

Article 10.
BUILDING MORATORIA

Sec. 10-1 - Administrative building moratoria.

- (a) Whenever it shall be made to appear to the City Manager or City Commission that it is in the public interest to make a comprehensive determination as to whether the existing zoning districts applying to a portion of the area of the City of Coral Gables are appropriate, and where it is further made to appear to them that the said existing zoning districts may be detrimental to the said area should they continue to remain applicable and building permits be issued predicated thereon, the City Manager or City Commission shall immediately issue an administrative order delineating the area in question and prohibiting the issuance of building permits therein.
- (b) Any administrative order issued pursuant to subsection (a) shall be complied with by all City of Coral Gables personnel and shall be effective until reversed, modified or superseded by order of the City Commission and if a building permit is issued, same shall be void and of no force or effect.
- (c) Immediately upon issuance of any administrative order pursuant to subsection (a) the City Manager shall place the matter on the City Commission Agenda for consideration of the City Commission calling for a public hearing.
- (d) The City Commission shall call a public hearing at the earliest practical time with reasonable notice by publication in a newspaper of general circulation in the City of Coral Gables, Florida.
- (e) At the public hearing the City Commission shall inquire into the propriety of a building moratorium and may reverse, modify or supersede any moratorium order previously issued. The City Commission's determination shall be predicated upon the reasonable necessity for a detailed comprehensive analysis of the area in question and the probability of detriment to the character of the area by the continued application of the existing zoning districts.
- (f) Should the City Commission determine that a building moratorium is reasonably necessary, it shall order the same and

direct that no building permits be issued within the affected area. The City Commission's order shall fix a time within which the City Manager shall report back to the City Commission with his recommendation relating to appropriate zoning districts for the affected area. The said time limitation shall be a reasonable one, predicated upon the time needed for a comprehensive analysis of the area.

- (g) Should the City Manager be unable to report back to the City Commission within the time prescribed by its moratorium order, upon timely request by the City Manager and after public hearing on the need therefore, the City Commission may reasonably extend the time limitation.
- (h) Upon notification by the City Manager that he is prepared to submit his recommendation relating to the affected area, the City Commission shall call a public hearing thereon at the earliest practical time, after reasonable notice by publication in a newspaper of general publication in the City of Coral Gables, Florida. After said public hearing the City Commission shall make its determination as to whether the zoning districts shall remain the same or shall be changed. Should the City Commission determine that the zoning districts shall remain the same, it shall immediately issue its order terminating the building moratorium. Should the City Commission determine that the applicable zoning districts should be changed, or new districts created therefore, it shall issue its order continuing the building moratorium and shall immediately take the actions required elsewhere within the City of Coral Gables Zoning Code for such changes.
- (i) Upon the completion of all zoning district changes relating to the affected area, the City Commission shall issue its order terminating the building moratorium.

Sec. 10-2 - Other building moratoria.

- (a) Should the City Commission determine that a public hearing should be held as to whether a building moratorium is appropriate, it shall call the same for the

earliest practicable date and give reasonable notice thereof by publication in a newspaper of general circulation in the City of Coral Gables, Florida. Pending the public hearing the City Commission may issue an order prohibiting the issuance of building permits in the affected area.

- (b) The procedure to be followed for this section, after the completion of the steps provided in subsection (a) above, is that set forth in Section 10-1 (a) through (i) of this code.

Sec. 10-3 - Issuance of building permits for non-deleterious structures during moratoria.

Notwithstanding the issuance of any moratorium order, the City Manager may authorize the issuance of building permits for non-deleterious items including, but not limited to, fences, repairs and like matters, where he determines that such permit will not materially or substantially affect the outcome of the planning study.

Sec. 10-4 - Applications for variances, change of zoning or tentative plats during moratoria.

During the existence of any building moratorium, no applications for variances, changes of zoning or tentative plats within the affected area shall be acted upon by any city agency, except as provided in Section 10-1 (h) and if acted upon in violation of this Article same are deemed void and of no force or effect.