

Liquor Store Exterior Appearance – Minimum Design Standards

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 142, "ZONING DISTRICTS AND REGULATIONS," ARTICLE IV, "SUPPLEMENTARY DISTRICT REGULATIONS," DIVISION 3, "SUPPLEMENTARY USE REGULATIONS," BY CREATING SECTION 142-1112, "PACKAGE LIQUOR STORE DESIGN STANDARDS"; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, retail stores for off-premises consumption in Miami Beach have been historically concentrated in the commercial and mixed-use entertainment districts along Washington Avenue, Collins Avenue, Alton Road and Ocean Drive; and

WHEREAS, the City Code allows certain uses within commercial districts, which, absent mitigation, could be incompatible with dense urban landscape of the community; and

WHEREAS, it is in the best interest of the City to develop and enforce minimum design standards relating to the appearance of package liquor stores, city wide in order to further protect and enhance the general health, safety and welfare of the community; 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 IV, "Supplementary District Regulations," Division 3, "Supplementary Use Regulations," Is Amended as follows:

Sec. 142-1112. - Package Liquor Store Design Standards.

- (a) No more than 35% of the square footage of storefront windows and doors may contain the display of alcoholic beverage products and the container size of said products shall be no smaller than a standard "fifth of liquor" size bottle.
- (b) Notwithstanding the regulations in Chapter 138, no more than 2% of storefront windows may be covered with alcoholic beverage products.
- (c) Subject to the approval of the Historic Preservation or Design Review Board, as applicable, art display walls may be proposed. The proposed display areas in any storefront windows facing a street or sidewalk shall only contain artwork; retail merchandise or signage shall not be displayed at any time in conjunction with artwork display.
- (d) Prior to the issuance of a building permit, change of use or business tax receipt (BTR) for a package store, an interior floor plan, prepared by a registered architect, shall be submitted to and approved by the planning director or designee; such interior floor plan shall contain the following minimum standards:
 - (1) No stacking of boxes within 10'-0" of the storefront.
 - (2) No shelving within 10'-0" of the storefront.
 - (3) The interior layout of the cashier and check-out counter shall be located a minimum distance of 10'-0" from all storefront glass and the main entrance.

(4) One 10 square foot table display or case display may be located up to 5'-0' from the storefront glass.

(5) No ATM, currency service, lottery, check cashing services, or other ancillary use signage shall be permitted.

(6) All coolers and or refrigerated cases shall be located a minimum of 20 feet from any storefront glass.

The approved interior floor plan shall be binding on the space for as long as the package store is in operation.

SECTION 2. REPEALER.

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

SECTION 3. 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 4. SEVERABILITY.

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

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and ADOPTED this ____ day of _____, 2017.

Philip Levine
Mayor

ATTEST:

Rafael E. Granado
City Clerk

First Reading: March 1, 2017
Second Reading: April 26, 2017

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

City Attorney

2/15/17

Date