

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2024-31

AN ORDINANCE OF THE CITY COMMISSION PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE ARTICLE 15, “NOTICES,” SECTION 15-102, “NOTICE,” TO REQUIRE NOTICE TO ALL PROPERTIES ALONG THE MAHI CANAL REGARDLESS OF DISTANCE FOR ANY NEW MIXED-USE AND MULTI-FAMILY DEVELOPMENTS ON THE MAHI CANAL, PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, multiple policies in the Coral Gables Comprehensive Plan allow every affected person the opportunity to participate early and throughout the decision-making process; and

WHEREAS, the Mahi Canal includes a high-density development area along US1, creating opportunities for Mixed-use and Multi-family developments that may impact all residents along the canal, warranting different notice requirements to ensure comprehensive community engagement; and

WHEREAS, the Waterway Advisory Board publicly discussed to require mailed notice to all properties along the Mahi Canal on May 1, 2024, and recommended the City Commission amend the Zoning Code, at which meeting all interested persons were afforded an opportunity to be heard; and

WHEREAS, the City Commission publicly discussed requiring mailed notice to all properties along the Mahi Canal on July 9, 2024, at which hearing all interested persons were afforded an opportunity to be heard; and

WHEREAS, as requested by the Commission, Staff has drafted a Zoning Code text amendment to require mailed notice to all properties along the Mahi Canal for any new Mixed-use and Multi-family developments on the Mahi Canal; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on August 14, 2024, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Planning and Zoning Board was presented with the text amendments to the Official Zoning Code, and after due consideration, the Board had no recommendation. (vote: 3 to 3); and

WHEREAS, the City Commission held a public hearing on August 27, 2024 at which hearing all interested persons were afforded an opportunity to be heard, and the item was approved on first reading (vote: 5 to 0); 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, and the item was approved on Second Reading;

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 as follows¹.

Article 15. Notices

Section 15-102. Notice.

C. Mail notices.

1. Except for public hearings before the Board of Architects, or as otherwise provided in the Coral Gables Zoning Code (“Zoning Code”), a required notice of public hearings affecting specific properties containing general information as to the date, time, place of the hearing, property location and general nature of the application shall be mailed to the property that is subject of the application, and to the property owners and tenants, if such names are indicated in the current tax rolls, whose addresses are known by reference to the latest ad valorem tax record, within a one thousand (1,000) foot radius. However, should the one thousand (1000) foot radius extend beyond the City limits, notice shall be mailed outside of the City limits only to addresses that are known by reference to the latest ad valorem tax record that are within a five hundred (500) foot radius of the property that is the subject of the application. It is provided, however, that the radius for a courtesy notice of public hearings for site specific applications for change in land use before the Planning and Zoning Board and City Commission shall be one-thousand five-hundred (1,500) feet. However, should the one thousand five hundred (1500) foot radius extend beyond the City limits, courtesy notice shall be mailed outside of the City limits only to addresses that are known by reference to the latest ad valorem tax record that are within a five hundred (500)

¹ Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

foot radius of the property that is the subject of the application. This notification requirement is measured in feet from the perimeter boundaries of the subject property.

The Development Review Official may require an additional area to receive a courtesy notice on any application. If a public hearing application before the Planning and Zoning Board is continued for more than ninety (90) days then re-notification shall be required. Continued public hearing applications that have incurred substantial changes may require re-notification, as determined by the Development Review Official. The Development Review Official may also require courtesy notices on applications that are not typically required to be noticed if it is determined that such notification is desirable.

It is provided, however, notices shall be mailed to all property owners along the Mahi Canal for mixed-use or multi-family development projects along the Mahi Canal, regardless of the distance from the perimeter boundaries of the subject property.

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.

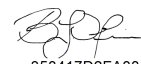
PASSED AND ADOPTED THIS TENTH DAY OF SEPTEMBER, A.D., 2024.
(Moved: Menendez / Seconded: Fernandez)
(Yeas: Anderson, Castro, Fernandez, Menendez, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: E-1)

ATTEST:


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VINCE LAGO
MAYOR

ATTEST:

DocuSigned by:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DocuSigned by:

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CRISTINA M. SUÀREZ
CITY ATTORNEY