



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
 Application: **Zoning Code Text Amendment: Mailed Notice**
 Public Hearing: Planning and Zoning Board
Date & Time: November 1, 2022; 6:00 – 9:00 p.m.
 Location: City Commission Chambers, City Hall,
 405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The City of Coral Gables has initiated a request for a Zoning Code Text Amendment as follows:

An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 15, "Notices" to include mailed notice to all properties within the applicable mailing distance; providing for severability clause, repealer provision, codification, and providing for an effective date.

The requests require three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

2. APPLICATION SUMMARY

As requested by the City Commission, a text amendment is proposed to include mailed notice to all properties within the mailing radius. Currently Section 15-102(C) requires mailed notice to the property owners and tenants, if such names are indicated in the current tax rolls. However, rarely are tenants included on the current tax rolls unless long-term 99-year leases. Therefore, in order to provide notice to residents that may be directly affected by a proposed development, a text amendment is proposed to also mail notice to the property itself, if different from the property owner.

3. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline

The submitted applications have undergone the following City reviews:

REVIEW COMMITTEES AND BOARDS	DATE
Planning and Zoning Board	11.01.22
City Commission – 1 st Reading	TBD
City Commission – 2 nd Reading	TBD

The following has been completed to solicit input and provide notice of the Application:

PUBLIC NOTICE	DATE
Legal advertisement	10.21.22
Posted agenda and Staff report on City web page/City Hall	10.28.22

4. FINDINGS OF FACT

The request is a Text Amendment to the Zoning Code. The proposed changes are provided in Attachment A in ~~strike through~~ / underline format.

Zoning Code Section 14-212.5 provides review standards for Zoning Code text amendments:

Standard	Staff Evaluation
a. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to also provide mailed notice to the property within the mailing radius, in addition to the property owner.
b. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed amendment does not affect any uses permitted in the Comprehensive Plan.
c. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.	The proposed text amendment does not allow densities or intensities in excess of what are permitted by the future land uses.
d. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Plan.	The proposed text amendment will not cause a decline on the level of service for public infrastructure.
e. Does not directly conflict with any objective or policy of the Comprehensive Plan.	The proposed amendment does not conflict with any objective or policy.

Staff comments:

The proposed text amendment to the Zoning Code will also require mailed notice to the property itself, in addition to the property owner, if different. The additional mailed notification will engage more residents and encourage more to participate in the planning processes. The proposed expansion of notification fulfills several goals, objectives, and policies of the Comprehensive Plan to notify stakeholders, residents, property owners, and neighborhood associations of development to provide transparency within the development process and allow every affected person the opportunity to participate early and throughout the decision-making process. The standards identified in Section 14-212.5 for the proposed Zoning text amendment are satisfied.

5. STAFF RECOMMENDATION

Based upon the complete Findings of Fact contained within this report, staff recommends **Approval**.

6. ATTACHMENTS

- A. Draft Ordinance.
- B. Legal advertisement published.

Please visit the City’s webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,

Jennifer Garcia, AICP, CNU-A
City Planner
City of Coral Gables, Florida

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-___

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 15, “NOTICES” TO REQUIRE MAILED NOTICE SENT TO MAILING ADDRESS AND PROPERTY ADDRESS

WHEREAS, the Coral Gables Zoning Code does not indicate which address on the Miami-Dade County Property Appraisers website would receive required mail notice; and

WHEREAS, the City Commission finds that mailing notice to the mailing address or the property address per the Miami-Dade County Property Appraisers website would not provide sufficient notice to tenants and owners; and

WHEREAS, the City Commission wishes to provide greater clarity and transparency in regards to the City’s notice requirements and insure that all interested parties receive mailed notice; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on _____, 2022, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Planning and Zoning Board was presented with text amendments to the Official Zoning Code, and after due consideration, recommended approval/denial (vote: _ to _) of the text amendment; and

WHEREAS, the City staff incorporated changes from first reading, and recommendations from the Planning and Zoning Board, and the City Commission was presented with a final text amendment 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 to read as follows¹:

¹ Deletions are indicated by strikethrough. Insertions are indicated by underline.

Article 15. Notices

Section 15-102. Notice

12. All mailed notice in this table include an additional 3 days to allow for mailing, only 10 days are required if notice is hand delivered.

13. All required mail notice will be sent to the property address and the mailing address per the Miami-Dade County Property Appraisers website. If the address is the same for both then only one notice must be sent.

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 adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, A.D., 2022.

(Moved: / Seconded:)

(Yeas:)

(; Vote)

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - PUBLIC HEARING - LOCAL
PLANNING AGENCY / PLANNING AND ZONING BOARD - NOV
. 1, 2022

in the XXXX Court,
was published in said newspaper by print in the issues of
and/or by publication on the newspaper's website, if
authorized, on

10/21/2022

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

Guillermo Garcia

Sworn to and subscribed before me this
21 day of OCTOBER, A.D. 2022

C. Ramo

(SEAL)
GUILLERMO GARCIA personally known to me



**CITY OF CORAL GABLES, FLORIDA
NOTICE OF PUBLIC HEARING
HYBRID MEETING ON ZOOM PLATFORM**

City Public Hearing
Dates/Times

Local Planning Agency/Planning and Zoning Board
Tuesday, November 1, 2022, 6:00 p.m.
Location City Commission Chamber, City Hall
405 Biltmore Way, Coral Gables, FL 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/ Planning and Zoning Board (PZB) will conduct Public Hearing on the following:

1. An Ordinance of the City Commission amending the City of Coral Gables Zoning Code, Article 6 "Landscape," Section 6-104 "Landscape Requirements for Public Rights-of-Way: to amend planting height and various other provisions, providing for a repealer provision, severability clause, codification, and providing for an effective date. (This item was discussed and deferred from the September 14th PZB Meeting.)
2. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 2, "Zoning Districts," Section 2-402, "Zain/Friedman Miracle Mile Downtown District Overlay" to promote quality design and amend the property size requirements that require Conditional Use review and approval for properties facing Miracle Mile; providing for severability, repealer, codification, and an effective date.
3. An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code, Article 10, "Parking," Section 10-109, "Payment in Lieu and Remote Off- Street Parking;" to clarify remote parking processes and fee structure; providing for severability, repealer, codification, and for an effective date.
4. An Ordinance of the City Commission providing for a text amendment to the City of Coral Gables official Zoning Code by amending Article 14, "Process," Section 14-204.9, "Expiration of Approvals; to eliminate the expiration of Certificates of TDR; providing for severability clause, repealer provision, codification, and providing for an effective date.

Local Planning Agency/ Planning And Zoning Board

5. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 15, "Notices" to include mailed notice to all properties within the applicable mailing distance; providing for severability clause, repealer provision, codification, and providing for an effective date.
6. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 15, "Notices" to require online publication of historical determination letters and Article 8, "Historic Preservation" revising the process of historical determination letters; providing for severability clause, repealer provision, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its regular board meeting on Tuesday, November 1, 2022, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. Accordingly, any individual wishing to provide sworn testimony shall be present physically in the City Commission Chambers.

However, the City Commission has established the ability for the public to provide comments (non-sworn and without evidentiary value) virtually. Accordingly, only individuals who wishes to provide public comment in this format, may appear and provide those comments via Zoom.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/83788709513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (<https://coralgables.granicusideas.com/meetings>) once the meeting's agenda is published, or by sending an email to planning@coralgables.com prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cgtv) as well as Channel 77 on Comcast.

Sincerely,
City of Coral Gables, Florida
10/21

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