

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: Eric Carpenter, City Manager

DATE: May 21, 2025

10:30 a.m. First Reading Public Hearing

TITLE: AD HOC HISTORIC PRESERVATION ORDINANCE COMMITTEE  
RECOMMENDATIONS

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 2, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE XIII, ENTITLED "HISTORIC PRESERVATION," BY AMENDING SECTION 2.13.2, ENTITLED "HISTORIC PRESERVATION REVIEW OF PROJECTS," TO REMOVE THE SUPPLEMENTAL NOTICE REQUIREMENT FOR APPLICATIONS CONTINUED BY THE HISTORIC PRESERVATION BOARD, BY AMENDING SECTION 2.13.7, ENTITLED "ISSUANCE OF CERTIFICATE OF APPROPRIATENESS/CERTIFICATE TO DIG/CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION," TO INCREASE THE SQUARE FOOTAGE THRESHOLD FOR THE TRANSPORTATION ANALYSIS AND MITIGATION PLAN REQUIREMENT, TO CLARIFY THE TWO-STEP REVIEW PROCESS, AND TO CONSOLIDATE AND OTHERWISE AMEND THE APPLICABLE REVIEW CRITERIA, BY AMENDING SECTION 2.13.8, ENTITLED "SPECIAL REVIEW PROCEDURE," TO EXPAND ADMINISTRATIVE REVIEW AUTHORITY FOR THE REVIEW OF ADDITIONS TO SINGLE-FAMILY HOMES LOCATED WITHIN LOCAL HISTORIC DISTRICTS, BY AMENDING SECTION 2.13.9, ENTITLED "HISTORIC DESIGNATION" TO INTRODUCE PROCEDURES FOR THE REPEAL OF HISTORIC DESIGNATIONS AS REQUIRED PURSUANT TO MIAMI-DADE COUNTY CODE SECTION 16A-3.1, AND BY AMENDING SECTION 2.13.10, ENTITLED "SINGLE-FAMILY AD VALOREM TAX EXEMPTION," TO EXPAND THE TYPES OF PROPERTIES THAT QUALIFY FOR THE EXEMPTION IN A MANNER CONSISTENT WITH SECTION 196.1997, FLORIDA STATUTES; BY AMENDING CHAPTER 7, ENTITLED "ZONING DISTRICTS AND REGULATIONS," BY AMENDING ARTICLE II, ENTITLED "DISTRICT REGULATIONS," SECTION 7.2.2, ENTITLED "RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS," SUBSECTION 7.2.2.4, ENTITLED "ADDITIONAL REGULATIONS (RS)," BY EXPANDING THE APPLICABILITY OF ZONING INCENTIVES TO INCLUDE CONTRIBUTING SINGLE-FAMILY HOMES LOCATED WITHIN LOCAL HISTORIC DISTRICTS; BY AMENDING ARTICLE V, ENTITLED "SUPPLEMENTARY DISTRICT REGULATIONS," SECTION 7.5.1, ENTITLED "GENERALLY (SUPPLEMENTARY DISTRICT REGULATIONS)," SUBSECTION 7.5.1.5, ENTITLED "ROOF REPLACEMENTS AND NEW ROOFS," TO EXPAND ADMINISTRATIVE REVIEW AUTHORITY FOR SUSTAINABLE ROOFS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

### **RECOMMENDATION**

The Administration recommends that the Mayor and City Commission (City Commission) approve the subject ordinance at First Reading and schedule a Second Reading public hearing for July 23, 2025.

## **BACKGROUND/HISTORY**

On January 31, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred a discussion (C4 H) regarding the establishment of an Ad Hoc Committee 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 Mayor and City Commission.

On March 13, 2024, the Mayor and City Commission adopted Resolution No. 2024-32964 (and as subsequently amended by Resolution No. 2024-33193), creating the Ad Hoc Historic Preservation Ordinance Review Advisory Committee (Ad Hoc Committee). On December 11, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred a discussion to review the final report and recommendations of the Ad Hoc Committee (C4 F) to the LUSC.

On March 11, 2025, the LUSC recommended that the proposed draft ordinance be referred to the Planning Board. On April 23, 2025, the City Commission referred the attached ordinance to the Planning Board (C4 I).

## **ANALYSIS**

The Ad Hoc Committee was tasked with a comprehensive review of the City's historic preservation regulations including the possible expansion of the certificate of appropriateness (COA) 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. The Ad Hoc Committee held five (5) public meetings between June 27, 2024 and October 15, 2024 and considered extensive comments and input from City staff. All meetings were noticed on the City's website and the meetings were in the evening, commencing at 5:00 p.m., to allow interested parties to attend or participate without interfering with regular work hours.

The attached ordinance reflects the recommendations set forth in the attached Final Report of the Ad Hoc Committee, which was unanimously approved by the Committee at its regular meeting on October 15, 2024. The report includes the Committee's specific recommendations to the City Commission (Part B of the Report) concerning proposed amendments to the City's Historic Preservation Ordinance and processes.

The following is a general summary of the proposed amendments to the Land Development Regulations of the City Code (LDRs) contained in the attached ordinance:

### **Chapter 2**

- The provisions regarding the continuance of historic preservation board applications have been updated.
- The requirement for a transportation analysis has been updated to now apply to development that are over 50,000 gross square feet. The previous threshold was 5,000 to 15,000 gross square feet, depending on the type of use proposed.
- The review procedure for certificate of appropriateness applications that may be reviewed administratively have been updated to include the following types of work:
  - 1) Property walls, fences, and gates.
  - 2) Minor work associated with public interiors of buildings and those interior portions of commercial structures which front a street or sidewalk, provided the work does not require the demolition or alteration of architecturally significant portions of the public interior spaces.
  - 3) Minor work involving public improvements upon public rights-of-way and easements.

- 4) Railing replacement that closely replicates the design in an alternate material.
  - 5) Railing replacement for non-contributing buildings consistent with railing replacement design guidelines.
  - 6) Demolition and reconstruction of architectural features, regardless of the visibility from the street, provided staff has sufficient information to ensure an accurate reconstruction and the architectural feature is no more than 20% of the façade area. Architectural feature means building components attached to or part of a façade including projections intended to provide architectural character and façade articulation.
- The two-step process for approval of a certificate of appropriateness has been replaced with a new voluntary two-step process, for which development projects would need to satisfy new criteria to be eligible for the process. Also, new minimum requirements, in addition to the standard application and noticing requirements, have been developed, as well as revised timeframes for preliminary and final approval.
  - The certificate of appropriateness review criteria, for both demolition and new construction, has been updated to remove dated and overlapping criteria, and better reflect the intention of the Secretary of the Interior Standards.
  - A revised, streamlined process for the review of additions to single family homes has been developed to allow for administrative review of a certificate of appropriateness, provided the addition is not substantially visible from a right-of-way or waterway and the proposal does not include a request for waivers or variances.
  - The procedures for historic designation have been updated to include a provision for the City Commission or Historic Preservation Board, as applicable, to amend or rescind any designation provided it complies with the same manners and procedures used in the original designation.
  - The ad valorem tax exemption program has been expanded to include all eligible historic properties and is no longer limited solely to single family homes.

#### Chapter 7

- The incentives to retain architecturally significant single-family homes, which are currently only applicable to homes outside of local historic districts, would now also apply to single-family homes classified as contributing within a local historic district. However, contributing single-family homes shall not be eligible for the unit size incentive.
- For structures located within a locally designated historic district or site, including contributing buildings or historic sites, the use of glass or sustainable roofing systems will no longer require approval by the historic preservation board and may be approved administratively, provided the proposed roof satisfies the certificate of appropriateness criteria and does not negatively impact the established architectural context of the immediate area.

#### **PLANNING BOARD REVIEW**

On May 6, 2025, the Planning Board held a public hearing and transmitted the proposed ordinance to the City Commission with a favorable recommendation (7-0).

#### **FISCAL IMPACT STATEMENT**

No Fiscal Impact Expected

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

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

**FINANCIAL INFORMATION**

Not Applicable

**CONCLUSION**

The Administration recommends that the City Commission approve the subject ordinance at First Reading and schedule a Second Reading public hearing for July 23, 2025.

**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**

10:30 a.m. 1st Rdg PH, Ad Hoc Historic Preservation Ordinance Committee Recommendations.  
(AF) PL 5/7

**Previous Action (For City Clerk Use Only)**