

## City of Coral Gables Planning Department Staff Report

**To:** Planning and Zoning Board Members

**From:** Planning Department

**Date:** December 10, 2008

**Subject:** **Zoning Code Text Amendment – Article 2, Division 5, “Historic Preservation Board”.** 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.

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### **Recommendation**

The Planning Department recommends approval of the following Zoning Code Text Amendment to Zoning Code Section 2-502, entitled “Membership; Terms; Vacancies; Removal”, to amend the current membership to require two architects on the Historic Preservation Board:

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

A. *Membership.*

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 made by the City Commission and City Manager shall include ~~at least one (1) each from the following professions:~~*

i. *One (1) Two (2) architects or preservation architects 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.*

A draft Ordinance is provided as Attachment A.

## **Historic Preservation Board Membership Amendment**

December 10, 2008

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### **Background**

The Historical Resources Department has requested the proposed Zoning Code text amendment in order to increase the number of required architects or preservation architects on the Historical Preservation Board. Currently, membership requirements for the Historic Preservation Board includes only one architect or preservation architect. This amendment will require two architects or preservation architects on the Historic Preservation Board.

Please refer to Attachment B, City of Coral Gables Zoning Code Text Amendment Request completed by the Historical Resources Department for further explanation of the text amendment.

### **Public Notification**

The Planning and Zoning Board meeting agenda, including this public hearing item has been advertised and posted.

Respectfully submitted,



Eric Riel, Jr.  
Planning Director

### **Attachments:**

- A. Draft Ordinance.
- B. City of Coral Gables Zoning Code Text Amendment Request.

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**CITY OF CORAL GABLES, FLORIDA****ORDINANCE NO. \_\_\_\_\_**

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) 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 on First Reading (       vote); and

**WHEREAS**, after notice duly published, a public hearing for Second Reading was held before the City Commission on February 10, 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 (       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 to clarify that copper roofs shall only be allowed as a roofing material in its natural state, as follows (changes in ~~strikethrough~~ / underline format):

***Article 2. Decision Making and Administrative Bodies.***

***Division 5. Historic Preservation Board***

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

***A. Membership.***

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 made by the City Commission and City Manager shall include at least one (1) each from the following professions:*
    - i. *One (1) Two (2) architects or preservation architects 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.*

**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 \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2009.  
(Moved: \_\_\_\_\_ / Seconded: \_\_\_\_\_)  
(\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_)  
(Vote: \_\_\_\_\_ - \_\_\_\_\_)  
(Agenda Item \_\_\_\_\_)

DONALD D. SLESNICK II  
MAYOR

ATTEST:

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ  
CITY ATTORNEY

## City of Coral Gables Zoning Code Text Amendment Request

1

**Date of request:**

June 18, 2008

**Sponsoring department(s):**

Historical Resources Department

**Code section(s) to be amended (attach additional sheets as necessary):**

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

**Purpose or explanation of text amendment (attach additional sheets as necessary):**

Current membership requirements of the Historic Preservation Board include one architect. Because the majority of the Board do not have architectural backgrounds and they review design and construction documents, those Board members rely heavily on the Board member who is an architect for technical expertise. The addition of another architect Board member will relieve some of the burden from the current sole architect and provide another professional opinion to the Board.

**Proposed text amendment (attach additional sheets as necessary):**

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

## A. Membership.

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 made by the City Commission and City Manager shall include at least one (1) each from the following professions:

- i. One (1) Two (2) architects or preservation architects 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.

*kk  
12-5-08*

**Sponsoring department(s) signature:**

Print name

Kara Kautz

Signature

Kara Kautz

06.18.08  
Date

## ARTICLE 2 – DECISION MAKING AND ADMINISTRATIVE BODIES

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
the purposes of historical, archaeological, and heritage conservation Recommend approval of historic markers and plaques and give recognition to designated historic landmarks and historic landmark districts within the City	Article 3, Division 11
Advise the City Commission on all matters related to the use, administration and maintenance of City-owned designated historic landmarks and historic landmark districts	Article 3, Division 11

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

#### A. Membership.

1. The Historic Preservation Board shall be composed of nine (9) members to be confirmed by the City Commission: one (1) member shall be appointed by each member of the City Commission; two (2) citizen at large members shall be appointed 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 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 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.
  - b. The appointment made by the Board shall be of a citizen-at-large with a demonstrated interest in preservation.
  - 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.

B. Terms. The members of the Historic Preservation Board shall serve at the pleasure of the City Commission. All appointments shall be for a two (2) year period commencing June 1, and ending on May 31 of the next odd year or until their successor is appointed. No member of the Historic Preservation Board shall serve more than eight (8) consecutive years on the Board.

C. Vacancies. Appointments to fill any vacancy on the Historic Preservation Board shall be for the remainder of the unexpired term. Appointments to unexpired terms shall not count as one (1) of the four (4) terms for which a member is eligible for appointment, unless the unexpired term is two (2) years or more.

D. Removal. Any member of the Historic Preservation Board may be removed with or without cause by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.