

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2023-03

AN ORDINANCE OF THE CITY PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 15, "NOTICES" TO REQUIRE ONLINE PUBLICATION OF HISTORICAL DETERMINATION LETTERS AND ARTICLE 8, "HISTORIC PRESERVATION" REVISING THE PROCESS OF HISTORICAL DETERMINATION LETTERS; PROVIDING FOR SEVERABILITY, RE-PEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, Section 8-107 of the City's Zoning Code sets forth the process for historical determination by the Historic Preservation Officer when a demolition permit is requested for a non-designated building; and

WHEREAS, the City Commission wishes to provide more transparency to interested parties when a Historical Determination Letter is issued by providing the letters online; and

WHEREAS, Staff has prepared Zoning Code text amendments to require Historical Determination Letters online and provide a clear process for an appellant to prepare a designation report for public hearing; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on November 1, 2022, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Planning and Zoning Board was presented with text amendments to the Official Zoning Code, and after due consideration, recommended approval (vote: 4 -0) of the text amendment; and

WHEREAS, the Historic Preservation Board was presented with text amendments to the Official Zoning Code, and after due consideration, recommended approval (vote: 8-0) of the text amendment; and

WHEREAS, a public hearing for First Reading was held before the City Commission, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, after notice was duly published, a public hearing for Second Reading was held before the City Commission, at which hearing all interested parties were afforded the opportunity to be heard;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES THAT:

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.

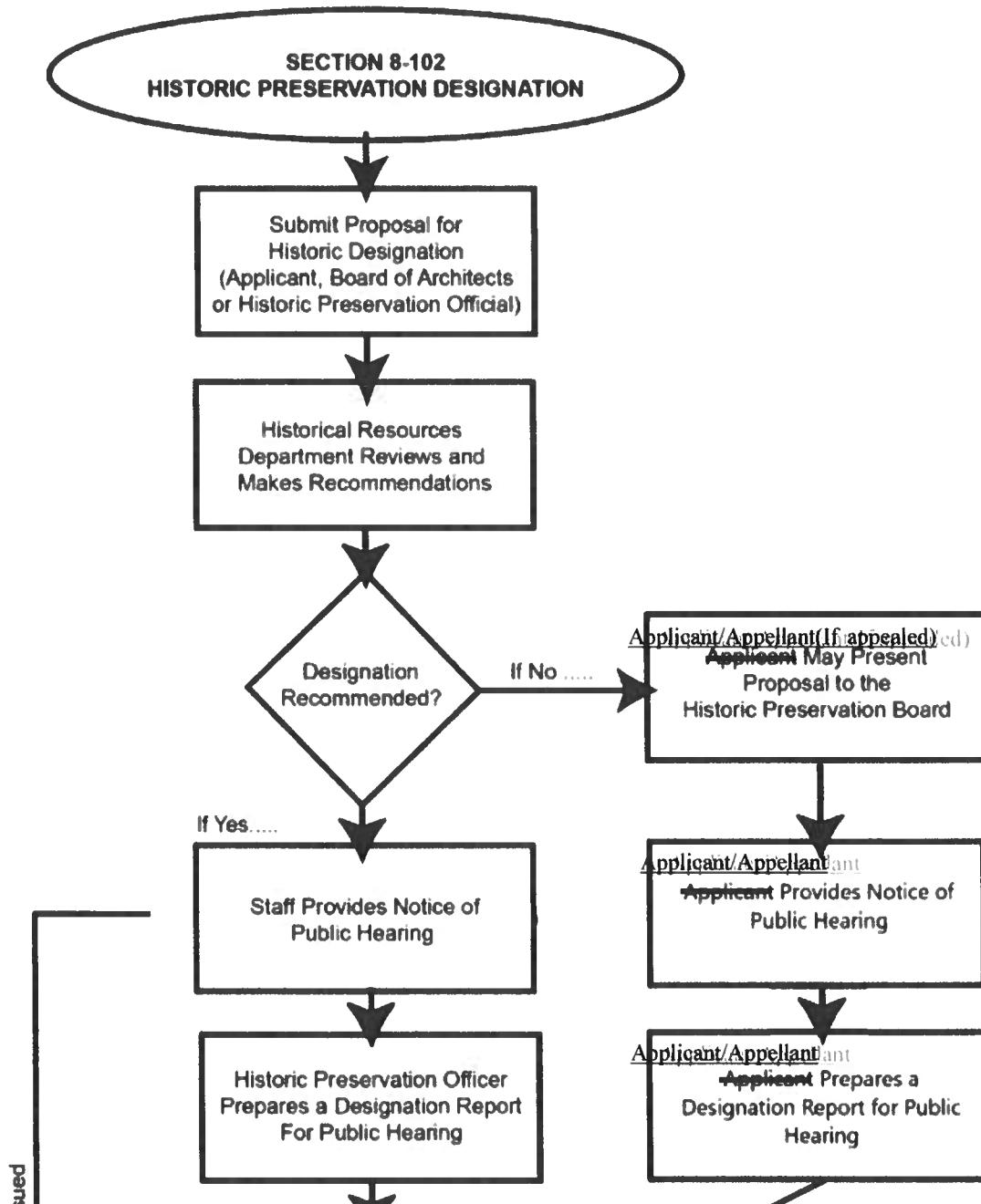
SECTION 2. The Official Zoning Code of the City of Coral Gables is hereby amended to read as follows¹:

Article 15. Notices

Section 15-102. Notice

<i>Historic Preservation: Designations and Certificate of Appropriateness</i>				
Designation of Landmark or District	Publication	10 days		
	Posting	10 days		
	Mail	13 days		
Certificate of Appropriateness (Special)	Publication	10 days		
	Posting	10 days		
Certificate of Appropriateness (Special) with Variance	Publication	10 days		
	Posting	10 days		
	Mail	13 days		
Historical Significance Determination Letter	<u>Online</u>			

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



Article 8. HISTORIC PRESERVATION

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. Any citizen may appeal the approval within 10 days of online posting. A completed designation report, as determined by the Historic Preservation Officer, must be submitted within 21 days of filing the notice of intent to appeal. 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 Historic Preservation Officer within 45 days of submittal and is preliminary in nature. 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 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 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.

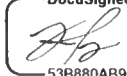
SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the “Zoning Code” of the City of Coral Gables, Florida; and that the sections of this “ordinance” may be changed to “section”, “article”, or such 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 passage and adoption herein.

PASSED AND ADOPTED THIS TENTH DAY OF JUNE, A.D., 2023.
(Moved: Anderson / Seconded: Menendez)
(Yeas: Menendez, Anderson, Cason, Mena, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: F-3)

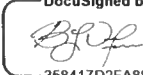
APPROVED:

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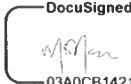
VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

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BILLY Y. URQUIA
CITY CLERK

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY