

**CITY OF CORAL GABLES, FLORIDA**

**EMERGENCY ORDINANCE NO. 2022-\_\_\_\_\_**

AN EMERGENCY ORDINANCE OF THE CITY COMMISSION AMENDING SECTION 3-600 OF THE ZONING CODE TO CREATE SECTION 3-612 “COVID-19 TESTING SITE TEMPORARY USE PERMIT” TO ALLOW FOR THE SITING OF COVID-19 TESTING, VACCINATION, AND TREATMENT SITES OPERATED BY FEDERAL, STATE, OR LOCAL GOVERNMENT AGENCIES THROUGH FEBRUARY 15, 2023; PROVIDING FOR SEVERABILITY CLAUSE, REPEALER PROVISION, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, due to the prevalence of variants of Novel Coronavirus Disease-2019 (“Covid-19”), there continues to be demand for Covid-19 testing, vaccination, and treatment within the City; and

**WHEREAS**, the City has received requests from federal, state, and/or local government agencies seeking to open and operate temporary Covid-19 testing sites on property located within the City; and

**WHEREAS**, the City Commission finds that a Temporary Use Permit would allow federal, state, or local government agencies (or through their respective contractors) to satisfy the continued demand for Covid-19 testing, vaccination, and treatment by allowing such sites to operate on surface parking lots or vacant lots in temporary structures; and

**WHEREAS**, given the emergency nature of Covid-19, the ongoing and immediate demand for local testing options, and that the City is in receipt of requests to operate such temporary testing sites, the City Commission finds that it is necessary to immediately authorize the City Manager to provide for the review and approval of temporary use permits for Covid-19 testing sites operated by federal, state, or local government agencies, or their contractors, through February 15, 2023;

**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 the adoption hereof.

**SECTION 2.** The Zoning Code of the City of Coral Gables is hereby amended as follows<sup>1</sup>:

Section 3-600. Temporary Uses.

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<sup>1</sup> Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

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### Section 3-612. Covid-19 Testing Site Temporary Use Permit

(a) For purposes of this section, the following definitions shall apply:

Covid-19 means the Novel Coronavirus Disease-2019.

Covid-19 Testing Site Temporary Use Permit shall mean a permit designed to allow the siting of a Covid-19 testing site by a federal, state, or local government agency or its contractor for purposes of providing testing for Covid-19, vaccination, or treatment.

- (b) The City Manager or assigned designee is authorized to allow for temporary Covid-19 testing, vaccination, or treatment sites and associated temporary structures operated by a federal, state, or local government agencies or its contractor to occur on private property, public property, or on a combination of private and public properties.
- (c) Covid-19 Testing Site Temporary Use Permits are intended to provide local options for Covid-19 testing, vaccination, or treatment for a limited duration.
- (1) Covid-19 Testing Site Temporary Use Permits may remain active through February 15, 2023, unless extended at the discretion of the City Commission.
- (2) The City Manager may, in his or her discretion, revoke a Covid-19 Testing Site Temporary Use Permit if the conditions of the permit are violated or the City Manager feels that doing so is in the best interest of the City.
- (3) If the conditions of a Covid-19 Testing Site Temporary Use Permit are violated, it may be revoked after the issuance of a written warning.
- (4) Revocation of a Covid-19 Testing Site Temporary Use Permit may be appealed, in writing, to the City Clerk within fourteen (14) days of the written revocation of the Covid-19 Testing Site Temporary Use Permit. The City Manager or his or her designee shall have five (5) days to respond in writing. A special magistrate appointed by the City will review the filings and render a written order within seven (7) days of receipt of the appeal.
- (5) The City Manager is authorized to establish an expedited application and permitting process for Covid-19 Testing Site Temporary Use Permits, provided that at all times, any Covid-19 Testing Site Temporary Use Permit shall comply with the requirements of the Florida Building Code, Americans with Disabilities Act, general life safety standards, and any other applicable federal, state, and local laws and standards, including applicable zoning regulations.
- (d) Requirements for Covid-19 Temporary Use Permits, are as follows:
1. Application. The City Manager is authorized, at his discretion, to prepare a simplified permit application form specifically for Covid-19 Testing Site Temporary Use Permits.

2. Time limitation for application. The City Manager is authorized to accept permit applications within a reasonable time before the proposed Covid-19 testing site will begin operations to allow for appropriate review and determination.
3. Review and approval of permit applications. Completed applications shall be routed internally by staff for concurrent review and approval or denial by the following departments:
  - a. Development Services
  - b. Fire
  - c. Police
  - d. Economic Development
  - e. Public Works (when on public property)
  - f. Any other department as determined necessary based on the nature of the application by the City Manager or assigned designee.
4. Submittal package. Submittal package should include the following:
  - a. Narrative outlining the intended uses
  - b. Site Plan
  - c. Construction Drawings when necessary
  - d. Noise attenuation plan
  - e. Additional requirements, as deemed necessary, may be required.
5. Fees. There shall be no application fee for a Covid-19 recovery temporary use permit application. However, all fees associated with city services shall apply. The City Manager retains the authority to waive or reduce fees as necessary.

**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 the Zoning Code, which provisions may be renumbered or re-lettered and the word ordinance will be changed to “section,” “article,” or other appropriate word to accomplish such intention.

**SECTION 6.** That for purposes of offering immediate additional options for Covid-19 testing, vaccination, or treatment, this ordinance is hereby declared an emergency measure, waiving a second reading and pre-publication and requiring a 4/5<sup>th</sup> vote of the City Commission.

**SECTION 7.** This Ordinance shall become effective upon the date of its adoption and shall expire on February 15, 2023.

PASSED AND ADOPTED THIS FIFTEENTH DAY OF FEBRUARY, A.D., 2022.

(Moved:            / Seconded:        )  
(Yeas:            / Nays:            )  
(Vote:                            )  
(Agenda Item:                    )

APPROVED:

VINCE LAGO  
MAYOR

ATTEST:

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY

BILLY Y. URQUIA  
CITY CLERK

MIRIAM SOLER RAMOS  
CITY ATTORNEY