



City of Coral Gables
CITY COMMISSION MEETING
August 24, 2022

ITEM TITLE:

Resolution. A Resolution of the City Commission of Coral Gables opposing amendments to Florida Statute 553.79 that preempt the City's demolition permit process as applied to historic properties and urging the Florida Legislature to rescind said amendments.

BRIEF HISTORY:

During the 2022 legislative session, the Florida Legislature adopted House Bill 423 (“HB 423”), altering the Florida Building Code. One such amendment, prohibits a municipality from prohibiting or restricting a private property owner from demolishing a single-family residential home located in a coastal high-hazard area, moderate flood zone, or special flood hazard area, if the lowest finished floor elevation of the structure is at or below base flood elevation, or a higher base flood elevation as may be required by local ordinance, whichever is higher. With some exceptions, the new legislation also limits the City’s ability to apply local land development regulations to such properties.

The bill exempts nationally designated historic landmarks, residential structures designated on or before January 1, 2022, and residential structures designated after January 1, 2022, with the owner’s consent. The City of Coral Gables recognizes the enactment of this legislation could lead to the irreversible demolition of historic properties. Coral Gables has a longstanding history of being protecting historical properties, which foster city pride and legacy. In fact, the Historical Resources and Cultural Arts Department must approve demolition permits before issuance.

The City of Coral Gables has a long-standing legacy of recognizing and protecting its historic and cultural sites. In fact, there are currently over 1,200 historic landmark properties in the City and there may be a significant number of undesignated properties now threatened by state law. The City Commission condemns state action that infringes on the City’s home rule powers and overrides its ability to regulate the protection of historic structures through its zoning authority. By passage of this resolution, the City Commission urges the Legislature to rescind the amendment to section 553.79, Florida Statutes during the next legislative session.

Attachments

- 1. Draft resolution**