

Town Center-Central Core (TC-C) District Self-Storage Use – LDR - OPTION B

Ordinance No. _____

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, ENTITLED, "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED, "DISTRICT REGULATIONS," DIVISION 21, ENTITLED "TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT," AT SECTION 142-741, ENTITLED "MAIN PERMITTED USES, ACCESSORY USES, CONDITIONAL USES, PROHIBITED USES, AND SUPPLEMENTAL USE REGULATIONS," BY PERMITTING "SELF- STORAGE WAREHOUSE" AS A PERMITTED USE FOR SITES WITH PREVIOUSLY EXISTING SELF STORAGE WAREHOUSE USES IN THIS ZONING DISTRICT; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, since the Town Center - Central Core (TC-C) zoning regulations were first created in 2018, the City has received several mixed-use development applications, some of which contain co-living units within the TC-C district; and

WHEREAS, when the TC-C regulations were adopted, self-storage uses were not considered and were excluded from the district regulations; and

WHEREAS, the City recognizes the need for and desire of its residents to have self-storage uses within the City of Miami Beach; and

WHEREAS, consistent with the mobility goals of the TC-C district, there is a significant public benefit of retaining storage uses within the TC-C district to alleviate the need for local residents to drive outside the city for storage uses; and

WHEREAS, the City of Miami Beach has the authority to enact laws which promote the public health, safety, and general welfare of its citizens; and

WHEREAS, the City seeks to encourage sites with existing self-storage warehouse uses in the TC-C District to be redeveloped with a diverse mixture of uses while retaining an essential neighborhood service for the existing and future residents of the North Beach Town Center; 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 of the City Code, entitled “Zoning Districts and Regulations,” Article II, “District Regulations,” Division 21, “Town Center-Central Core (TC-C) District,” is hereby amended as follows:

**CHAPTER 142
ZONING DISTRICTS AND REGULATIONS**

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ARTICLE II. – DISTRICT REGULATIONS

* * *

DIVISION 21. – TOWN CENTER-CENTRAL CORE (TC-C) DISTRICT

* * *

Sec. 142-741. - Main permitted uses, accessory uses, conditional uses, prohibited uses, and supplemental use regulations.

Land uses in the TC-C district shall be regulated as follows:

(a) The main permitted, accessory, conditional, and prohibited uses are as follows:

General Use Category	
Residential Uses	
Apartments and townhomes	P
Co-living	P
Live-work	P
Single-family detached dwelling	P
Hotel Uses	
Hotel	P
Micro-hotel	P
Commercial Uses	
Alcoholic beverage establishments	P
Artisanal retail for on-site sales only	P

Grocery store	P
Indoor entertainment establishment	P
Neighborhood fulfillment center	P
Offices	P
Restaurants	P
Retail (including, for example, personal service establishments)	P
Outdoor café	P
Outdoor bar counter	A
Sidewalk café	A
Artisanal retail with off-site sales	C
Day care facility	C
Public and private institutions	C
Religious institution	C
Schools	C
Commercial establishment over 25,000 SF	C
Retail establishment over 25,000 SF	C
Neighborhood impact establishment	C
Outdoor and open air entertainment establishment	C
<u>Self Storage Warehouse (in accordance with the requirements set forth in Section 142-741(b)(9))</u>	P
Pawnshop, tobacco and vape dealers, package liquor stores, check cashing stores, occult science establishments, and tattoo studios	N

P = Main Permitted Use,
C = Conditional Use,
N = Prohibited Use,
A = Accessory only.

(b) The following supplemental regulations shall apply to specific uses in the TC-C district:

* * *

(9) Self-storage warehouse use shall only be permitted in accordance with the following:

- a. Only those properties containing an existing self-storage use as of January 1, 2022, shall be permitted to have self-storage as a use in addition to commercial, office, residential, or any combination thereof.
- b. New development on eligible properties described above are only eligible to have a self-storage use if the property owner elects, at the owner's sole discretion, to voluntarily execute a restrictive covenant running with the land, in a form approved by the City Attorney, affirming that, for a term of a minimum of 30 years, none of the residential units on the property shall be leased or rented for a period of less than six months and one day.
- c. Floor area used for self-storage (exclusive of storefront office use for the self-storage facility) shall not exceed 50% of the gross floor area of the building.
- d. All self-storage uses (other than storefront office use for the self-storage facility) shall be located above the ground floor and shall be fully concealed from view at all levels along all street and sidewalk sides of the property.

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 renumbered or relettered 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 2022.


Dan Gelber, Mayor

ATTEST:

Rafael E. Granado, City Clerk.

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION

First Reading: April 6, 2022
Second Reading: May 4, 2022



City Attorney

3-29-22
Date

NK

Underline denotes new language

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