

# MIAMI BEACH

## CITY OF MIAMI BEACH PUBLIC HEARING

### ORDINANCE AMENDING THE DISTANCE SEPARATION AND PROHIBITION ON VAPING AND SMOKE SHOPS

**May 8, 2019**

**NOTICE IS HEREBY** given that the following public hearing will be heard by the Mayor and City Commissioners of the City of Miami Beach, Florida, in the Commission Chamber, Third Floor, City Hall, 1700 Convention Center Drive, Miami Beach, Florida, on **May 8, 2019 at 5:02 p.m.**, or as soon thereafter as the matter can be heard:

**5:02 p.m. First Reading Public Hearing**

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CITY CODE OF THE CITY OF MIAMI BEACH, BY AMENDING CHAPTER 114, ENTITLED "GENERAL PROVISIONS," AT SECTION 114-1, ENTITLED "DEFINITIONS," TO ESTABLISH DEFINITIONS FOR RETAIL TOBACCO PRODUCTS DEALER, RETAIL VAPE PRODUCTS DEALER, RETAIL SMOKING DEVICES DEALER, TOBACCO/VAPE DEALER, CIGAR/HOOKAH BAR, AND RELATED DEFINITIONS; CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AT SECTION 142-311, ENTITLED "ALTON ROAD GATEWAY AREA DEVELOPMENT REGULATIONS," TO PROHIBIT TOBACCO/VAPE DEALERS; CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 6, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AT SECTION 142-335, ENTITLED "PROHIBITED USES," TO PROHIBIT TOBACCO/VAPE DEALERS; CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE III, ENTITLED "OVERLAY DISTRICTS," DIVISION 12, ENTITLED "ART DECO MIMO COMMERCIAL CHARACTER OVERLAY DISTRICT," AT SECTION 142-870.11, ENTITLED "COMPLIANCE WITH REGULATIONS," TO PROHIBIT TOBACCO/VAPE DEALERS; AND CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE V, ENTITLED "SPECIALIZED USE REGULATIONS," ESTABLISHING DIVISION 11, TO BE ENTITLED "TOBACCO AND VAPING PRODUCTS," TO PROHIBIT TOBACCO/VAPE DEALERS IN PROXIMITY TO ELEMENTARY, MIDDLE, AND SECONDARY SCHOOLS, AND ESTABLISH DISTANCE SEPARATION REQUIREMENTS; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION; AND AN EFFECTIVE DATE.  
*This Ordinance is being heard pursuant to Section 2.05 of the City Charter, 118-154 of the City's Land Development Code, and §166.041 F.S. Inquiries may be directed to the Planning Department at 305.673.7550.*

INTERESTED PARTIES are invited to appear at this meeting, or be represented by an agent, or to express their views in writing addressed to the City Commission, c/o the City Clerk, 1700 Convention Center Drive, 1<sup>st</sup> Floor, City Hall, Miami Beach, Florida 33139. A copy of this item is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1<sup>st</sup> Floor, City Hall, Miami Beach, Florida 33139. This meeting, or any item herein, may be continued, and under such circumstances, additional legal notice need not be provided.

Pursuant to Section 286.0105, Fla. Stat., the City hereby advises the public that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at its meeting or its hearing, such person must ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

To request this material in alternate format, sign language interpreter (five-day notice required), information on access for persons with disabilities, and/or any accommodation to review any document or participate in any City-sponsored proceedings, call 305.604.2489 and select option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk  
City of Miami Beach