

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2009-10

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 2, DIVISION 5, "HISTORIC PRESERVATION BOARD", SECTION 2-502, ENTITLED "MEMBERSHIP; TERMS; VACANCIES; REMOVAL", TO AMEND THE CURRENT MEMBERSHIP TO REQUIRE TWO ARCHITECTS ON THE HISTORIC PRESERVATION BOARD; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Historical Resources Department has requested an amendment increasing the required amount of architects or preservation architects from one to two for the Historic Preservation Board; and,

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on December 10, 2008, 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 increasing the required amount of architects or preservation architects from one to two for the Historic Preservation Board, and after due consideration, recommended approval (vote: 4-0) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on January 13, 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); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on January 27, 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 on Second Reading (4-0 Vote);

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 (changes in ~~strike~~through / underline format):

Article 2. Decision Making and Administrative Bodies.

Division 5. Historic Preservation Board

Section 2-502. Membership; Terms; Vacancies; Removal.

A. Membership.

1. *The Historic Preservation Board shall be composed of nine (9) members to be confirmed/appointed by the City Commission: one (1) member shall be appointed nominated by each member of the City Commission; two (2) citizen at large members shall be appointed nominated by the Commission as a whole; one (1) shall be nominated by the City Manager; and one (1) shall be a citizen at large appointed nominated by the Board as a whole.*
2. *In making appointments to the Historic Preservation Board, membership shall be sought from persons of knowledge, experience, mature judgment, and background, having ability and desire to act in the public interest and representing insofar as may be possible the various special professional training, experience, and interests required to make informed and equitable decisions concerning conservation and protection of the physical environment, and also as follows:*
 - a. *The six (6) appointments nominations made by the City Commission and City Manager shall include at least one (1) each from the following professions:*
 - i. *One (1) architect or preservation architect registered in the state.*
 - ii. *One (1) historian or architectural historian.*
 - iii. *One (1) certified planner or registered landscape architect.*
 - iv. *One (1) professional in the field of real estate, development, or licensed general contractor.*
 - v. *One (1) attorney-at-law.*
 - vi. *Three (3) citizen at large members.*
 - b. *The appointment nomination made by the Board shall be of a citizen at large with a demonstrated interest in preservation an architect or preservation architect registered in the state.*

- c. *Each member of the Board shall be a resident of the City during the term of his appointment, and also for at least five (5) years prior to appointment unless waived by a four fifths (4/5) vote of the City Commission.*
- d. *Special advisors may be appointed by the City Commission upon recommendation by the Historic Preservation Board.*

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 upon the date of its adoption herein.

PASSED AND ADOPTED THIS TWENTY-SEVENTH DAY OF JANUARY, A.D., 2009.

(Moved: Kerdyk / Seconded: Cabrera)

(Yea: Cabrera, Kerdyk, Withers, Slesnick)

(Absent: Anderson)

(Majority (4-0) Vote)

(Agenda Item: E-5)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY