

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, OPPOSING AND URGING THE FLORIDA LEGISLATURE NOT TO ADOPT HOUSE BILL 1317 AND COMPANION SENATE BILL 1346, WHICH WOULD PREEMPT THE CITY'S AUTHORITY TO ENFORCE MAJOR PROVISIONS OF ITS HISTORIC PRESERVATION ORDINANCE AND UNDERMINE PROTECTIONS FOR CONTRIBUTING BUILDINGS IN THE CITY'S NATIONAL REGISTER AND LOCAL HISTORIC DISTRICTS, AS WELL AS INDIVIDUALLY DESIGNATED HISTORIC SITES; ADDING THIS MATTER TO THE CITY'S LIST OF LEGISLATIVE PRIORITIES FOR THE 2023 FLORIDA LEGISLATIVE SESSION; AND DIRECTING THE CITY CLERK TO TRANSMIT THIS RESOLUTION TO THE BILL SPONSORS, THE SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE, AND THE MIAMI-DADE COUNTY DELEGATION.

WHEREAS, the City of Miami Beach's National Register and Local Historic Districts are internationally recognized and celebrated, drawing millions of visitors to the City each year, and generating billions of dollars in economic activity; and

WHEREAS, the Art Deco District in South Beach contains the largest concentration of Art Deco architecture in the United States; and

WHEREAS, more than 2,600 buildings are currently protected under the City's Historic Preservation regulations; and

WHEREAS, the City of Miami Beach has four National Register Historic Districts, seven National Register Historic Sites, 14 Local Historic Districts, 17 Local Historic Sites, and 32 individually designated single-family homes; and

WHEREAS, the City's historic districts include important examples of Art Deco, Miami Modern (MiMo), Mediterranean Revival, and Vernacular architecture; and

WHEREAS, Miami Beach's architectural heritage is an economic engine for the Greater Miami area, and the State of Florida generally, generating billions of dollars in property investment, tourism activities, and local jobs; and

WHEREAS, the City's Historic Preservation Ordinance establishes robust protections for the City's historic architecture, which protections are enshrined in the City Charter; and

WHEREAS, House Bill 1317, and companion Senate Bill 1346 (the "Bills"), were introduced during the 2023 Session of the Florida Legislature; and

WHEREAS, the Bills would preempt the City's authority to protect historic buildings from demolition, even if a building is structurally sound or actively used, and even if the building has no violations under the Florida Building Code; and

WHEREAS, this bill would prohibit the City of Miami Beach, and any other local government in Florida, from restricting the demolition of any building which the Bills identify as a "nonconforming structure"; and

WHEREAS, the Bills would also preempt the City's ability to place conditions relative to design, height, and square footage on replacement construction, when a historic building is demolished; and

WHEREAS, these preemptions would result in incompatible development, out of scale and character with surrounding properties and negatively impacting their value; and

WHEREAS, the Bills would encourage and incentivize demolition and demolition by neglect of historic properties, resulting in vacant, derelict structures, and leading to increased crime, vagrancy, vandalism, and trespassing; and

WHEREAS, the loss of historic buildings would irreparably harm the cultural and architectural identity of the City, resulting in a decrease to heritage and cultural tourism, which would negatively impact the regional economy.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby oppose and urge the Florida Legislature not to adopt House Bill 1317 and companion Senate Bill 1346, which would preempt the City's authority to enforce major provisions of its Historic Preservation Ordinance and undermine protections for contributing buildings in the City's National Register and Local Historic Districts, as well as individually designated historic sites; add this matter to the City's list of legislative priorities for the 2023 Florida Legislative Session; and direct the City Clerk to transmit this Resolution to the bill sponsors, the Speaker of the House and President of the Senate, and the Miami-Dade County Delegation.

PASSED and ADOPTED this ____ day of _____, 2023.

ATTEST:

Rafael E. Granado, City Clerk

Dan Gelber, Mayor

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION



City Attorney NK

3-17-23
Date

(Sponsored by Commissioner Alex J. Fernandez)