

Suspension of Exterior Color Review Requirements

ORDINANCE NO. _____

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 7, ENTITLED “ZONING DISTRICTS AND REGULATIONS,” ARTICLE I, ENTITLED “GENERAL TO ALL ZONING DISTRICTS,” SECTION 7.1.7, ENTITLED “COLOR OF EXTERIOR SURFACES,” TO SUSPEND THE PROCEDURES AND REQUIREMENTS FOR THE REVIEW OF EXTERIOR SURFACE COLORS ON BUILDINGS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission desire to amend the current regulations and procedures for the painting of exterior surfaces in the Land Development Regulations; and

WHEREAS, the Land Development Regulations require that all buildings obtain approval prior to painting the exterior of the structure; and

WHEREAS, suspending the current regulations pertaining to the painting of the exterior of a building would promote the general health, safety and welfare of the residents of the City; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. Chapter 7 of the Miami Beach Resiliency Code, entitled “Zoning Districts and Regulations,” Article II, entitled “General to All Zoning Districts,” is hereby amended as follows:

**CHAPTER 7
ZONING DISTRICTS AND REGULATIONS**

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ARTICLE I – GENERAL TO ALL ZONING DISTRICTS

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7.1.7 COLOR OF EXTERIOR SURFACES

7.1.7.1 Purpose

a. The purpose of this section is to enhance the unique architectural environment of the city by establishing guidelines for the choice of primary colors for the exterior surfaces of buildings and structures, including courtyards accessible to the public.

b. The enforcement of this section, including all subsections below, shall be suspended from

September 15, 2025 until September 15, 2026, as it pertains to exterior colors on stucco, plaster and similar surfaces only. This subsection b. shall sunset and stand automatically repealed on September 15, 2026

7.1.7.2 Applicability

- a. The painting of all public and private development, including, but not limited to, new buildings, structures, additions or alterations and the repainting of existing buildings and structures, shall be subject to these regulations and shall be reviewed under the certificate of appropriateness or design review procedures as set forth in chapter 2.
- b. The reflectance, tinting and coloration of glass on the elevations of a building or structure shall be subject to these regulations and shall be reviewed under the certificate of appropriateness or design review procedures as set forth in chapter 2.
- c. The color of unpainted natural or manufactured materials applied to the exterior facade of buildings or structures shall be subject to these regulations and shall be reviewed under the certificate of appropriateness or design review procedures as set forth in chapter 2.
- d. The color of roof tiles or roof finishes shall be subject to these regulations and shall be reviewed under the certificate of appropriateness or design review procedures as set forth in chapter 2.

7.1.7.3 Color selection procedures and review criteria

- a. The city exterior color review chart (color chart).
 1. A pre-approved color chart shall be available in the planning department. An applicant for a building permit for paint or the application of a building surface material shall select a color of equal or lesser intensity than a color intensity from the color chart.
 2. The city exterior color review chart shall consist of the following components:
 - A. City-wide color intensities. These intensities shall be applicable to all structures, except for contributing structures, buildings, improvements in locally designated historic districts and historic sites.
 - B. Historic district color intensities. These intensities shall be applicable to contributing structures, buildings and improvements in locally designated historic districts and to historic sites.
 - C. Mediterranean revival architecture colors. These colors are applicable only to Mediterranean revival architecture buildings and structures and are limited to natural earth tones as represented by examples on the color chart. For purposes of this section 7.1.7.3.a.2.C, Mediterranean revival architecture shall be defined as those structures built between 1915 through 1940. This style is generally characterized by, but not limited to, stucco walls, low pitch terra cotta or historic Cuban tile roofs, arches, scrolled or tile capped parapet walls and articulated door surrounds, or Spanish baroque decorative motifs and classical elements.
 3. Colors commonly described with terms such as neon, fluorescent, day-glo, iridescent and similar terms shall not be permitted to be applied to the exterior surface of any structure unless such color has been approved by the design review board or joint design review board/historic preservation board, as applicable.
- b. Permit required.
 1. A building or structure shall not be painted or have applied a natural or manufactured material as an exterior facade without first receiving a building permit or paint permit pursuant to the applicable requirements of the Florida Building Code and the city's land development regulations. No building or structure shall be painted or have a material applied to the exterior facade, except in a paint color or material approved pursuant to the provisions of this section 7.1.7.3.b.

2. Permits for repainting of existing structures or painting of new structures, or applying a natural or manufactured material to an exterior facade, shall not be issued until either: (a) the applicant selects a color from the approved color chart for approval of paint permit application, or (b) has a specific color, not represented in the color chart, or a specific color which may require approval of the design review board or historic preservation board as applicable. This provision does not apply to single family homes unless designated historic or located in a historic district.
 3. If the building or structure to be painted, or surfaced with a natural or manufactured material, requires a permit or approval in addition to a paint or material approval from a board or the planning, design and historic preservation division, the applicant may submit an application for a building permit or board approval simultaneously with an application for paint or material color approval. However, a certificate of occupancy, certificate of completion, or certificate of use, whichever is requested earlier, shall not be issued until the planning, design and historic preservation division or design review or historic preservation board, as applicable. The planning director shall have the authority to approve or deny the color selection based upon the criteria as set forth in section 7.1.7.3.c. The criteria listed in section 7.1.7.3.c may be utilized for projects being reviewed by the design review or historic preservation board, as applicable.
- c. Review criteria.
1. The exterior of each wall of a building or structure shall be in a color of equal or less intensity than one of the colors on the city exterior color review chart.
 2. Color intensities greater than those represented on the city exterior color review chart may be utilized only for purposes of emphasizing trim and accenting architectural features of a structure and shall be limited to the trim.
 3. Color intensities listed in neighborhood plans or, to the extent applicable, listed in exterior design guidelines adopted by the city commission may be used, in the neighborhoods or areas defined in such plans or guidelines, in lieu of those specified in the city exterior color review chart.
 4. Colors selected shall be appropriate to the architectural style, ornamentation, massing and scale of the structure.

SECTION 2. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 3. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 4. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall take effect ten (10) days following adoption.

PASSED AND ADOPTED this _____ day of _____, 2025.

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk

Sponsored By: Commissioners Alex Fernandez and David Suarez

First Reading: _____, 2025

Second Reading: _____, 2025

Verified By: _____
Thomas R. Mooney, AICP
Planning Director

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