

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Vice-Mayor Alex Fernandez
DATE: November 16, 2022

SUBJECT: REFERRAL TO THE PLANNING BOARD - AMENDMENT TO CD-3 ZONING DISTRICT REGULATIONS TO PERMIT CONVENIENCE STORES ON LINCOLN ROAD, EAST OF WASHINGTON AVENUE, SUBJECT TO SPECIFIC CONDITIONS.

RECOMMENDATION

The above matter has been placed on the October 26, 2022 City Commission meeting agenda as a referral to the Planning Board.

This body has endeavored to improve the quality of businesses in the City with the goal of creating an environment that is more welcoming to everyone including families. Notwithstanding this effort, certain stores that sell a range of products marketed to children and teenagers are considered a “convenience store” based on a retailer’s array of merchandise and therefore are prohibited on Lincoln Road under the Land Development Regulations.

I would like the Planning Board to review a draft amendment to the CD-3 zoning district regulations to permit convenience stores along Lincoln Road, east of Washington Avenue. A convenience store would only be permitted on Lincoln Road if the storefront is located in the interior of the property, and if the entrance is set back a minimum of 75 feet from Lincoln Road.

A draft of the proposed amendment is attached to this memorandum.

SUPPORTING SURVEY DATA

n/a

FINANCIAL INFORMATION

n/a

Applicable Area

South Beach

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

Does this item utilize G.O. Bond Funds?

Yes

No

Strategic Connection

Non-Applicable

Legislative Tracking

Vice-Mayor Alex Fernandez

ATTACHMENTS:

Description

- Proposed Amendment in CD-3 Zoning District

Sec. 142-335. Prohibited uses.

- (a) The prohibited uses in the CD-3 commercial, high intensity district are as follows:
 - (1) Pawnshops;
 - (2) Secondhand dealers of precious metals/precious metals dealers;
 - (3) Accessory outdoor bar counter, except as provided in article IV, division 2 of this chapter and in chapter 6;
 - (4) Tobacco/vape dealers; and
 - (5) The storage and/or parking of commercial vehicles on lots with frontage on Lincoln Road, Collins Avenue, 41st Street or 71st Street.
- (b) For properties with a lot line on Lincoln Road, between Alton Road and Collins Avenue, the following additional uses are prohibited:
 - (1) Check cashing stores;
 - (2) Medical cannabis dispensaries (medical marijuana dispensaries);
 - (3) Convenience stores, except for properties east of Washington Avenue with a storefront located in the interior of the property and with all entrances set back a minimum of 75' from the property line fronting Lincoln Road;
 - (4) Grocery stores;
 - (5) Occult science establishments;
 - (6) Pharmacy stores;
 - (7) Souvenir and t-shirt shops;
 - (8) Tattoo studios;
 - (9) Retail establishments larger than 45,000 square feet (except as otherwise provided in section 142-332 and 142-333) (note: no variances shall be granted from the regulations in this subsection (b)(9)); and
 - (10) Offices on the ground floor on that portion of Lincoln Road which is closed to traffic; notwithstanding the foregoing, this prohibition does not include office uses located in a mezzanine, or set back at least 75 feet back from the storefront.