

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Rickelle Williams, Interim City Manager

DATE: July 24, 2024

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING RESOLUTION NO. 2024-32964, WHICH ESTABLISHED THE "AD HOC HISTORIC PRESERVATION ORDINANCE REVIEW ADVISORY COMMITTEE," BY EXTENDING THE TERM OF THE COMMITTEE BY TWO MONTHS, TO SUNSET ON NOVEMBER 1, 2024 (SUBJECT TO EARLIER OR LATER SUNSET BY THE CITY COMMISSION).

### **RECOMMENDATION**

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

### **BACKGROUND/HISTORY**

#### **HISTORY**

On January 31, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred a discussion regarding the establishment of an Ad Hoc Historic Preservation Ordinance Review advisory committee (Item C4 H) to the Land Use and Sustainability Committee (LUSC). On February 26, 2024, the LUSC discussed this proposal and recommended that the City Commission establish an Ad Hoc Committee for the purpose of reviewing current historic preservation regulations and making recommendations to the City Commission.

On March 13, 2024, the City Commission, adopted Resolution No. 2024-32964, establishing the "Ad Hoc Historic Preservation Ordinance Review Advisory Committee" for the period ending on September 1, 2024 (subject to earlier or later sunset by the City Commission).

#### **BACKGROUND**

The City's first Historic Preservation Ordinance was adopted in 1982 and has been amended multiple times over the past four (4) decades. The current Historic Preservation Ordinance is contained within Chapter 2, Article XIII of the Resiliency Code, and includes regulations specific to the review of projects by the Historic Preservation Board (HPB), maintenance of designated properties and demolition by neglect, issuance of certificates of appropriateness, and historic designation procedures.

Between 1983 and 2022, the City designated fourteen (14) historic districts, seventeen (17) historic sites, and thirty-one (31) historic single-family homes, which are all subject to the regulations contained in the Historic Preservation Ordinance.

#### **ANALYSIS**

As recommended by the LUSC at their February 26, 2024 meeting, the Ad Hoc Historic Preservation Ordinance Review Advisory Committee was established by the City Commission for

a limited period. The committee will be tasked with a comprehensive review of the City's historic preservation regulations and will provide recommendations to the City Commission regarding possible amendments. This may include the possible expansion of the Historic Preservation Board (HPB) review criteria, as well as providing recommendations to improve and/or streamline the review process for projects located in historic districts or on individual historic sites.

### **Ad Hoc Committee Structure**

The purpose of the Ad Hoc Historic Preservation Ordinance Review Advisory Committee (the "Committee") is to comprehensively assess and evaluate the City's current Historic Preservation Ordinance contained within Chapter 2, Article XIII of the Resiliency Code. Additionally, the committee will make recommendations for possible modifications to the historic preservation review criteria, and for improving and/or streamlining the review process for projects located in historic districts or within individual historic sites.

The structure for the committee is detailed in the attached appendix, and summarized hereto:

#### Membership Composition, Knowledge and Experience

1. The Committee shall be composed of seven (7) at-large appointments made by the Mayor and City Commission as a body.
2. Membership criteria for the Committee: individuals must be residents of the City for a minimum of two (2) years, or demonstrate ownership/interest in, or employment relationship with a business established in the City for a minimum of two (2) years. The foregoing requirement may be waived by majority vote of the City Commission for individuals with specific knowledge or expertise relative to historic preservation processes.
3. Members shall be chosen from the following categories:
  - a. An individual with financial expertise;
  - b. An individual with development expertise;
  - c. An individual with construction expertise, particularly with the renovation and restoration of historic buildings;
  - d. A former member of the historic preservation board;
  - e. An individual with preservation experience, who also currently resides in a local historic district;
  - f. A representative nominated by the Miami Design Preservation League (MDPL);
  - g. An attorney licensed to practice law in the State of Florida.
4. Members of the Committee shall select a chairperson by majority vote at the Committee's first meeting.

#### Power and Duties

The Committee shall have the following powers and duties:

- a. To request the presence of a representative from the supporting department, as needed at its meetings.
- b. To generate recommendations based on the Committee's insights, experiences, and observations.
- c. To prepare and submit a report to the City Commission with the Committee's findings and recommendations.

#### Duration

Pursuant to Resolution No. 2024-32964, which was adopted on March 13, 2024 and established the Committee, on September 1, 2024 the Committee is scheduled to sunset, subject to an earlier or later sunset date, as may be determined by the City Commission.

#### UPDATE

The Resolution creating the Ad Hoc Historic Preservation Ordinance Review Committee was adopted by the Mayor and City Commission on March 13, 2024 (Resolution No. 2024-32964).

On May 15, 2024 and June 26, 2024, the Mayor and City Commission appointed qualified individuals to the Committee, and the Committee held its first meeting on June 27, 2024.

To allow the Committee time to complete its review of the Historic Preservation Ordinance and develop final recommendations, the Administration is recommending the term of the Committee be extended for an additional two (2) months, to sunset on November 1, 2024, subject to an earlier or later sunset by the City Commission.

### **FISCAL IMPACT STATEMENT**

No Fiscal Impact

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

### **FINANCIAL INFORMATION**

N/A

### **CONCLUSION**

The Administration recommends that the Mayor and City Commission adopt the Resolution.

### **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 Alex Fernandez

### **Co-sponsor(s)**

### **Condensed Title**

Extend "Ad Hoc Historic Preservation Ordinance Review Advisory Committee." (Fernandez) PL