

## **CITY OF CORAL GABLES, FLORIDA**

### **ORDINANCE NO.**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES ADOPTING THE EVALUATION AND APPRAISAL REPORT (EAR) BASED AMENDMENTS, VARIOUS UPDATES OF THE GOALS, OBJECTIVES, AND POLICIES, AND PROVIDING FOR NEWLY CREATED ELEMENTS TITLED: ADMINISTRATION, DESIGN, PUBLIC SAFETY, AND GREEN TO THE CITY OF CORAL GABLES COMPREHENSIVE LAND USE PLAN; AUTHORIZING TRANSMITTAL TO FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS FOR REVIEW; PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Florida Legislature intends that local planning be a continuous and ongoing process; and

**WHEREAS**, Section 163.3191, Florida Statutes, directs local governments to periodically assess the success or failure of the adopted plan to adequately address changing conditions and state policies and rules; and

**WHEREAS**, Section 163.3191, Florida Statutes, directs local governments to adopt needed amendments to ensure that the plan provides appropriate policy guidance for growth and development; and

**WHEREAS**, the City adopted its Evaluation and Appraisal Report on June 26, 2007; and

**WHEREAS**, on September 7, 2007 the Florida Department of Community Affairs found the adopted EAR sufficient; and

**WHEREAS**, the City has completed its proposed Evaluation and Appraisal Report-based amendments consistent with the requirements of Chapter 163, Part II, F.S., and Rule 9J-5 and 9J-11, F.A.C.; and

**WHEREAS**, at a public hearing held on May 13, 2009, the Local Planning Agency (Planning and Zoning Board) afforded all interested persons an opportunity to be heard and this request was continued to the June 3, 2009 Local Planning Agency (Planning and Zoning Board) Meeting; and

**WHEREAS**, at a public hearing held on June 3, 2009, the Local Planning Agency (Planning and Zoning Board) recommended approval of EAR based amendments (vote: 5-0); and

**WHEREAS**, the City Commission, upon first reading of this Ordinance, authorized transmittal of the EAR-Based Amendments to the Department of Community Affairs and review agencies for the purpose of a review in accordance with Sections 163.3184, 163.3187, 163.3189 and 163.3191, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF

CORAL GABLES:

**SECTION 1.** The City Commission hereby approves the City of Coral Gables Comprehensive Plan Evaluation and Appraisal Report (EAR) Based Amendments at the public hearing held on July 7, 2009.

**SECTION 2.** The City Commission hereby recommends transmittal of the City of Coral Gables Comprehensive Plan EAR-Based Amendments to the Florida Department of Community Affairs in accordance with Florida Statute 163.3191.

**SECTION 3.** All ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

**SECTION 4.** If any section, part of session, 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 Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

**SECTION 6.** This ordinance shall become effective \_\_\_\_\_, 2009.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2009.

APPROVED:

DONALD D. SLESNICK II  
MAYOR

ATTEST:

WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

ELIZABETH HERNANDEZ  
CITY ATTORNEY

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