

CPS-4 MARINA SUB-DISTRICT

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE CODE OF THE CITY OF MIAMI BEACH, SUBPART B, ENTITLED, "LAND DEVELOPMENT REGULATIONS," BY AMENDING CHAPTER 142 OF THE CITY CODE, ENTITLED, "ZONING DISTRICTS AND REGULATIONS", ARTICLE II, ENTITLED, "DISTRICT REGULATIONS", DIVISION 18, ENTITLED, "PS PERFORMANCE STANDARD DISTRICT," CREATING SECTION 142-708, ENTITLED, "CPS-4 MARINA SUB-DISTRICT" TO PROVIDE DEVELOPMENT REGULATIONS FOR PROPERTIES CONTAINING PUBLIC-PRIVATE MARINA MIXED-USE REDEVELOPMENTS; PROVIDING FOR CODIFICATION; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

WHEREAS, the Miami Beach Marina owned by the City of Miami Beach is uniquely situated and has a land use designation of Public Facility (PF) Governmental Use in the 2040 Comprehensive Plan; and

WHEREAS, the Public Facility (PF) Governmental Use land use designation in the 2040 Comprehensive Plan is intended to provide opportunities for existing and new governmental uses of City-owned or controlled property, such as the Miami Beach Marina; and

WHEREAS, the Miami Beach Marina has a zoning classification of GU Governmental Use; and

WHEREAS, the development regulations for the GU Governmental Use shall be the average of the requirements contained in the surrounding zoning districts as determined by the planning and zoning director; and

WHEREAS, the Miami Beach Marina is surrounded by property with a zoning classification of CPS-4; and

WHEREAS, the Mayor and City Commission are desirous of entering into a public-private development agreement with the current lessee of the Miami Beach Marina to provide additional public benefits to residents; and

WHEREAS, the lessee of the Miami Beach Marina is interested in renegotiating the lease of the facility and making significant improvements to the property; and

WHEREAS, the proposed improvements will address resiliency and sea level rise, which are encouraged in the 2040 Comprehensive Plan; and

WHEREAS, the proposed zoning regulations applicable to the CPS-4 Marina Sub-District will allow for increased height and modified setback and use regulations to reflect the unique nature of the property; and

WHEREAS, the creation of the CPS-4 Marina Sub-District will allow for the desired public-private development agreement between the current lessee of the Miami Beach Marina and the City of Miami Beach; 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," at Article II, entitled "District Regulations," at Division 18, entitled "PS Performance Standard District" of the Land Development Regulations of the Code of the City of Miami Beach, Florida is hereby amended as follows:

**CHAPTER 142
ZONING DISTRICTS AND REGULATIONS**

**ARTICLE II
DISTRICT REGULATIONS**

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**DIVISION 18
PS PERFORMANCE STANDARD DISTRICT**

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Sec. 142-708- CPS-4 Marina Sub-District

Public-private marina mixed-use redevelopments incorporating City-owned marina property, and including residential dwelling units and significant publicly accessible green open space, designated Public Facility (PF) under the City's comprehensive plan, may be developed as provided in this section; where there is conflict within this division, the criteria below shall apply:

- (1) Maximum FAR: _____
- (2) Maximum building height: 225-285 feet; the height of allowable height regulation exceptions for elevator and mechanical equipment shall be allowed up to 30 feet above the height of the roofline of the main structure. Notwithstanding the foregoing, the design review board, in accordance with the applicable review criteria, may allow up to an additional five feet of height, as measured from the base flood elevation plus maximum freeboard, to the top of the second-floor slab.
- (3) The setback requirements in the CPS-4 Marina Sub-District shall be as provided in Section 142-699, except that the pedestal shall have the following minimum setbacks:
 - (a) Front: 5 feet
 - (b) Interior side: 20 feet
 - (c) Rear: 5 feet.
- (4) All floors of a building containing parking shall incorporate residential or commercial uses along the eastern side fronting Alton Road; all other sides of a building containing parking may incorporate alternative non-use screening such as landscape buffering and physical design elements.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict

