

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-__

AN ORDINANCE OF THE CITY COMMISSION AMENDING THE CITY OF CORAL GABLES ZONING CODE, ARTICLE 8 “HISTORIC PRESERVATION” AND ARTICLE 14 “PROCESS” TO ADDRESS INCONSISTENCIES IN THE ZONING CODE AND REVISE THE HISTORIC DESIGNATION PROCESS; PROVIDING FOR SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the protection and preservation of historic properties is of the upmost importance to the City of Coral Gables and its residents; and

WHEREAS, staff is proposing to make amendments to the City’s Historic Preservation processes to address inconsistencies in the City’s Zoning Code; and

WHEREAS, the proposed amendments were presented to the City’s Historic Preservation Board on April 20, 2022 and after due consideration, recommended approval of the text amendment(vote: 6-0); and

WHEREAS, the proposed amendments were presented to the City’s Planning and Zoning Board on May 11, 2022 and after due consideration, recommended approval of the text amendment(vote: 5-0); and

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

SECTION 1. That 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 as defined in Exhibit A¹.

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 All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.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

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

SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the “Zoning Code” of the City of Coral Gables, Florida; and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

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 adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2021.

APPROVED:

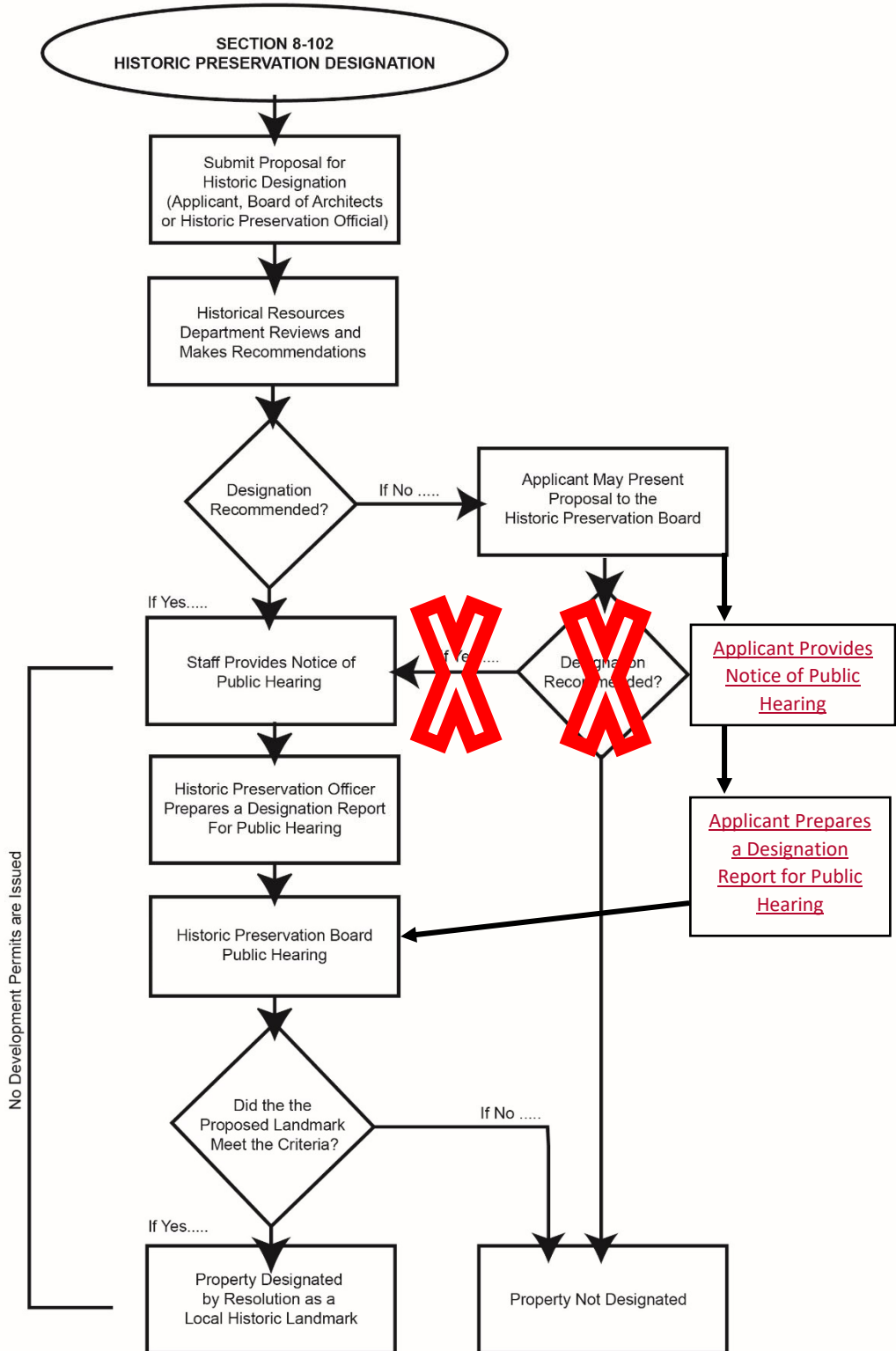
VINCE LAGO
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY



Section 8-107. Demolition

(G) All demolition permits for non-designated buildings and/or structures must be approved by the Historic Preservation Officer or designee. The approval is valid for eighteen (18) months from issuance and shall thereafter expire and the approval is deemed void unless the demolition permit has been issued by the Development Services Department. The Historic Preservation Officer may require review by the Historic Preservation Board if the building and/or structure to be demolished is eligible for designation as a local historic landmark or as a contributing building, structure or property within an existing local historic landmark district. This determination of eligibility is completed by the Historic Preservation Officer within 45 days of submittal and is preliminary in nature. ~~and~~ The determination of eligibility will include criteria that was considered in the preliminary determination but is not included as an exhaustive list. The final report may include additional criteria or exclude others after further research is completed. The final public hearing before the Historic Preservation Board on Local Historic Designation shall be held as soon as practically possible and no later than ~~within sixty (60) ninety (90)~~ days from the Historic Preservation Officer determination of "eligibility." Consideration by the Board may be deferred by mutual agreement by the property owner and the Historic Preservation Officer. The Historic Preservation Officer may require the filing of a written application on the forms prepared by the Department and may request additional background information to assist the Board in its consideration of eligibility. Independent analysis by a consultant selected by the City may be required to assist in the review of the application. All fees associated with the analysis shall be the responsibility of the applicant. The types of reviews that could be conducted may include the following: property appraisals; archeological assessments; and historic assessments.

Section 8-104 Designation Procedures

- A. Proposals for designation of potential local historic landmarks and local historic landmark districts:
1. Proposals for designation of potential local historic landmarks and local historic landmark districts may be submitted to the Historical Resources Department for recommendation to the Historic Preservation Board by the Board of Architects or any citizen or City property owner who provides information, which illustrates that the property meets the criteria for listing as set forth in Section 8-103. The information submitted must include sufficient preliminary information to enable the staff's review for an initial determination that the property meets the minimum eligibility criteria. ~~The proposal~~ Proposals for the designation of potential historic landmarks shall include ~~a~~ the property address, ~~legal description of the property,~~ tax folio number, location map, date of construction, architectural style, architect (if known), color photographs of the property, and a written statement. Proposals for the designation of potential local historic landmark districts and multiple property nominations shall include this information for each property within the proposed district and a description of the proposed district boundaries with boundary map. ~~The written statement shall be based on the information provided,~~ and any other relevant supplemental information, ~~statement~~ explaining ~~theits~~ its historic, cultural, aesthetic, or architectural significance of the proposed landmark, or district, or multiple

property nomination. In addition to furnishing ~~all~~ necessary information, the applicant may be required to pay applicable fees, if any. If the department's initial determination is that the property does not meet the minimum eligibility criteria for listing, the applicant may present the proposal for designation to the Historic Preservation Board. The applicant must submit a report within 30 days of the eligibility determination which describes in sufficient detail the criteria the potential historic landmark satisfies for designation. The applicant will then present at the next regularly scheduled Historic Preservation Board meeting where notice can be provided.;

2. The Board may, on their own or upon the recommendation from staff or any citizen pursuant to Subsection (a) 1. of this section, direct staff to begin the designation process by preparing a designation report pursuant to Subsection (b) below of this section and any other standards the Board may deem necessary, submitting this report to the procedures described herein, and arranging for a public hearing before the Historic Preservation Board on this matter; or
3. Whenever a determination is made by either the Director of the Historical Resources Department or the Historic Preservation Board that an application for historic designation shall proceed to public hearing as provided in this Article, no development permits shall be issued until the public hearing is held and a determination made on the subject designation in accordance with the provisions of Section 8-104.C. In the case where an owner seeks a demolition permit, the public hearing shall be held ~~at the next regularly scheduled meeting where notice can be provided~~in accordance with 8-107(G).

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B.

6. The historic landmark designation report will be provided to property owners or applicants no less than 14 days prior to the Historic Preservation Board meeting at which the designation shall be heard.

Section 14-107.5. Historical Resources Department and Historic Preservation Officer.

(B) (15) Issue letters determining the historical significance of a property. Such determinations do not constitute development orders and are valid for a period of ~~six (6)~~eighteen (18) months.~~In the case where the Historic Preservation Officer or designee determines that the property does not meet the minimum eligibility criteria for designation, a permit for the demolition of the property must be issued within the six (6) month period. Whenever the six (6) month period has elapsed without action by the applicant, the applicant shall be required to file a new application.~~