

Sunset Harbour Prohibited Use Regulations

ORDINANCE NO. 2021-4395

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," (1) AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-303, "CONDITIONAL USES" AND SECTION 142-305, "PROHIBITED USES"; AND (2) AT DIVISION 11, "I-1 LIGHT INDUSTRIAL DISTRICT," SECTION 142-483, "CONDITIONAL USES," AND SECTION 142-485, "PROHIBITED USES," TO MODIFY CONDITIONAL AND PROHIBITED USES IN THE SUNSET HARBOUR NEIGHBORHOOD, GENERALLY BOUNDED BY PURDY AVENUE, 20TH STREET, ALTON ROAD, AND DADE BOULEVARD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Sunset Harbour neighborhood is composed of a mixture of residential, light industrial, and low intensity service, restaurant and retail uses, which primarily serve City residents; and

WHEREAS, residential uses in the Sunset Harbour neighborhood are divided only by the width of a street from the CD-2 commercial, medium intensity and the I-1 light industrial zoning districts; and

WHEREAS, the City Code permits certain uses within the CD-2 and I-1 zoning districts, which, absent mitigation, could be incompatible with adjacent residential uses in the Sunset Harbour neighborhood; and

WHEREAS, the Mayor and City Commission desire to encourage uses that are compatible with the scale and character of the neighborhood; and

WHEREAS, the City's land development regulations include regulations for permitted, accessory, conditional, and prohibited uses in the CD-2 and I-1 districts; and

WHEREAS, provisions for certain types of uses within the CD-2 and I-1 districts in the Sunset Harbour area are necessary and desirable; and

WHEREAS, the Sunset Harbour neighborhood boasts unique cultural, retail, and dining experiences, and is vital to Miami Beach's local economy; and

WHEREAS, it is the intent of the City to limit the proliferation of establishments which may negatively affect the Sunset Harbour area; and

WHEREAS, the proposed changes are necessary in order to promote sustainable mixed-use development within the CD-2 and I-1 districts in Sunset Harbour; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

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

SECTION 1. Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 5, "CD-2 Commercial, Medium Intensity District," is hereby amended as follows:

**CHAPTER 142
ZONING DISTRICTS AND REGULATIONS**

* * *
ARTICLE II. – DISTRICT REGULATIONS

* * *
DIVISION 5. – CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT

* * *

Sec. 142-303. - Conditional uses.

* * *

(b) *Sunset Harbour neighborhood.* ~~All conditional uses shall comply with the conditional use criteria in section 142-192(a).~~ The conditional uses for the Sunset Harbour neighborhood, generally bounded by Purdy Avenue to the west, 20th Street and the waterway to the north, Alton Road to the east, and Dade Boulevard to the south, shall include those conditional uses listed at section 142-303(a), but shall exclude pawnshops, ~~subsection 142-303(a)(11)~~ outdoor entertainment establishments, ~~subsection 142-303(a)(12)~~ neighborhood impact establishments, and ~~subsection 142-303(a)(13)~~ open air entertainment establishments, as these specific uses are prohibited in the Sunset Harbour neighborhood pursuant to section 142-305. The following additional uses shall require conditional use approval in the Sunset Harbour neighborhood:

- (1) Main use parking garages; and
- (2) Restaurants with alcoholic beverage licenses (alcoholic beverage establishments) with more than 100 seats or an occupancy content (as determined by the fire marshal) in excess of 125, but less than 199 persons and a floor area in excess of 3,500 square feet.
- (3) Package stores.

* * *

Sec. 142-305. - Prohibited uses.

- (a) The prohibited uses in the CD-2 commercial, medium intensity district are accessory outdoor bar counters, except as provided in article IV, division 2 of this chapter and in chapter 6.
- (b) Except as otherwise provided in these land development regulations, prohibited uses in the CD-2 commercial medium intensity district ~~also include the following (a)~~ in the Sunset Harbour Neighborhood, generally bounded by Purdy Avenue, 20th Street, Alton Road and Dade Boulevard, are the following:

1. Hostels;
2. Outdoor entertainment establishments;
3. Neighborhood impact establishments;
4. Open air entertainment establishments;
5. Bars;
6. Dance halls; and
7. Entertainment establishments (as defined in section 114-1 of this Code);
8. Pawnshops;
9. Tobacco and vape dealers;
10. Check cashing stores;
11. Convenience stores;
12. Occult science establishments;
13. Souvenir and T-shirt shops;
14. Tattoo studios.

(c) Except as otherwise provided in these land development regulations, prohibited uses A along Normandy Drive and 71st Street, are the following:

1. Tobacco and vape dealers;
2. Package liquor stores;
3. Check cashing stores;
4. Occult science establishments; and
5. Tattoo studios.

SECTION 2. Chapter 142, "Zoning Districts and Regulations," Article II, "District Regulations," Division 11, "I-1 Light Industrial District," is hereby amended as follows:

DIVISION 11. – I-1 LIGHT INDUSTRIAL DISTRICT

* * *

Sec. 142-483. - Conditional uses.

(a) The conditional uses in the 1-1 urban light industrial district are:

- (1) Any use that includes the retail sale of gasoline;
- (2) Automobile service stations;
- (3) Mechanical car wash facilities;
- (4) Auto repair;
- (5) New construction of structures, as defined in section 114-1, of 50,000 square feet and over, which review shall be the first step in the process before the review by any of the other land development boards;
- (6) Developments on properties greater than 20,000 square feet of lot area;
- (7) Machine, welding, and printing shops, involving heavy machinery;
- (8) Recycling receiving stations;
- (9) Utilities;
- (10) Residential uses, including live-work units, when included in rehabilitation of buildings existing as of October 24, 2009;
- (11) ~~Neighborhood impact establishments;~~
- (12) Towing services: Lots reviewed pursuant to the conditional use process shall also comply with the following criteria:
 - (a) A schedule of hours of vehicle storage and of hours of operation shall be submitted for review and approval by the planning board.

- (b) If the towing yard is proposed to be within 100 feet of a property line of a lot upon which there is a residential use, the planning board shall analyze the impact of such storage and/or parking on the residential use. The analysis shall include, but not be limited to, visual impacts, noise, odors, effect of egress and ingress and any other relevant factor that may have an impact of the residential use.
- (c) Towing yards must be fully screened from view as seen from any right-of-way or adjoining property, when viewed from five feet six inches above grade, with an opaque wood fence, masonry wall or other opaque screening device not less than six feet in height.
- (d) Parking spaces, backup areas and drives shall be appropriately dimensioned for the type of vehicles being parked or stored.
- (e) Towing yards shall be required to satisfy the landscaping requirements of subsection 126-6(2), and shall be subject to the design review procedures, requirements and criteria as set forth in chapter 118, article VI.

~~(13)~~ (12) Main use parking garages;

~~(14)~~ Restaurants with alcoholic beverage licenses (alcoholic beverage establishments) located in the Sunset Harbour neighborhood, which is generally bounded by Purdy Avenue to the west, 20th Street and the waterway to the north, Alton Road to the east, and Dade Boulevard to the south, shall be subject to the additional requirements set forth in section 142-488 and restaurants with alcoholic beverage licenses (alcoholic beverage establishments) with more than 100 seats or an occupancy content (as determined by the fire marshal) in excess of 125, but less than 199 persons, and a floor area in excess of 3,500 square feet, shall be subject to the conditional use procedures in section 142-493.

~~(15)~~ (13) Religious institutions with an occupancy greater than 199 persons.

(b) Sunset Harbour neighborhood. The conditional uses for the Sunset Harbour neighborhood, generally bounded by Purdy Avenue to the west, 20th Street and the waterway to the north, Alton Road to the east, and Dade Boulevard to the south, shall include those conditional uses listed in section 142-483(a). The following additional uses shall require conditional use approval in the Sunset Harbour neighborhood:

(1) Restaurants with alcoholic beverage licenses (alcoholic beverage establishments) with more than 100 seats or an occupancy content (as determined by the fire marshal) in excess of 125, but less than 199 persons, and a floor area in excess of 3,500 square feet. Restaurants with alcoholic beverage licenses (alcoholic beverage establishments) shall also be subject to the additional requirements set forth in section 142-488.

(2) Package stores.

*

*

*

Sec. 142-485. - Prohibited uses.

- (a) The prohibited uses in the I-1 urban light industrial district are accessory outdoor bar counters, bars, dance halls, or entertainment establishments (as defined in section 114-1 of this Code), outdoor entertainment establishments, neighborhood impact establishments, open air entertainment establishments, and residential uses, except as provided for in subsection 142-483(10).
- (b) Except as otherwise provided in these land development regulations, prohibited uses in the I-1 urban light industrial district in the Sunset Harbour Neighborhood, generally bounded by Purdy Avenue, 20th Street, Alton Road and Dade Boulevard, are the following:

1. Hostels;
2. Outdoor entertainment establishments;
3. Neighborhood impact establishments;
4. Open air entertainment establishments;
5. Bars;
6. Dance halls;
7. Entertainment establishments (as defined in section 114-1 of this Code).
8. Pawnshops;
9. Tobacco and vape dealers;
10. Check cashing stores;
11. Convenience stores;
12. Occult science establishments;
13. Souvenir and T-shirt shops;
14. Tattoo studios.

SECTION 3. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 4. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, as amended; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 5. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 6. APPLICABILITY.

The provisions of this Ordinance shall not apply to a package store that (i) is operating lawfully, and (ii) has obtained a business tax receipt on or before November 17, 2020. Any such business operator shall be deemed a "nonconforming use" as defined in City Code Section 114-1, and shall be subject to the provisions of Chapter 118 of the City Code, at Article IX, entitled "Nonconformances," except that such operator may expand its use or relocate to another property within the Sunset Harbor Neighborhood boundaries. Any change in ownership of 50% or more stock ownership, or its equivalent, shall require a nonconforming operator to comply with the provisions of this Ordinance.

SECTION 7. EFFECTIVE DATE.

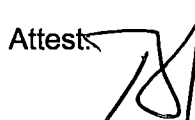
This Ordinance shall take effect ten days following adoption.

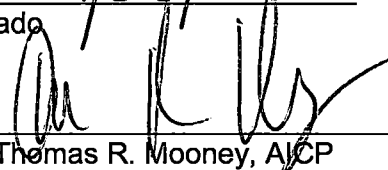
PASSED and **ADOPTED** this 13 day of January, 2021.



Dan Gelber
Mayor

Attest:

 1/26/21
Rafael E. Granado
City Clerk

Verified By: 
Thomas R. Mooney, AICP
Planning Director



First Reading: December 9, 2020
Second Reading: January 13, 2021

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION

 1-5-21
City Attorney NK Date

T:\Agenda\2020\12 December 9\Planning\Sunset Harbour Prohibited Use Regs - First Reading ORD.docx

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Raul J. Aguila, Interim City Manager
DATE: January 13, 2021

5:01 p.m. Second Reading Public Hearing

SUBJECT: SUNSET HARBOUR PROHIBITED USE REGULATIONS
AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," (1) AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-303, "CONDITIONAL USES" AND SECTION 142-305, "PROHIBITED USES"; AND (2) AT DIVISION 11, "1-1 LIGHT INDUSTRIAL DISTRICT," SECTION 142-483, "CONDITIONAL USES" AND SECTION 142-485, "PROHIBITED USES," TO MODIFY CONDITIONAL AND PROHIBITED USES IN THE SUNSET HARBOUR NEIGHBORHOOD, GENERALLY BOUNDED BY PURDY AVENUE, 20TH STREET, ALTON ROAD, AND DADE BOULEVARD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the City Commission adopt the subject ordinance.

BACKGROUND/HISTORY

On September 16, 2020, at the request of Commissioner Ricky Arriola, the City Commission referred the proposed Ordinance amendment pertaining to prohibited uses in the Sunset Harbor area to the Land Use and Sustainability Committee (LUSC) and the Planning Board (item C4J). On October 20, 2020 the LUSC recommended in favor of the proposal and that the Planning Board transmit the ordinance to the City Commission with a favorable recommendation.

ANALYSIS

PLANNING ANALYSIS

Certain nuisance uses such as pawnshops, souvenir and t-shirt shops, tattoo studios, fortune tellers (occult science establishments), and package liquor stores negatively impact the character of the City's mixed-use / residential neighborhoods. These uses, which tend not to serve neighborhood residents, also hinder the development of unique experiences that residents seek. Instead, these uses detract from a neighborhood's curb appeal, and discourage businesses that provide greater economic opportunity, such as restaurants, retail, and offices.

Residential development opportunities may also be reduced because of the negative impacts such uses would cause within the Sunset Harbor neighborhood. Some of the uses may tend to be associated with crime and inappropriate lending practices and create problems for law enforcement.

On November 18, 2020 the City Commission adopted an amendment to the Comprehensive Plan and the LDR's that established a neighborhood identity for the Sunset Harbor neighborhood. These ordinances established regulations to formula commercial and formula restaurant establishments in Sunset Harbor, which is also intended to preserve the character of the neighborhood. The following is a summary of the intent of these amendments:

- a. Support the continued development of the neighborhood with a mixed-use nature, including light industrial, artisanal retail, small-scale commercial, and residential development; and
- b. Encourage the establishment of small-scale businesses and restaurants that are intended to serve the residents within the neighborhood and in surrounding neighborhoods; and
- c. Foster the establishment of businesses that create unique dining, retail, and personal service experiences; and

The subject Ordinance is consistent with the provisions of the aforementioned comprehensive plan amendment as it prohibits uses that would be incompatible with the unique character of Sunset Harbor. The City is trying to encourage appropriate, neighborhood type commercial uses in the Sunset Harbor area and it is the goal of the City to continue to foster the unique neighborhood and cultural environment of Sunset Harbor.

The following are the currently prohibited uses in the CD-2 and I-I areas of Sunset Harbor:

1. Hostels;
2. Outdoor entertainment establishments;
3. Neighborhood impact establishments;
4. Open air entertainment establishments;
5. Bars;
6. Dance halls;
7. Entertainment establishments (as defined in section 114-1 of this Code).

Pursuant to the attached draft ordinance, the following are additional prohibited uses proposed for these areas in Sunset Harbor:

1. Pawnshops;
2. Tobacco and vape dealers;
3. Package liquor stores;
4. Check cashing stores;
5. Convenience stores;
6. Occult science establishments;
7. Souvenir and T-shirt shops;
8. Tattoo studios

Similar prohibitions or limitations exist along Lincoln Road and 71st Street, as well as within the Art Deco/MiMo Commercial Character Overlay District, which generally includes the Ocean

Terrace area and the South Beach MXE district. The Administration is supportive of the proposed Ordinance as it furthers the goals set forth in the recent comprehensive plan amendment, as noted above.

PLANNING BOARD REVIEW

On November 17, 2020 the Planning Board held a public hearing and transmitted the Ordinance to the City Commission with a favorable recommendation by a vote of 6-0.

UPDATE

The subject Ordinance was approved at first reading on December 9, 2020, with no changes.

CONCLUSION

The Administration recommends that the City Commission adopt the subject Ordinance.

Applicable Area

South Beach

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Planning

Sponsor

Commissioner Ricky Arriola

ATTACHMENTS:

Description

- ▢ Ad
- ▢ FAORD

MIAMI BEACH

CITY OF MIAMI BEACH

NOTICE OF PUBLIC HEARING

RESOLUTION APPROVING A WAIVER OF THE MINIMUM AND AVERAGE UNIT SIZE REQUIREMENTS FOR WORKFORCE HOUSING AND THE PARKING REQUIREMENTS FOR THE DEVELOPMENT OF THE CITY-OWNED PROPERTY LOCATED AT 224 23RD STREET, FOR THE COLLINS PARK ARTIST/WORKFORCE HOUSING PROJECT

JANUARY 13, 2021 CITY COMMISSION MEETING

On January 13, 2021, the City of Miami Beach will host a Hybrid Commission Meeting. During the Hybrid Commission Meeting, a quorum of the City Commission will be physically present in a socially distanced manner at the Convention Center, while staff, applicants, and the public attend the meeting virtually. This Meeting is being held as a Hybrid Meeting. In compliance with Resolution No. 2020-31474, to comply with social distancing recommendations intended to protect the life and safety of individuals in the community during the Coronavirus/COVID-19 pandemic.

Members of the public may comment on any item on the agenda using the Zoom platform. To participate or provide comments virtually, the public may join the City Commission Meeting at: <https://miami-beach-fl.zoom.us/j/89109475690> or via telephone at: 1.928.205.6099 (U.S.) or 888.475.4499 (Toll Free). Webinar ID: 89109475690. Members of the public wanting to speak on an item during the meeting, are required to click the "raise hand" icon if using the Zoom app or press "9" on the telephone to raise their hand. Members of the public who do not have access to a computer and wish to provide public comment at the Commission meeting, may appear in-person at the Miami Beach Convention Center, 1901 Convention Center Drive, Washington Avenue Entrance, Room 237, Miami Beach, FL 33139. At this location, members of the public will be provided access to a computer to provide public comment (only in audio form) on agenda item(s).

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 January 13, 2021 at 11:02 a.m., or as soon thereafter as the matter can be heard:

11:02 a.m. Public Hearing

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING, BY A 5/7TH VOTE OF THE CITY COMMISSION, AND FOLLOWING A DULY NOTICED PUBLIC HEARING, A WAIVER OF THE MINIMUM AND AVERAGE UNIT SIZE REQUIREMENTS FOR WORKFORCE HOUSING IN SECTION 142-337, AND THE PARKING REQUIREMENTS IN SECTION 136-33 OF THE CITY CODE, PURSUANT TO SECTION 142-425(D) AND 142-435(E) OF THE CITY CODE, FOR THE DEVELOPMENT OF THE CITY-OWNED PROPERTY LOCATED AT 224 23RD STREET, FOR THE COLLINS PARK ARTIST/WORKFORCE HOUSING PROJECT ("PROJECT"), A MIXED USE PROJECT CONTAINING (1) RESIDENTIAL WORKFORCE HOUSING UNITS, FOR ARTISTS, TEACHERS, AND OTHER INCOME-ELIGIBLE TENANTS; (2) DORMITORY HOUSING, INTENDED FOR USE BY MIAMI CITY BALLET, INC. (THE "BALLET"); AND (3) GROUND FLOOR RETAIL OR CULTURAL SPACE, AND APPROVING THE FOREGOING USES PURSUANT TO SECTION 142-422 OF THE CITY CODE. This Resolution is being heard pursuant to Section 142-425 of the City's Land Development Code. Inquiries may be directed to the Economic Development Department at 305.673.7572.

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 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, Holwire Communications channel 395, and ROKU device on PEG-TV channel, and on social media at <https://www.facebook.com/cityofmiamibeach>.

Rafael E. Granado, City Clerk
City of Miami Beach
CityClerk@miamibeachfl.gov
305.673.7411

Ad 01132921-02

MIAMI BEACH

CITY OF MIAMI BEACH

NOTICE OF PUBLIC HEARING

ORDINANCE AMENDING THE SUNSET HARBOUR PROHIBITED USE REGULATIONS

JANUARY 13, 2021

CITY COMMISSION MEETING

On January 13, 2021, the City of Miami Beach will host a Hybrid Commission Meeting. During the Hybrid Commission Meeting, a quorum of the City Commission will be physically present in a socially distanced manner at the Convention Center, while staff, applicants, and the public attend the meeting virtually. This Meeting is being held as a Hybrid Meeting. In compliance with Resolution No. 2020-31474, to comply with social distancing recommendations intended to protect the life and safety of individuals in the community during the Coronavirus/COVID-19 pandemic, Members of the public may comment on any item on the agenda using the Zoom platform. To participate or provide comments virtually, the public may join the City Commission Meeting at: <https://miamibeachfl-gov.zoom.us/j/89109475690> or via telephone at: 1.928.205.6099 (U.S.) or 888.475.4499 (Toll Free). Webinar ID: 89109475690.

Members of the public wanting to speak on an item during the meeting, are required to click the "raise hand" icon if using the Zoom app or press "9" on the telephone to raise their hand. Members of the public who do not have access to a computer and wish to provide public comment at the Commission meeting, may appear in-person at the Miami Beach Convention Center, 1901 Convention Center Drive, Washington Avenue Entrance, Room 237, Miami Beach, FL 33139. At this location, members of the public will be provided access to a computer to provide public comment (only in audio form) on agenda item(s).

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 January 13, 2021 at 5:01 p.m., or as soon thereafter as the matter can be heard:

5:01 p.m. Second Reading Public Hearing

SUNSET HARBOUR PROHIBITED USE REGULATIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, "DISTRICT REGULATIONS," (1) AT DIVISION 5, "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," SECTION 142-303, "CONDITIONAL USES" AND SECTION 142-305, "PROHIBITED USES," AND (2) AT DIVISION 11, "I-1 LIGHT INDUSTRIAL DISTRICT," SECTION 142-463, "CONDITIONAL USES" AND SECTION 142-495, "PROHIBITED USES," TO MODIFY CONDITIONAL AND PROHIBITED USES IN THE SUNSET HARBOUR NEIGHBORHOOD, GENERALLY BOUNDED BY PURDY AVENUE, 20TH STREET, ALTON ROAD, AND DADE BOULEVARD; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE. This Ordinance is being heard pursuant to Section 116-164 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 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, Holwire Communications channel 395, and ROKU device on PEG-TV channel, and on social media at <https://www.facebook.com/cityofmiamibeach>.

Rafael E. Granado, City Clerk
City of Miami Beach
CityClerk@miamibeachfl.gov
305.673.7411

Ad 01132021-05