

MIAMI BEACH

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING ORDINANCE AMENDING NON-CONFORMING PHARMACIES AND MEDICAL CANNABIS TREATMENT CENTERS/ NONCONFORMANCE EXCEPTIONS

**JUNE 24, 2020 VIRTUAL CITY
COMMISSION MEETING**

The June 24, 2020 City of Miami Beach Commission Meeting will be held as a Virtual Meeting with the Mayor, Commissioners, and City staff participating through video conferencing. The Virtual City Commission Meeting will be broadcast live on Miami Beach TV (MBTV), viewable on the City's website at <https://www.miamibeachfl.gov/government/mbtv/>, as well as on Atlantic Broadband Cable channel 660, AT&T U-verse channel 99, Hotwire Communications channel 395, and Roku device on PEG.TV channel, and on social media at [facebook.com/cityofmiamibeach](https://www.facebook.com/cityofmiamibeach). To participate or provide comments, the public may join the Virtual City Commission meeting at <https://us02web.zoom.us/j/81226962383> or via telephone at: 1.312.626.6799 (U.S.) or 877.853.5257 (Toll Free). The Webinar ID is: 81226962383. Members of the public wanting to speak on an item during the Virtual City Commission Meeting, must click the "raise hand" icon if using the Zoom app or press "9" on the telephone to raise their hand.

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, on June 24, 2020 at 2:10 p.m., or as soon thereafter as the matter can be heard:

2:10 p.m. First Reading Public Hearing

NON-CONFORMING PHARMACIES AND MEDICAL CANNABIS TREATMENT CENTERS/ NONCONFORMANCE EXCEPTIONS AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, BY AMENDING SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 118, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," BY AMENDING ARTICLE IX, ENTITLED "NONCONFORMANCES," AT SECTION 118-393, ENTITLED "NONCONFORMING USE OF BUILDINGS," TO PERMIT A NONCONFORMING PHARMACY STORE OR NONCONFORMING MEDICAL CANNABIS TREATMENT CENTER TO RELOCATE WITHIN THE SAME BUILDING, PROVIDED THAT THE RELOCATED PHARMACY STORE OR MEDICAL CANNABIS TREATMENT CENTER IS NO LARGER THAN 2,000 SQUARE FEET, AND TO PROVIDE THAT A NONCONFORMING PHARMACY STORE OR MEDICAL CANNABIS TREATMENT CENTER THAT IS RELOCATED PURSUANT TO THIS SECTION SHALL BE EXEMPT FROM THE MINIMUM DISTANCE SEPARATION REQUIREMENTS SET FORTH IN SECTION 142-1502(b)(4) AND (5), AND PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. This Ordinance is being heard pursuant to Section 118-164 of the City's Land Development Code. Inquiries may be directed to the Planning Department at 305.673.7550.

INTERESTED PARTIES are invited to take part in this meeting or be represented by an agent. The public may submit written comments by sending an email to: CityClerk@miamibeachfl.gov by 5:00 p.m. the day before the Virtual City Commission Meeting. Please identify the Agenda Item Number in the email subject line. Emails received will be forwarded to the Mayor and Commissioners and will be included as a part of the meeting record.

Copies of Agenda Items are available for public inspection at <https://www.miamibeachfl.gov/city-hall/city-clerk/agenda-archive-main-page-2/>. This meeting, or any item therein, 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 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

Rafael E. Granado, City Clerk
City of Miami Beach

Ad 06242020-06

MIAMI BEACH

CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING AND INTENT TO CONSIDER A DEVELOPMENT AGREEMENT JUNE 24, 2020

NOTICE IS HEREBY given that a First Reading/Public Hearing will be heard by the Mayor and City Commission of the City of Miami Beach, Florida, via teleconference and webinar on Wednesday, June 24, 2020 at 10:10 a.m., or as soon thereafter as the matter can be heard to consider the below referenced development agreement. To participate or provide comments, the public may join the virtual meeting at: <https://us02web.zoom.us/j/81226962383> or via telephone at: 1.312.626.6799 (U.S.) or 877.853.5257 (Toll Free). The Webinar ID is: 81226962383. Members of the public wanting to speak on an item during the Virtual Special Commission Meeting, must click the "raise hand" icon if using the Zoom app or press "9" on the telephone to raise their hand.

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, TO CONSIDER APPROVAL, FOLLOWING FIRST READING/PUBLIC HEARING, OF A DEVELOPMENT AGREEMENT AS AUTHORIZED UNDER SECTION 118-4 OF THE CITY CODE, AND SECTIONS 163.3220 - 163.3243, FLORIDA STATUTES, BETWEEN THE CITY AND TSAY INTERNATIONAL, INC. (THE "OWNER"), WHICH DEVELOPMENT AGREEMENT PROVIDES FOR THE OWNER'S VOLUNTARY CONSENT TO THE DESIGNATION OF THE PROPERTY AT 2301 NORMANDY DRIVE (THE "DEVELOPMENT SITE") AS AN INDIVIDUAL HISTORIC SITE, PURSUANT TO CHAPTER 118, ARTICLE X, DIVISION 4 OF THE CITY CODE, SUBJECT TO AND CONTINGENT UPON THE CITY COMMISSION'S ENACTMENT OF CERTAIN AMENDMENTS TO THE CITY CODE, LAND DEVELOPMENT REGULATIONS, AND COMPREHENSIVE PLAN, AT THE CITY COMMISSION'S SOLE DISCRETION; AND, FURTHER, SETTING THE SECOND AND FINAL READING OF THE DEVELOPMENT AGREEMENT FOR A TIME CERTAIN.

PROPERTY: The Development Site consists of 2301 Normandy Drive (Folio No. 02-3210-011-0620).

ZONING DISTRICTS: The proposed Development Site is currently located within the RM-1 Residential multifamily, low density district. The proposed Development Agreement contemplates that the City Commission will approve amendments to the City's Comprehensive Plan and Land Development Regulations including, but not limited to, the following: (a) amendments to the Resilient Land Use and Development Element of the Comprehensive Plan, at Policy RLU 1.1.5, to permit hotels, apartment hotels, and suite hotels on properties located north of Normandy Drive, having a lot area greater than 30,000 square feet, which are individually designated as an historic site ("Designated Historic Sites in North Beach"); (b) amendments to the City's Land Development Regulations to permit the following uses on Designated Historic Sites in North Beach: hotels, apartment hotels, and suite hotels, accessory uses customarily associated with the operation of a hotel, including retail, restaurants with or without accessory bars, and personal services; and accessory outdoor bar counters, accessory outdoor and open air entertainment establishments, and accessory neighborhood impact establishments as conditional uses; and (c) amendments to the City Code pertaining to minimum distance separation requirements for the sale of alcoholic beverages.

MAXIMUM HEIGHT: Within the Development Site, the maximum height shall not exceed 80 feet. Architectural projections will comply with the terms of the Development Agreement and other applicable provisions of the City's Land Development Regulations.

PERMITTED USES: Within the Development Site, in addition to residential apartments, allowable main permitted uses would include hotels, apartment hotels, and suite hotels, and accessory uses customarily associated with the operation of a hotel, including retail, restaurants with or without accessory bars, and personal services. Allowable uses subject to conditional use approval by the Planning Board include accessory outdoor bar counters, accessory outdoor and open air entertainment establishments, and accessory neighborhood impact establishments. The maximum FAR in the RM-1 district is 1.25, and the maximum density for residential uses is 60 units per acre. There is no maximum density limit for hotel uses in the RM-1 district.

A copy of the proposed Development Agreement is available for public inspection during normal business hours in the Office of the City Clerk, 1700 Convention Center Drive, 1st Floor, City Hall, Miami Beach, Florida 33139.

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, 1st Floor, City Hall, Miami Beach, Florida 33139. This item is available for public inspection during normal business hours in the City Clerk's Office, 1700 Convention Center Drive, 1st 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.

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Rafael E. Granado, City Clerk
City of Miami Beach

Ad 06242020-07