so that the driver's view will not be obscured in any manner. The design and content of the permit shall be approved by the village manager or designee.
- (h) Visitor hang tags that allow parking in a residential parking permit area established under Sec. 20-151 are available from the village clerk.
 - (1) Each residential address in a residential parking permit area is entitled to two (2) permanent visitor hang tags as set forth in the resolution establishing the residential parking permit area. The two (2) permanent visitor hang tags will be issued with the first decal authorized for an address. Hang tags on parked vehicles must be visible with printed side toward the windshield.
 - (2) Temporary visitor hang tags are available for a maximum of two (2) days per issuance for a fee, as established. The village clerk will write the issue date and expiration date on the visitor hang tag and the tag will expire at midnight on the expiration date written on the permit. No more than two (2) temporary visitor hang tags will be issued to a single residential address for the same day. Hang tags must be visible with printed side toward the windshield.

- (3) Special event parking permits may be issued to a resident living within a residential parking permit area who is hosting a one-day event at their residence to accommodate their guests.
- a. Requests must be submitted at least two (2) business days in advance. Requests must include applicant's name, street and email addresses, telephone number and description, location, date and hours of your event, and the number of special event parking permits requested.
 - b. A separate application must be completed for each event.
 - c. Special event parking permits are valid only for the day and time indicated on the hang tag.
 - d. Hang tags must be visible with printed side toward the windshield.
 - e. Repeat requests will be balanced against the needs of neighboring residents and their parking needs.
 - f. Special event parking is not for long term parking and is not for reoccurring events.
 - g. It is your responsibility to see that each guest displays the "Special Event" hang tag in the manner indicated.
 - h. All other county and village regulations will be enforced.
- (i) A contractor serving a residential address within a residential parking permit area established under Sec. 20-151 above may be eligible to obtain a visitor hang tag from the village clerk for a fee as established. The village clerk will write the building permit number of the project associated with that address on the hang tag. The parking permit will expire when the building permit associated with the parking permit is closed.
- (j) Renewal of a permit shall be annually or semiannually and in accordance with the conditions and procedures as established under Sec. 20-151.
- (k) *Sale, transfer or disposal of vehicle.* In the event that the motor vehicle on which the permit is displayed is sold, transferred, or otherwise disposed of and the permit is not removed from the motor vehicle, the person to whom the permit was issued may request and shall be issued a duplicate permit. It shall be the duty of that person to notify the city that the motor vehicle on

which the permit was displayed is no longer owned by him. The duplicate permit shall be issued and valid for the unexpired term of the original permit without additional charge, if any. The original permit, upon the issuance of the duplicate permit, shall be invalid.

(l) *Misuse and alteration of residential parking permits.* No person shall:

- (1) Display, cause or permit to be displayed, or be in possession of any residential parking permit, knowing the same to be fictitious, or to be revoked, canceled, suspended, or altered.
- (2) Lend such residential parking permit to, or knowingly permit the use of same, by one not entitled to the use of such permit.
- (3) Whoever violates any provision of this section shall have his or her parking permit privileges revoked for one year from the date of the violation.

Sec. 20-153. – Parking in a residential parking permit area.

- (a) The holder of a residential parking permit that is properly displayed shall be permitted to stand or park a motor vehicle in the residential parking permit area. While a vehicle for which a residential parking permit has been issued is so parked, such parking permit shall be displayed so as to be clearly visible to enforcement personnel. A residential parking permit shall not guarantee or reserve to the holder a parking space within the designated residential parking permit area.
- (b) A residential parking permit shall not authorize the holder of the permit to park in spaces or areas designated by law as restricted or prohibited parking (loading zones, fire hydrants, disabled, or other such regulated areas), nor shall it exempt the holder from the observance of any traffic regulations, other than those specific to the residential parking permit.
- (c) Time limits if any for parking in each residential permit area shall be posted in plain view and shall be strictly enforced.

Sec. 20-154. - Enforcement.

- (a) *Parking without program decal or hang tag prohibited.* During the hours of enforcement, no person shall park a vehicle in a residential parking permit area right-of-way unless such vehicle displays a current residential permit parking area decal or hang tag.
- (b) *Parking by unauthorized vehicles prohibited.* During the hours of enforcement, parking enforcement officers or police officers are authorized to issue parking citations to all vehicles parked in a

designated space that do not display a proper residential permit parking area decal or hang tag.

- (c) *Unauthorized vehicles towed.* During the hours of enforcement, vehicles parked in a residential parking permit area "Tow-Away Zone" that do not display a proper residential permit parking area decal or hang tag, will be towed at the owner's expense.
- (d) Vehicles found within a residential permit parking area during the time limits posted without a valid permit for that area:
 - (1) Shall be issued a uniform parking citation pursuant to section 30-388.25 of the County Code; and
 - (2) May be towed pursuant to section 30-384 of the County Code.

Sec. 20-155. - Parking permit violations.

It shall be unlawful for any person to represent that he is entitled to a residential parking permit when he is not entitled, or to hold or display such a permit at any time when he is not entitled.

Sec. 20-156. - Revocation of permits and penalties.

- (a) The village manager or his designee is authorized to revoke the residential parking permit of any individual found to be in violation of the provisions of this division.
- (b) Failure to surrender a revoked permit within ten working days of written notification from the village clerk shall carry the following penalties:
 - (1) The violator shall not be allowed to reapply for another permit for six months.
 - (2) Once restored, if the permit holder should once again have his permit revoked by the village, the resident would be restricted from applying for one year.

Sec. 20-157. - Exemptions.

Vehicles with valid handicapped license plates issued by the department of motor vehicles and displaying the internationally accepted wheelchair symbol, handicapped parking permit, or disabled veteran motor vehicle license plate are exempt from the requirements of this division.