MIAMI BEACH
PLANNING DEPARTMENT

Staff Report & Recommendation — PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: January 30, 2024

FROM: Thomas R. Mooney, AICP
Planning Director

SUBJECT: **PB23-0622. Collins Canal Historic Designation.**

RECOMMENDATION
Transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

HISTORY
On April 12, 2022, the Historic Preservation Board (HPB) passed a motion (7-0), directing the Planning Department to prepare a Preliminary Evaluation and Recommendation Report relative to the possible historic designation of Collins Canal as an individual historic structure.

On November 8, 2022, the HPB reviewed a Preliminary Evaluation and Recommendation Report relative to the possible designation of Collins Canal and directed staff to prepare a Formal Designation Report.

Pursuant to section 118-591(b) of the City Code, on November 9, 2022 the City Commission was advised of the action of the HPB via LTC 471-2022.

On June 13, 2023, the HPB transmitted the attached designation report, pertaining to the proposed Collins Canal Historic Structure, to the Planning Board and City Commission with a favorable recommendation.

The item was scheduled to be considered by the Planning Board on November 21, 2023. The November 21, 2023 meeting was cancelled, and the item was deferred to the December 19, 2023 meeting. The December 19, 2023 meeting was cancelled due to a lack of quorum and the item was therefore continued to the January 30, 2024 meeting.

HISTORIC DESIGNATION PROCESS
Attached is the Designation Report for the proposed designation of the Collins Canal as an Historic Structure. The process of historic structure designation is delineated in section 2.13.9 of the Land Development Regulations of the City Code (LDR's). An outline of this process is delineated below:

Step One: A request for designation is made either by the City Commission, the Historic Preservation Board, other agencies and organizations as listed in the Land Development Regulations of the City Code, or the property owners involved. Proposals for designation shall include a completed application form available from the Planning Department.

Step Two: The Planning Department prepares a preliminary evaluation report with recommendations for consideration by the Board.

Step Three: The Historic Preservation Board considers the preliminary evaluation to determine if proceeding with a designation report is warranted.
The designation report is an historical and architectural analysis of the proposed district or site. The report:

1) describes the historic, architectural and/or archeological significance of the property or subject area proposed for Historical Site or District designation;
2) recommends Evaluation Guidelines to be used by the Board to evaluate the appropriateness and compatibility of proposed Developments affecting the designated Site or District; and
3) will serve as an attachment to the Land Development Regulations of the City Code.

Step Four: The City Commission is notified of the Board's decision and the initial boundaries proposed for designation. Within 60 days of the vote of the Historic Preservation Board to direct the Planning Department to prepare a designation report, the City Commission may, by a five-sevenths vote, deny or modify the proposed request for designation.

Step Five: The designation report is presented to the Historic Preservation Board at a public hearing. If the Board determines that the proposed site or district satisfies the requirements for designation as set forth in the Land Development Regulations of the City Code, the Board transmits a recommendation in favor of designation to the Planning Board and City Commission.

Step Six: The Planning Board will hold a public hearing on the proposed designation, and shall consider the proposed historic designation as an amendment to the Land Development Regulations of the City Code and, subsequently, transmit its recommendation to the City Commission.

Step Seven: The City Commission may adopt an amendment to the Land Development Regulations of the City Code by a five-sevenths majority vote, which thereby designates the Historic Preservation Site or Historic District after one (1) public hearing for a parcel of land less than ten (10) contiguous acres or after two (2) public hearings for a parcel of land that is more than ten (10) contiguous acres.

REVIEW CRITERIA

Pursuant to Section 2.4.2 of the Resiliency Code, in reviewing a request for an amendment to these land development regulations, the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

   Consistent – The proposed ordinance is consistent with the goals, objectives, and policies of the Comprehensive Plan.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

   Consistent – The proposed amendment does not create an isolated district unrelated to adjacent or nearby districts.

3. **Whether the change suggested is out of scale with the needs of the neighborhood or the city.**

   Consistent - The proposed ordinance does modify the scale of development, as such the amendment is not out of scale with the needs of the neighborhood or the city.

4. **Whether the proposed change would tax the existing load on public facilities and infrastructure.**

   Consistent – The proposed ordinance will not affect the load on public facilities and infrastructure as the maximum floor area ratio (FAR) is not modified.

5. **Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.**

   Not applicable – The proposed amendment does not modify district boundaries.

6. **Whether changed or changing conditions make the passage of the proposed change necessary.**

   Consistent – The need to preserve historic structures makes passage of the proposed change necessary.

7. **Whether the proposed change will adversely influence living conditions in the neighborhood.**

   Consistent – The proposed ordinance amendment will not adversely affect living conditions in the neighborhood.

8. **Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.**

Consistent – The proposed change will not create or increase traffic congestion from what is currently permitted, as the FAR is not being modified by this ordinance.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

Consistent – The proposed change will not affect light and air to adjacent areas.

10. Whether the proposed change will adversely affect property values in the adjacent area.

Consistent – The proposed change will not adversely affect property values in the adjacent areas.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Consistent – The proposed change will likely not be a deterrent to the improvement or development of properties in the City.

12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.

Not applicable.

13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.

Not applicable.

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4 of the Land Development Regulations establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

(1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.

Partially Consistent – The proposal does affect an areas that is vulnerable to the impacts of sea level rise in the long term.

The unified sea level rise projection for Southeast Florida updated in 2019 projects the anticipated range of sea level rise from 2000 to 2120. The projection highlights three planning horizons:

Short term: by 2040, sea level is projected to rise 10 to 17 inches above 2000 mean sea level.
Medium term: by 2070, sea level is projected to rise 21 to 54 inches above 2000 mean sea level.
Long term: by 2120, sea level is projected to rise 40 to 136 inches above 2000 mean sea level.

The upland areas immediately adjacent to the Collins Canal are especially vulnerable to the impacts of sea level rise.

(2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.

Consistent – The proposal complements near, mid-term and long-term efforts to increase the resiliency of the City with respect to sea-level rise. The canal provides for alternative transportation means within the City and serves as an important recreational corridor. Modifications to upland properties in close proximately to the canal will likely be necessary to further the City's resiliency initiatives.

(3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

Consistent – The proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

See the attached Collins Canal Historic Structure Designation Report.

RECOMMENDATION

In view of the foregoing analysis and the reasons outlined in the attached Designation Report, staff recommends that the Planning Board transmit the proposed ordinance amendment to the City Commission with a favorable recommendation.

Collins Canal Historic Site Designation

ORDINANCE NO._____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE, BY AMENDING CHAPTER 2 OF THE RESILIENCY CODE, ENTITLED "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE XIII, ENTITLED "HISTORIC PRESERVATION," SECTION 2.13.9, ENTITLED "HISTORIC DESIGNATION," AT SUBSECTION (e)(i), ENTITLED "HISTORIC PRESERVATION SITES (HPS)," BY DESIGNATING THE COLLINS CANAL LOCATED BETWEEN BISCAYNE BAY AND LAKE PANCOAST AS AN HISTORIC SITE TO BE KNOWN AS "COLLINS CANAL," AS MORE PARTICULARLY DESCRIBED IN THIS ORDINANCE; PROVIDING THAT THE CITY'S ZONING MAP SHALL BE AMENDED TO INCLUDE THE COLLINS CANAL AS AN HISTORIC SITE; ADOPTING THE DESIGNATION REPORT ATTACHED HERETO AS APPENDIX "A"; PROVIDING FOR INCLUSION IN THE LAND DEVELOPMENT REGULATIONS OF THE CITY CODE; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, on June 13, 2023, the Historic Preservation Board held a public hearing and transmitted a favorable recommendation (5 to 0, with 2 members absent) for the designation of the Collins Canal Local Historic Site to the Planning Board and City Commission; and

WHEREAS, on September 26, 2023, the Planning Board held a public hearing and transmitted a _____ recommendation (_ to _) for the designation of the Collins Canal Local Historic Site to City Commission; and

WHEREAS, the Planning Department has recommended this amendment to the Land Development Regulations of the City Code; and

WHEREAS, these recommendations of approval for the designation of Collins Canal as an Historic Site were based upon the information documented in the Designation Report prepared by the City of Miami Beach Planning Department attached hereto as Appendix "A."

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. DESIGNATION OF COLLINS CANAL AS AN HISTORIC SITE.

That the Collins Canal (excluding seawalls or similar structures and bridges) from Biscayne Bay on the west to Lake Pancoast on the east as described herein, is hereby designated as an Historic Site of the City of Miami Beach and shall be known as "Collins Canal". That the Designation

Report attached hereto as Appendix "A" is hereby adopted.

SECTION 2. AMENDMENT OF SUBSECTION 2.13.9(e)(i).

That Subsection (i), entitled "Historic preservation sites (HPS)," of Section 2.13.9, entitled "Historic Designation," of Article XIII, entitled "Historic Preservation," of Chapter 2, entitled "Administration and Review Procedures," of the Land Development Regulations of the City Code is hereby amended to read as follows:

Section 2.13.9. Historic Designation.

* * *

(e) Historic preservation sites and districts include:

(i) Historic preservation sites (HPS).

* * *

18. HPS-18: Collins Canal: The portion of the Collins Canal, water's edge to water's edge excluding seawalls and similar structures and bridges, from Biscayne Bay on the west to Lake Pancoast on the east.

* * *

SECTION 3. CODIFICATION.

It is the intention of the Mayor and City Commission of the City of Miami Beach, 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, Florida. The sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and, the word "ordinance" may be changed to "section", "article", or other appropriate word.

SECTION 5. REPEALER.

All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 6. SEVERABILITY.

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

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this _____ day of _____, 2023.

Dan Gelber
Mayor

ATTEST:

Rafael E. Granado
City Clerk

APPROVED AS TO
FORM AND LANGUAGE
& FOR EXECUTION

City Attorney Date

First Reading:
Second Reading:

Verified By:
Thomas R. Mooney, AICP
Planning Director

Underline denotes additions
~~Strike through~~ denotes deletions

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