

## CITY OF MIAMI BEACH NOTICE OF PUBLIC HEARING ORDINANCE CREATING PROVISIONS FOR RETAIL FULFILLMENT CENTERS MAY 26, 2021 CITY COMMISSION MEETING

On May 26, 2021, the City of Miami Beach will host a Hybrid Commission Meeting. During the Hybrid Commission Meeting, the City Commission will be physically present in a socially distanced manner in the Commission Chamber, Miami Beach City Hall, 1700 Convention Center Drive, 3rd Floor, Miami Beach, FL 33139, while City staff attends the meeting virtually. Applicants and the public are encouraged to attend the meeting virtually (as provided below). However, members of the public who wish to attend the meeting or provide public comment in person may appear at the Commission Chamber. Members of the public are required to wear facial coverings and observe social distancing, consistent with CDC guidance to limit the spread of COVID-19.

To participate or provide comment virtually during the Commission Meeting, the public may join the webinar at: <https://miamibeachfl.gov.zoom.us/j/81392857671> or via telephone at: 1.301.715.8592 (U.S.) or 888.475.4499 (Toll Free). Webinar ID: 81392857671#. Members of the public wanting to speak virtually on an item during the 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 **May 26, 2021** at 5:01 p.m. or as soon thereafter as the matter can be heard:

### 5:01 p.m. First Reading Public Hearing RETAIL FULFILLMENT CENTERS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 114 OF THE CITY CODE, ENTITLED "GENERAL PROVISIONS," AT SECTION 114-1, "DEFINITIONS," TO CREATE A DEFINITION FOR "RETAIL FULFILLMENT CENTER," AMENDING CHAPTER 142, ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," AT SECTION 142-302, ENTITLED "MAIN PERMITTED USES," TO AMEND THE LIST OF PERMITTED USES; AMENDING DIVISION 6, ENTITLED "CD-3 COMMERCIAL, HIGH INTENSITY DISTRICT," AT SECTION 142-332, ENTITLED "MAIN PERMITTED USES," TO AMEND THE LIST OF PERMITTED USES, AND AT SECTION 142-335, ENTITLED "PROHIBITED USES," TO AMEND THE LIST OF PROHIBITED USES FOR PROPERTIES WITH A LOT LINE ON LINCOLN ROAD, BETWEEN COLLINS AVENUE AND ALTON ROAD; AND AMENDING ARTICLE III, ENTITLED "OVERLAY DISTRICTS," DIVISION 12, ENTITLED "ART DECO," AT SECTION 142-870.11, ENTITLED "COMPLIANCE WITH REGULATIONS," TO AMEND THE LIST OF REGULATED USES FOR PROPERTIES IN THE OVERLAY DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, 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](mailto:CityClerk@miamibeachfl.gov) by 5:00 p.m. the day before the 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).

The 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 <https://www.facebook.com/cityofmiamibeach>.

# MIAMI BEACH

Rafael E. Granado, City Clerk  
City of Miami Beach  
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305.673.7411

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## HOW A PERSON MAY PARTICIPATE DURING THE MAY 26, 2021 CITY COMMISSION MEETING

On May 26, 2021, commencing at 5:00 p.m., the City of Miami Beach will host a Hybrid Commission Meeting. During the Hybrid Commission Meeting, the City Commission will be physically present in a socially distanced manner in the Commission Chamber, Miami Beach City Hall, 1700 Convention Center Drive, 3rd Floor, Miami Beach, FL 33139, while City staff attends the meeting virtually. Applicants and the public are encouraged to attend the meeting virtually (as provided below). However, members of the public who wish to attend the meeting or provide public comment in person may appear at the Commission Chamber. Members of the public are required to wear facial coverings and observe social distancing, consistent with CDC guidance to limit the spread of COVID-19.

### Providing spoken public comment virtually during the Commission Meeting:

To participate or provide comment virtually during the Commission Meeting, the public may join the webinar at: <https://miamibeachfl.gov.zoom.us/j/81392857671> or via telephone at: 1.301.715.8592 (U.S.) or 888.475.4499 (Toll Free). Webinar ID: 81392857671#. Members of the public wanting to speak on an item during the meeting, must click the "raise hand" icon if using the Zoom app or press \*9 on the telephone to raise their hand.

### Observing the Commission Meeting:

The 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. Closed captioning displays of the audio portion of the Commission Meeting is available in English and Spanish on MBTV. The Commission Meeting will also be broadcast live on social media at [facebook.com/cityofmiamibeach](https://www.facebook.com/cityofmiamibeach). Closed captioning displays of the audio portion of the Commission Meeting is available in English on Facebook.

### Submitting written public comment before the Commission Meeting:

The public may submit written comments by sending an email to [CityClerk@miamibeachfl.gov](mailto:CityClerk@miamibeachfl.gov) by 5:00 p.m. the day before the 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.

### AUDIO/VISUAL PRESENTATIONS

Members of the public may present audio/visual (AV) materials relating to Agenda Items at City Commission Meetings by utilizing the City's AV equipment, provided that materials are submitted to the Department of Marketing and Communications by 8:30 a.m., one (1) business day prior to the meeting. Advance submittal of a presentation will allow the Communications Department to plan for the use of the appropriate AV equipment. AV materials must be submitted via email at [communications@miamibeachfl.gov](mailto:communications@miamibeachfl.gov). The body of the email must include a notation listing the name or group, contact person, daytime telephone number, email address, description/title of the presentation, and Agenda Item Title as well as the Agenda Item Number. Please reference "Audio/Visual Material" in the email subject line. Acceptable formats for electronic submission are .pdf, .ppt, .pptx, .pps, .ppsx, .wmv, .avi, and .mov. (Note that .pdf is the preferred format for PowerPoint presentations.)

Interested parties are invited to take part in this meeting or be represented by an agent. 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.

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