

**CITY OF MIAMI BEACH
NOTICE OF PUBLIC HEARING
ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS
BY CREATING A DEFINITION FOR "RESIDENTIAL OFFICE UNIT,"
AND BY AMENDING CHAPTER 142 OF THE CITY CODE TO CLARIFY
THAT RESIDENTIAL OFFICE UNITS ARE AMONG THE RESIDENTIAL
USES THAT QUALIFY FOR THE FLOOR AREA RATIO APPLICABLE
TO THE CD-2 DISTRICT**

**JUNE 28, 2023
CITY COMMISSION MEETING**

NOTICE IS HEREBY GIVEN that on **June 28, 2023**, at **10:45 a.m.**, or as soon thereafter as the matter can be heard, the Mayor and City Commissioners of the City of Miami Beach will hold a First Reading/Public Hearing on the proposed Ordinance.

RESIDENTIAL OFFICE REGULATIONS IN CD-2 DISTRICT

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 114 OF THE CITY CODE ENTITLED "DEFINITIONS," BY CREATING A DEFINITION FOR "RESIDENTIAL OFFICE UNIT," AND BY AMENDING CHAPTER 142 OF THE CITY CODE ENTITLED "ZONING DISTRICTS AND REGULATIONS," ARTICLE II, ENTITLED "DISTRICT REGULATIONS," DIVISION 5, ENTITLED "CD-2 COMMERCIAL, MEDIUM INTENSITY DISTRICT," BY AMENDING SECTION 142-307, ENTITLED "SETBACK REQUIREMENTS," TO CLARIFY THAT RESIDENTIAL OFFICE UNITS ARE AMONG THE RESIDENTIAL USES THAT QUALIFY FOR THE FLOOR AREA RATIO APPLICABLE TO THE CD-2 DISTRICT, AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, 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.*

During the June 28, 2023 Commission Meeting, the City Commission will be present in the Commission Chamber, Miami Beach City Hall, 1700 Convention Center Drive, 3rd Floor, Miami Beach, FL 33139. Applicants and the public are encouraged to attend the meetings virtually (as provided below). However, members of the public who wish to attend the meetings or provide public comment in person may appear at the Commission Chamber.

To participate or provide comment virtually during the Commission Meetings, the public may join the webinar at: <https://miamibeachfl.gov.zoom.us/j/81392857671> or via telephone at: 1.301.715.8592 (U.S.) or 888.475.4499 (Toll-Free). Webinar ID: 81392857671#. Members of the public wanting to speak virtually on an item during the meetings must click the "raise hand" icon if using the Zoom app or press *9 on the telephone to raise their hand.

INTERESTED PARTIES are invited to take part in these meetings or be represented by an agent. The public may submit written comments by sending an email to: CityClerk@miamibeachfl.gov by 5:00 p.m. the day before the City Commission Meeting. Please identify the Agenda Item Number in the email subject line. Emails received will be forwarded to the Mayor and Commissioners and will be included as a part of the meetings' record.

Copies of Agenda Items are available for public inspection at: <https://www.miamibeachfl.gov/city-hall/city-clerk/agenda-archive-main-page-2/>. These meetings, or any items therein, 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 concerning any matter considered at its meetings or its hearings, 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 an 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 1 for English or 2 for Spanish, then option 6; TTY users may call via 711 (Florida Relay Service).

The City Commission Meetings will be broadcast live on Miami Beach TV (MBTV), viewable on the City's website at <https://www.miamibeachfl.gov/government/mbtv/>, as well as on BreezeLine Cable channel 660, AT&T U-verse channel 99, Hotwire Communications channel 395, and Roku device on PEG-TV channel, and on social media at <https://www.facebook.com/cityofmiamibeach>.

MIAMIBEACH

Rafael E. Granado, City Clerk
City of Miami Beach
CityClerk@miamibeachfl.gov
305.673.7411

AD: 06282023-09

**CONCURRENT NOTICE
NOTICE OF FINDING OF NO SIGNIFICANT IMPACT
AND
NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS
June 11, 2023
REQUEST FOR RELEASE OF FUNDS**

On or about **June 27, 2023**, the City of Miami Beach will submit a request to the U.S. Department of Housing and Urban Development (HUD) for the release of HOME Investment Partnership (HOME) funds under Title I of the Housing and Community Development Act, as amended, for the following activities:

Agency	Activity	Address	Description	Funding Source	
Vista Breeze, LTD (Housing Authority of the City of Miami Beach)	New Construction/ Infrastructure	280-300 South Shore Drive, Miami Beach, FL 33141	The seawall replacement and installation of infrastructure at 280-300 South Shore Drive. The subject seawall is located along the combined 180-foot long on the south side of the two lots, i.e., the Property, adjusted to Normandy Waterway. This 15,315-square-foot vacant site is the location of a future affordable housing project, Vista Breeze, a new construction elderly affordable housing development with up to 119 - units. All of the units shall be rented to elderly households (person or persons) with incomes at or below 80% of the Area Median Income (AMI). The project location will be in North Beach (33141). The Vista Breeze development was selected for funding by the Florida Housing Finance Corporation under RFA 2021-205. The Vista Breeze development also includes the vacant site at 165-185 South Shore Drive.	HOME FY 22 funds	\$500,000
				HOME FY 23 funds	\$503,970
		165-185 South Shore Drive, Miami Beach, FL 33141		State Apartment Incentive Loan (SAIL)	\$3,000,000
				Extremely Low Income (ELI) Loan	\$600,000
				NHTF Loan	\$1,301,500

FINDING OF NO SIGNIFICANT IMPACT

The City of Miami Beach has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at the City of Miami Beach Office of Housing and Community Services office located at 765 17th Street, Miami Beach, FL 33139, and may be examined or copied on weekdays 8:30 A.M to 4:30 P.M.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the Environmental Review Record to the City of Miami Beach Office of Housing and Community Services via email at alicewaters@miamibeachfl.gov. All comments received by June 28, 2023, will be considered by the City of Miami Beach prior to authorizing the submission of a request for the release of funds.

RELEASE OF FUNDS

The City of Miami Beach certifies to HUD that Alina T. Hudak in her capacity as City Manager consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows the City of Miami Beach to use the HOME funds.

OBJECTIONS TO RELEASE OF FUNDS

HUD will accept objections to its release of funds and the City of Miami Beach's certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Miami Beach; (b) the City of Miami Beach has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by the State; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.78) and shall be addressed to the U.S. Department of Housing and Urban Development, Florida State Office, 909 SE 1st Avenue, Room 500, Miami, Florida 33131, Attn: Environmental Division. Potential objectors should contact the City of Miami Beach to verify the actual last day of the objection period.

Name and Title of Local Government's Certifying Officer: Alina T. Hudak, City Manager

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to obtain materials in an accessible format to provide comment should contact the City Clerk's Office at 305-673-7411 for assistance; if hearing impaired, call the Florida Relay numbers 800-955-8771 (TDD) or 800-955-8770 (voice) for assistance.

Este anuncio puede ser obtenido en español llamando a 305.673.7260 o enviando un correo electrónico a Cristina Cabrera a cristinacabrera@miamibeachfl.gov. Si tiene algún comentario sobre este proyecto, puede enviar un correo a Alice Waters, alicewaters@miamibeachfl.gov.