

Historic Preservation Board Review of Building Height Amendments

RESOLUTION NO. 2021-31582

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A POLICY FOR THE HISTORIC PRESERVATION BOARD TO REVIEW AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS PERTAINING TO BUILDING HEIGHT INCREASES GREATER THAN TWENTY-FIVE (25) FEET WITHIN A LOCAL HISTORIC DISTRICT.

WHEREAS, on December 9, 2020, at the request of Commissioner Mark Samuelian, the City Commission referred a discussion item to the Land Use and Sustainability Committee (LUSC) pertaining to a recommendation made by the Historic Preservation Board (HPB) regarding the review of amendments to the Land Development Regulations (LDRs); and

WHEREAS, on January 20, 2021, the LUSC discussed this proposal and recommended that the City Commission adopt a Resolution to establish a policy for the review of future amendments to the City's LDRs pertaining to building height increases greater than twenty-five (25) feet; and

WHEREAS, amendments to the LDRs that pertain to building height increases greater than twenty-five (25) feet can have a significant impact on the built environment and established character of the City's local historic districts; and

WHEREAS, it is in the best interest of the City for the HPB to provide a recommendation to the City Commission regarding amendments that propose to increase allowable building height by an amount greater than twenty-five (25) feet within a local historic district.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby establish a policy for the Historic Preservation Board to evaluate and provide a recommendation to the City Commission regarding proposed modifications to the Land Development Regulations that increase building height by an amount greater than twenty-five (25) feet within a local historic district, as follows:

1. Review by the HPB shall take place at the next HPB meeting following referral by the City Commission. Review by the HPB need not occur prior to review by the Planning Board.
2. The HPB shall review and provide an advisory recommendation regarding the LDR amendment to the City Commission. Where applicable, the HPB's advisory recommendation shall be based upon the Certificate of Appropriateness criteria in Chapter 118, Article X of the City Code.
3. Any recommendation of the HPB shall be transmitted to the City Commission as part of the Commission Memorandum for First Reading.

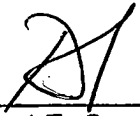
4. The requirements of this Resolution shall be deemed to have been satisfied in the event the HPB fails, for any reason whatsoever, to review the LDR amendment and provide a recommendation to the City Commission prior to First Reading of the amendment.

PASSED AND ADOPTED this 10 day of February, 2021.



Dan Gelber, Mayor

ATTEST:

 2/22/2021
Rafael E. Granado, City Clerk



APPROVED AS TO FORM AND LANGUAGE AND FOR EXECUTION

 1-25-21
City Attorney NK Date

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission
FROM: Raul J. Aguila, Interim City Manager
DATE: February 10, 2021

SUBJECT: HISTORIC PRESERVATION BOARD REVIEW OF BUILDING HEIGHT AMENDMENTS
A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ESTABLISHING A POLICY FOR THE HISTORIC PRESERVATION BOARD TO REVIEW AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS PERTAINING TO BUILDING HEIGHT INCREASES GREATER THAN TWENTY-FIVE (25) FEET WITHIN A LOCAL HISTORIC DISTRICT.

RECOMMENDATION

The Administration recommends that the City Commission adopt the attached Resolution.

BACKGROUND/HISTORY

On October 13, 2020, the Historic Preservation Board approved the following motion by a vote of 6 to 0, 1 absent:

Motion to transmit a recommendation to the Mayor and City Commission to require HPB review of any proposed amendment that impacts height, massing or scale within the City's local historic districts, prior to review by the Planning Board.

On December 9, 2020, at the request of Commissioner Mark Samuelian, the City Commission referred a discussion item pertaining to a recommendation made by the Historic Preservation Board (HPB) regarding the review of LDR amendments to the Land Use and Sustainability Committee (item C4 A). On January 20, 2021 the LUSC discussed the item and recommended that the City Commission adopt a Resolution to create a policy for the Historic Preservation Board to evaluate and provide a recommendation to the City Commission regarding proposed modifications to the Land Development Regulations that increase building height by an amount greater than twenty-five (25) feet within a local historic district. Such review by the HPB would need to adhere to the following:

1. Review by the HPB shall take place at the next HPB meeting following referral by the City Commission. Review by the HPB need not occur prior to review by the Planning Board.

2. The HPB shall review and provide an advisory recommendation regarding the LDR amendment to the City Commission. Where applicable, the HPB's advisory recommendation shall be based upon the Certificate of Appropriateness criteria in Chapter 118, Article X of the City Code.

3. Any recommendation of the HPB shall be transmitted to the City Commission as part of the Commission Memorandum for First Reading.

4. The requirements of this Resolution shall be deemed to have been satisfied in the event the HPB fails, for any reason whatsoever, to review the LDR amendment and provide a recommendation to the City Commission prior to First Reading of the amendment.

ANALYSIS

The powers and duties of the HPB include the review of all amendments affecting Division 4, Article II of Chapter 118 entitled "Historic Preservation Board" and Article X of Chapter 118 entitled "Historic Preservation". The amendment procedure for all other sections of the Land Development Regulations (LDRs), including amendments to Chapter 142 entitled "Zoning Districts and Regulations" requires a formal review and recommendation by the Planning Board, in addition to City Commission review and approval.

The City Commission may refer an amendment to the LDRs to the HPB for discussion and recommendation on an as needed basis. The decision to refer any proposed LDR amendment to a land use board is at the discretion of the City Commission.

The attached Resolution reflects the recommendation of the LUSC, as noted above. While the current process is the most flexible, the proposal herein is not expected to significantly impact the LDR review process.

SUPPORTING SURVEY DATA

Improved Development Process

CONCLUSION

The Administration recommends that the City Commission adopt the attached Resolution.

Applicable Area

Citywide

Is this a "Residents Right to Know" item, pursuant to City Code Section 2-14?

Yes

Does this item utilize G.O. Bond Funds?

No

Legislative Tracking

Planning

Sponsor

Commissioner Mark Samuelian

ATTACHMENTS:

Description

- Resolution - FA