

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2018-13

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, AMENDING ARTICLE 3, "DEVELOPMENT REVIEW," DIVISION 11, "HISTORIC PRESERVATION: DESIGNATION AND CERTIFICATES OF APPROPRIATENESS," SECTION 3-1104, "DESIGNATIONS PROCEDURES"; PROVIDING PROCEDURES FOR DESIGNATION OF THE CITY PLAN, NOTICE OF HEARING AND, AMENDMENTS TO THE PLAN, PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, George E. Merrick drew from the Garden City and City Beautiful movements of the 19th and early 20th century to his create his vision for a fully-conceived Mediterranean-inspired city which is now considered one of the first modern planned communities in the United States; and

WHEREAS, noted landscape architect Frank Button prepared the first comprehensive plan of streets and blocks of what would become the City of Coral Gables in 1921; and

WHEREAS, this map pre-dates the incorporation of the City on April 29, 1925; and

WHEREAS, Merrick's design team carefully planned the city to optimize the town planning potential of the tropical environment of South Florida. They laid out broad sweeping boulevards with grand vistas and tree-lined streets, plazas with fountains. They designed and built Mediterranean-inspired homes that conveyed a quality of centuries-old permanence with generous street setbacks for front yards that celebrated the "tropical vegetation in a delightful profusion;" and

WHEREAS, as shown in the 1925 City map (attached), the City Plan was established by an underlying grid of orthogonal streets and avenues over which a series of diagonal and curved thoroughfares were carefully overlaid as part of Merrick's "Great Development Program." At strategic locations the grid was opened up to include grand entrances, plazas and fountains in order to give focus to major arteries and vistas. Broad boulevards were curved around planned features that included vast park land, monumental public and community buildings and other amenities. The meeting of diagonal and orthogonal thoroughfares created both the large open areas at the intersections, often used for roundabouts, as well as smaller geometric spaces known as "reservations" or "breathing spaces" that provided additional green space and visual interest; and

WHEREAS, the City's Zoning Code recognizes that the designation of historic landmarks and districts promotes "the educational, cultural, and economic welfare of the public by preserving and protecting historic structures or sites, portions of structures, groups of structures, manmade or natural landscape elements, works of art, or integrated combinations thereof, which serve as visible reminders of the history and cultural heritage of the City, region,

state or nation;” and

WHEREAS, the significance of the City Plan lies in the unique sense of place it imparts. In the rational nature of the rhythmic placement of streets, buildings, and open areas, and in the great variety of spatial experiences planned, which are now protected throughout the City; and

WHEREAS, the Coral Gables City Plan is generally recognized as a landmark of American town planning of the 20th century; and

WHEREAS, the City has many roadways with historic significance (i.e. Old Cutler Road, Coral Way, Sunset Drive); and

WHEREAS, the City Commission by Resolution No. 2017-240 expressed the desire of the City Commission to create a process to consider designating the City Plan as historic and provide procedures for the amendment of such City Plan upon designation; and

WHEREAS, the Planning and Zoning Board was presented with the text amendment to the Official Zoning Code, and after due consideration, recommended approval (vote: 5 to 0) of the text amendment; and

WHEREAS, on April 10, 2018, the City Commission was presented with a text Amendment to the Zoning Code, and after due consideration and discussion, (approved/denied) the amendment on First Reading (vote: 5-0); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on April 24, 2018, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, (approved/denied) the amendment on Second Reading (vote: 5-0);

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Official Zoning Code of the City of Coral Gables is hereby amended to read as follows¹:

ARTICLE 3 - DEVELOPMENT REVIEW

Division 11. Historic Preservation: Designation and Certificates of Appropriateness

¹Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

Section 3-1104. Designation Procedures.

Properties which meet the criteria for local historic landmarks and local historic landmark districts set forth in Section 3-1103 shall be designated according to the following procedures:

D. Procedure for Designation of the City Plan and Amendments to such Plan

1. The procedure for designation of the City Plan as historic shall follow the process set forth in this Division except that notwithstanding anything in this Article to the contrary, notice of any public hearing designating the City Plan historic shall be by publication in a newspaper of general circulation ten (10) days in advance of such hearing.
2. In the event that the City Plan is designated historic, any material amendments to the City Plan, including but not limited to, the closing of streets and any developments that would affect such City Plan, shall be in accordance with the following procedure notwithstanding any provisions in this Article to the contrary:
 - a. The Historic Preservation Board, at a public hearing, shall review and make recommendation for a Special Certificate of Appropriateness on any proposed amendments to the City Plan under a balancing of interests weighing the following factors: historic integrity, development, and public purpose; provided, that any development that would cause an amendment to the City Plan having first been reviewed for a recommendation by the Planning and Zoning Board.
 - b. The City Commission shall at a public hearing render a decision to either grant or deny a Special Certificate of Appropriateness after review of the recommendation by the Historic Preservation Board and after notice as provided herein.
 - c. Any public hearing either to consider and make a recommendation on a Special Certificate of Appropriateness before the Historic Preservation Board, or a public hearing before the City Commission to render a decision on a Special Certificate of Appropriateness shall be by publication in a newspaper of general circulation ten (10) days in advance of such hearing.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as

the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. If the Official Zoning Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF APRIL, A.D., 2018.

(Moved: Keon / Seconded: Lago)

(Yeas: Keon, Lago, Mena, Quesada, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: F-2)

APPROVED:


RAUL J. VALDES-FAULI
MAYOR

ATTEST:


WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


MIRIAM SOLER RAMOS
CITY ATTORNEY