

MIAMI BEACH

CITY OF MIAMI BEACH
PUBLIC HEARING

REVISED NOTICE OF PROPOSED AMENDMENT TO THE LAND DEVELOPMENT
REGULATIONS RELATING TO DISTANCE SEPARATION FROM SCHOOLS OF
MEDICAL CANNABIS TREATMENT CENTERS AND PHARMACY STORES

JANUARY 16, 2019

NOTICE IS HEREBY given that the following **First Reading 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 **January 16, 2019 at 1:30 p.m.**, or as soon thereafter as the matter can be heard:

1:30 p.m. First Reading Public Hearing

MEDICAL CANNABIS TREATMENT CENTERS AND PHARMACY STORES - AMENDED LAND DEVELOPMENT REGULATIONS FOR DISTANCE SEPARATION FROM SCHOOLS

LAND USE AND DEVELOPMENT COMMITTEE VERSION:

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, SUBPART B ENTITLED "LAND DEVELOPMENT REGULATIONS," CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," DIVISION 10, ENTITLED "CANNABIS AND PHARMACY STORE REGULATIONS AND USE," TO: (1) PROVIDE FOR A METHOD OF CALCULATION FOR DISTANCE SEPARATION REQUIREMENTS BETWEEN MEDICAL CANNABIS TREATMENT CENTER AND PRIVATE OR PUBLIC ELEMENTARY, MIDDLE OR SECONDARY SCHOOLS; (2) CREATE A DISTANCE SEPARATION REQUIREMENT BETWEEN MEDICAL CANNABIS TREATMENT CENTERS AND A DISTANCE SEPARATION REQUIREMENT BETWEEN PHARMACIES; (3) CORRECTING THE ZONING DESIGNATION FROM "TC-1" "TC-2" AND "TC-3(c)" TO "TC-1" AND "TC-C" FOR A MAJORITY OF THE BOUNDARY OF AREA 4 DUE TO THE ADOPTION OF THE NORTH BEACH TOWN CENTER - CENTER CORE" REGULATIONS PURSUANT TO ORDINANCE NO. 2018-4224; AND (4) CORRECTING A SCRIVENER'S ERROR TO REPLACE HARDING AVENUE WITH BONITA AVENUE AS THE WESTERN BOUNDARY OF AREA 4; AND AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING," ARTICLE VI, ENTITLED "PARKING CREDIT SYSTEM," SECTION 130-161, ENTITLED "REGULATIONS," TO CLARIFY PARKING REQUIREMENTS FOR SUCH USES AND PRECLUDE USE OF THE PARKING CREDIT SYSTEM; 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 or the Office of the City Attorney at 305.673.7470.*

PLANNING BOARD VERSION:

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA; AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED "ZONING DISTRICTS AND REGULATIONS," DIVISION 10, ENTITLED "CANNABIS AND PHARMACY STORE REGULATIONS AND USE," TO: (1) PROVIDE FOR A METHOD OF CALCULATION FOR DISTANCE SEPARATION REQUIREMENTS BETWEEN MEDICAL CANNABIS TREATMENT CENTERS AND PRIVATE OR PUBLIC ELEMENTARY, MIDDLE OR SECONDARY SCHOOLS; AND (2) CREATE A DISTANCE SEPARATION REQUIREMENT BETWEEN MEDICAL CANNABIS TREATMENT CENTERS AND BETWEEN PHARMACIES; (3) CORRECTING THE ZONING DESIGNATION FROM "TC-1" "TC-2" AND "TC-3(c)" TO "TC-1" AND "TC-C" FOR A MAJORITY OF THE BOUNDARY OF AREA 4 DUE TO THE ADOPTION OF THE NORTH BEACH TOWN CENTER - CENTER CORE" REGULATIONS PURSUANT TO ORDINANCE NO. 2018-4224; (4) CORRECTING A SCRIVENER'S ERROR TO REPLACE HARDING AVENUE WITH BONITA AVENUE AS THE WESTERN BOUNDARY OF AREA 4; AND (5) CREATE A DISTANCE WAIVER PROCEDURE BETWEEN MEDICAL CANNABIS TREATMENT CENTERS AND PRIVATE OR PUBLIC ELEMENTARY, MIDDLE OR SECONDARY SCHOOLS; AND AMENDING CHAPTER 130 OF THE CITY CODE, ENTITLED "OFF-STREET PARKING," ARTICLE VI, ENTITLED "PARKING CREDIT SYSTEM," SECTION 130-161, ENTITLED "REGULATIONS," TO CLARIFY PARKING REQUIREMENTS FOR SUCH USES AND PRECLUDE USE OF THE PARKING CREDIT SYSTEM; 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 or the Office of the City Attorney at 305.673.7470.*

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. A copy of these items are 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. 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