

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2009-36

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES GRANTING APPROVAL TO AN AMENDMENT TO THE ZONING CODE ARTICLE 2, DIVISION 5, ENTITLED "HISTORIC PRESERVATION BOARD", SECTION 2-503, "MEETINGS; QUORUM; REQUIRED VOTE", PROVIDING FOR AN AUTOMATIC CONTINUANCE IN THE EVENT OF A LACK OF MAJORITY VOTE, PROVIDING SEVERABILITY, PROVIDING FOR CODIFICATION THEREOF, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Historical Resources Department has requested an amendment to the Zoning Code in order to provide for an automatic continuance for the Historic Preservation Board in the event of a lack of majority vote; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on June 3, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code providing for an automatic continuance for the Historic Preservation Board in the event of a lack of majority vote, and after due consideration, recommended approval (vote: 5-0) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on July 7, 2009 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 the amendment with modifications on First 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 Zoning Code of the City of Coral Gables is hereby amended as follows:

Article 2. Decision Making and Administrative Bodies.

Division 5. Historic Preservation Board

Section 2-503. Meetings; Quorum; Required vote.

- A. *Meetings.* The Historic Preservation Board shall hold regular meetings and may hold special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Chairperson and Secretary of the Board.
- B. *Quorum; Required Vote.* Five (5) members of the Board shall constitute a quorum and the affirmative vote of a majority of the full Board shall be required for the adoption of any motion. A workshop meeting where no business is conducted may be held without a quorum. A tie vote or the lack of a majority vote shall result in the automatic continuance of the matter to the next meeting, which shall be continued until a majority vote is achieved. If a matter is postponed due to lack of a quorum, the Chairperson of the Board or the Historic Preservation Officer may set a special meeting as soon as practicable to consider such matter.

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. This Ordinance shall become effective ten days upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-NINTH DAY OF JULY, A.D., 2009.

(Moved: Anderson / Seconded: Cabrera)

(Yeas: Anderson, Cabrera, Kerdyk, Withers, Slesnick)

(Unanimous: 5-0 Vote)

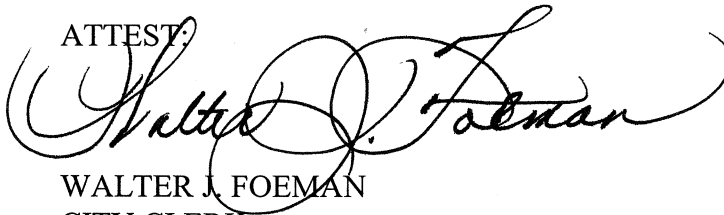
(Agenda Item: E-6)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY