

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2008-01**

AN ORDINANCE AMENDING ARTICLE 3, DIVISION 5, ENTITLED PLANNED AREA DEVELOPMENT OF THE CITY OF CORAL GABLES ZONING CODE BY PROVIDING FOR REVISED STANDARDS AND CRITERIA AND EXEMPTIONS FOR ADULT LIVING FACILITIES AND AFFORDABLE HOUSING FACILITIES; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

**WHEREAS**, The City Commission in 2005 requested City Staff solicit a Request for Proposals (RFP) to solicit for a private-public partnership for the construction of a senior housing facility on City owned parcels located on Andalusia Avenue [specifically Lot 9 (45 Andalusia Avenue) and Garage 5 (50 Andalusia Avenue)]; and,

**WHEREAS**, The City Commission after initial policy direction to proceed and finalize the RFP process, The City Commission secured City Boards input via a public review process including the Economic Development Board, Budget Advisory Board, Property Advisory Board and the Senior Citizens Advisory Board; and,

**WHEREAS**, The RFP process was concluded in 2006, a developer was secured, and the City Commission in October 2007 authorized on First Reading the lease agreement as owner of the property; and,

**WHEREAS**, after notice duly published, a public hearing was held before the Planning and Zoning Board on November 14, 2007, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the Board and after due consideration on November 14, 2007, recommended approval (6-0 vote) amending Article 3, Division 5, entitled Planned Area Development of the City of Coral Gables Zoning Code by providing for revised standards and criteria and exemptions for adult living facilities and affordable housing facilities; and

**WHEREAS**, after notice duly published, a public hearing for First Reading was held before the City Commission on December 11, 2007 at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the City Commission, on December 11, 2007 recommended approval (5-0 vote) amending Article 3, Division 5, entitled Planned Area Development of the City of Coral Gables Zoning Code by providing for revised standards and criteria and exemptions for adult living facilities and affordable housing facilities; and

**WHEREAS**, after notice duly published, a public hearing for Second Reading was held before the City Commission on January 8, 2008 at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the City Commission, on January 8, 2008 recommended approval (Majority 4-0 vote) amending Article 3, Division 5, entitled Planned Area Development of the City of Coral Gables Zoning Code by providing for revised standards and criteria and exemptions for adult living facilities and affordable housing facilities; and

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 Official Zoning Code of the City of Coral Gables, Article 3, Division 5, entitled Planned Area Development, providing for the following text amendments:

- a. Amendment to Section 3-502.C.2., titled, “Configuration of lands:”

“Configuration of lands. The parcel of land for which the application is made for a PAD shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed use. The minimum ~~average~~ lot width shall be two hundred (200) feet and ~~or minimum~~ lot depth ~~for any PAD~~ shall be ~~two hundred (200)~~ one hundred (100) feet.”

- b. Creating a new Section 3-502.D., titled, “Exemptions to PAD minimum development standards for configuration of land requirements:”

“D. Exemptions to PAD minimum development standards for configuration of land requirements. Exemptions to minimum development standards may be considered for Assisted Living Facilities (ALF) and/or Affordable Housing Facilities that would allow parcels of land to be noncontiguous as prescribed herein. These exemptions shall only be available to PAD developments that satisfy all of the following criteria:

1. The project demonstrates that it would result in beneficial effects, serve important public interests, and not result in significant adverse impacts to the environment, residential areas, public services and facilities, or the desired character of an area.
2. A minimum of 75% of the total gross square footage of all buildings and ancillary ALF support uses (including square footage of recreational areas, support services, mechanical, etc) is dedicated as an assisted living facility and/or affordable housing facility.
3. A maximum of two noncontiguous parcels may be combined.
4. The two noncontiguous properties have the following designations:
  - a. Commercial land use designation(s) and commercial zoning designation(s); or
  - b. Industrial land use designation and industrial zoning designation.
5. The proposed noncontiguous parcels are within one hundred and twenty (120) feet of one another. Such distance shall be measured by a straight line between the closest property lines of the properties.

The Planning Department, Planning and Zoning Board, and City Commission shall present findings of fact related to the specific proposal and shall set forth with particularity in what respects the proposal satisfies all of the above criterion.”

**SECTION 4.** All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 5.** 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 6.** 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 7.** This ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS EIGHTH DAY OF JANUARY, A.D., 2008.

(Moved: Anderson/ Seconded: Kerdyk)

(Yea: Withers, Anderson, Kerdyk, Slesnick)

(Absent: Cabrera)

(Majority (4-0) Vote)

(Agenda Item: E-1)

APPROVED:

DONALD D. SLESNICK II  
MAYOR

ATTEST:

WALTER J. KOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ  
CITY ATTORNEY