

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Manager Eric Carpenter

DATE: October 30, 2024 10:20 a.m. Second Reading Public Hearing

TITLE: HISTORIC ARCHITECTURAL TOUR REQUIREMENT FOR LUB MEMBERS
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 "MIAMI BEACH RESILIENCY CODE," CHAPTER 2, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE I, ENTITLED "LAND USE BOARDS," AT SECTION 2.1.2, ENTITLED "PLANNING BOARD"; SECTION 2.1.3, ENTITLED "DESIGN REVIEW BOARD"; SECTION 2.1.4, ENTITLED "HISTORIC PRESERVATION BOARD"; AND SECTION 2.1.5, ENTITLED "BOARD OF ADJUSTMENT"; TO ESTABLISH A REQUIREMENT THAT ANY INDIVIDUAL APPOINTED TO SERVE ON A LAND USE BOARD MUST COMPLETE AN ARCHITECTURAL WALKING TOUR IN MIAMI BEACH; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

RECOMMENDATION

The Administration recommends that the Mayor and City Commission (City Commission) adopt the ordinance.

BACKGROUND/HISTORY

On March 13, 2024, at the request of Commissioner Kristen Rosen Gonzalez, the City Commission referred an amendment to the Land Development Regulations of the City Code (LDRs) to the Planning Board (C4 AA) requiring all Land Use Board members participate in the Miami Design Preservation League's (MDPL) Art Deco walking tour within sixty (60) days of their appointment.

ANALYSIS

The City has four (4) land use boards, consisting of the Board of Adjustment, Design Review Board, Historic Preservation Board, and Planning Board, each consisting of seven (7) members appointed for a two (2) year term. All four (4) boards review applications that impact the City's built environment.

The Miami Design Preservation League (MDPL) currently offers historic architectural walking tours 7 days a week, excluding holidays. The one and a half hour walking tour provides an introduction to the Art Deco, Mediterranean Revival, and Miami Modern (MiMo) styles of architecture found throughout the City's historic districts.

An understanding of the historic development patterns and architecture of the City is beneficial to the decision-making process, particularly for land use board members that may not have specific urban design or architectural training. As such, the following text is proposed for each land use board:

Each voting member of the board shall complete the Art Deco Walking Tour offered by the Miami Design Preservation League (MDPL). In the event tours offered by MDPL are no longer available,

each voting member of the board shall complete a similar architectural tour conducted by an educational or non-profit organization as may be approved by resolution of the City Commission. Members shall use reasonable best efforts to complete the tour within sixty (60) days of their initial appointment.

It is important to note that there may be unforeseen circumstances which could result in a board member not being able to participate in a walking tour within sixty (60) days of their appointment. For example, an individual board member may not be in the position to complete the ninety (90) minute walking tour due to scheduling or health related issues. Further, while MDPL has a long-standing tradition of providing regularly scheduled tours, there may be circumstances in the future, where the tours are not offered.

In order to address these, and other unforeseen circumstances, the proposed amendment provides flexibility for completing a tour.

PLANNING BOARD REVIEW

On May 28, 2024, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (6-0). By separate motion (6-0) the Planning Board also recommended that the members of the City Commission participate in the same tour required for land use board members.

UPDATE

The subject ordinance was approved at First Reading on July 24, 2024. For Second Reading, the City Commission requested that the scope of the tour include all applicable periods of architecture. To address this, the following revised text has been included in the ordinance for Second Reading:

*Each voting member of the board shall be required to complete an **architectural walking tour** offered by the Miami Design Preservation League (MDPL), which includes the **National Register Architectural District in South Beach and/or an historic district in North Beach**. In the event tours offered by MDPL are no longer available, this requirement may be satisfied by completing a similar architectural tour conducted by an educational or non-profit organization as may be approved by resolution of the city commission. Members shall use their reasonable best efforts to complete the tour within sixty (60) days of their initial appointment.*

APPLICATION FEE WAIVER

The subject amendment is proposed on a comprehensive, citywide basis, and not on behalf of a private applicant or third party. Pursuant to section 2.4.1.c of the Land Development Regulations of the City Code, amendments to the City Code require the payment of the applicable fees in section 2.2.3.5, 2.2.3.6, and appendix A to the City Code. These fees may be waived by a five-sevenths (5/7ths) vote of the City Commission, based upon one or more of the following circumstances:

1. The City Commission determines that the proposed amendment is necessary due to a change in federal or state law, or to implement best practices in urban planning, or based on circumstances unique to the proposed amendment.
2. Upon the written recommendation of the City Manager acknowledging a documented financial hardship of a property owner(s) or developer(s).
3. If requested, in writing, by a non-profit organization, neighborhood association, or homeowner's association for property owned by any such organization or association, so long as the request demonstrates that a public purpose is achieved by enacting the applicable amendment.

The Administration recommends that the City Commission waive the applicable fees based on circumstances unique to the proposed amendment.

FISCAL IMPACT STATEMENT

No fiscal impact is expected, provided the Miami Design Preservation League (MDPL) covers the associated costs for the tours.

Does this Ordinance require a Business Impact Estimate? Yes
(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on 9/27/2024.
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

Not Applicable

CONCLUSION

The Administration recommends the following:

1. The City Commission adopt the ordinance.
2. In accordance with section 2.4.1.c.1 of the Land Development Regulations of the City Code, the City Commission waive the applicable fees based on circumstances unique to the proposed amendment.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-17?

Yes

Is this item related to a G.O. Bond Project?

No

Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481, includes a principal engaged in lobbying? No

If so, specify the name of lobbyist(s) and principal(s):

Department

Planning

Sponsor(s)

Commissioner Kristen Rosen Gonzalez

Co-sponsor(s)

Commissioner Alex Fernandez

Condensed Title

10:20 a.m. 2nd Rdg, Hist Architectural Tour Requirements, Land Use Brd Members. (Rosen Gonzalez/Fernandez) PL