

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: December 11, 2024 10:45 a.m. Second Reading Public Hearing

TITLE: AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 58 OF THE MIAMI BEACH CITY CODE, ENTITLED "HOUSING," BY AMENDING ARTICLE III, ENTITLED "PROPERTY MAINTENANCE STANDARDS," BY AMENDING SECTION 58-298 THEREOF TO REQUIRE PROPERTY OWNERS OF COMMERCIAL, HISTORICALLY DESIGNATED BUILDINGS IN THE ART DECO CULTURAL DISTRICT TO MAINTAIN THE HISTORIC CHARACTER BY PROMPTLY ADDRESSING EXTERIOR MAINTENANCE, UNAPPROVED SIGNAGE OR AWNINGS, AND OTHER VISUAL BLIGHT VIOLATIONS; AND, PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

### **RECOMMENDATION**

### **BACKGROUND/HISTORY**

The attached Ordinance was prepared at the request of Commissioner Kristen Rosen Gonzalez and passed at first reading at the November 20, 2024 City Commission meeting.

The Ordinance has been revised for second reading to include the definition of the boundaries for the Art Deco Cultural District as "properties between 5th Street and 15th Street that front Ocean Drive, Collins Avenue or Washington Avenue" and to clarify the intended meaning of the term "historically designated" as a building within a local historic district designated pursuant to Section 2.13.9 of the Resiliency Code.

### **ANALYSIS**

The Art Deco Cultural District (ADCD) is one of Miami Beach's most iconic and internationally recognized neighborhoods, drawing visitors worldwide and contributing significantly to the City's cultural identity and tourism economy. Home to a unique collection of historic buildings, the ADCD embodies the distinctive architectural styles that have made Miami Beach a global landmark in Art Deco design.

The visual appeal and historic integrity of buildings within the ADCD are essential to preserving the District's charm, vibrancy, and allure as a cultural and tourism destination. Chapter 58 of the Miami Beach City Code currently outlines minimum maintenance standards for buildings within the City, including provisions that ensure the preservation of a building's aesthetic appeal and prevent visual blight.

However, exterior degradation, neglect, and unsightly conditions detract from the visual cohesion of the ADCD and reduce the quality of experience for both residents and visitors. Prioritizing the upkeep of historical features within the ADCD and enforcing penalties for visual blight violations

will enhance the area's aesthetic appeal and support the long-term preservation of the District's unique character.

To meet these objectives, the sponsor of this Ordinance proposes amending Chapter 58 to require property owners of commercial, historically designated buildings in the ADCD to maintain the historic character of their buildings. This includes promptly addressing issues related to exterior maintenance, unauthorized signage or awnings, and other visual blight violations. Properties currently undergoing a recertification process will be exempt from these requirements.

A first violation of the Ordinance will result in an automatic \$500 fine, with 30 days allowed for correction. Failure to correct will lead to the enforcement procedures before the special magistrate as set forth in chapter 30 of the City Code, who will set a deadline for compliance. If the violation continues past this deadline, a daily penalty of \$1,000 will apply.

### **FISCAL IMPACT STATEMENT**

N/A

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

If applicable, the Business Impact Estimate (BIE) was published on: 11/27/2024  
See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notice/>

### **FINANCIAL INFORMATION**

### **CONCLUSION**

#### **Applicable Area**

Citywide

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

No

**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**

City Attorney

#### **Sponsor(s)**

Commissioner Kristen Rosen Gonzalez

**Co-sponsor(s)**

**Condensed Title**

10:45 a.m. 2<sup>nd</sup> Rdg, Owners of Historic Bldgs in ADCD Maintain Historic Character. (KRG) CA