

# MIAMI BEACH

## COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission  
FROM: Eric Carpenter, City Manager  
DATE: April 23, 2025  
TITLE: REFERRAL TO THE PLANNING BOARD – HISTORIC PRESERVATION AD HOC COMMITTEE RECOMMENDATIONS.

### **RECOMMENDATION**

The Administration recommends that the Mayor and City Commission (City Commission) refer the attached draft ordinance to the Planning Board.

### **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 City Commission.

On March 13, 2024, the 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 item 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.

### **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. 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.

During its meetings, the Ad Hoc Committee heard extensive comments from City staff. The attached Final Report of the Ad Hoc Committee, which was unanimously approved by the Committee at its regular meeting on October 15, 2024, sets forth the Committee's recommendations to the City Commission concerning proposed amendments to the City's Historic Preservation Ordinance and processes. The Committee's specific recommendations are set forth in Part B of the Report.

### **APPLICATION FEE WAIVER**

The subject amendment is proposed on a comprehensive 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.

Should this proposal be referred to the Planning Board, the Administration recommends that the City Commission determine that the proposed amendment is necessary based on circumstances unique to the proposed amendment and waive the applicable fees.

### **FISCAL IMPACT STATEMENT**

No Fiscal Impact

### **Does this Ordinance require a Business Impact Estimate?**

(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 the following:

1. The City Commission refer the attached draft ordinance to the Planning Board.
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 Alex Fernandez

**Co-sponsor(s)**

**Condensed Title**

Ref: PB - Historic Preservation Ad Hoc Committee Recommendations. (Fernandez) PL

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