

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2023-72

A RESOLUTION OF THE CITY COMMISSION APPROVING THE HISTORIC PRESERVATION BOARD RECOMMENDATION OPPOSING SENATE BILL 1346/HOUSE BILL 1317 AS WRITTEN AND STRONGLY ENCOURAGE THE CITY COMMISSION PROTECT ITS EXISTING HISTORIC FABRIC BY ADDING THE BILLS TO THE LEGISLATIVE PRIORITIES.

WHEREAS, proposed Bill SB1346/HB1317 is currently filed for the 2023 legislative session; and

WHEREAS, the proposed Bill classifies any structure not meeting the "FEMA new construction requirements" as "nonconforming" if located in a coastal high-hazard area; and

WHEREAS, the proposed Bill preempts local municipalities from regulating the demolition of "nonconforming" structures or structures condemned by the building official; and

WHEREAS, the proposed Bill, restricts redevelopment prohibitions on condemned/demolished buildings and prohibits requiring the replication of a demolished structure, or the limitation on the size or height of the replacement structure, or the maintenance of any of the demolished structure's elements; and

WHEREAS, the Bill applies to all nonconforming structures in coastal high-hazard areas which fail to meet FEMA standards for new construction; any structure determined to be unsafe by a local building official; and, any structure ordered to be demolished by a local government that has proper jurisdiction, unless the structure is individually listed in the National Register of Historic Places or is a single-family home; and

WHEREAS, the proposed Bill does not adequately protect locally designated historic sites or sites located within local historic districts; and

WHEREAS, a motion to the City Commission to oppose SB1346/HB1317 as written and strongly encourage the City to protect its existing historic fabric was made by Cesar Garcia-Pons, seconded by Michael Maxwell, and upon a vote (8-0), approved by the Historic Preservation Board;

NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC PRESERVATION BOARD OF THE CITY OF CORAL GABLES:

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 Resolution upon adoption hereof.

SECTION 2. That the City Commission does hereby approve of the Historic Preservation Board recommendation opposing Senate Bill 1346/House Bill 1317 as written and add it to the legislative priorities.

SECTION 3. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF MARCH, A.D., 2023.

(Moved: Anderson / Seconded: Menendez)
(Yeas: Anderson, Cason, Mena, Menendez, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: 2-1)

APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

APPROVE AS TO FORM AND
LEGAL SUFFICIENCY:

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BILLY Y. URQUIA
CITY CLERK

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CRISTINA M. SUÁREZ
CITY ATTORNEY