



**City of Coral Gables
CITY COMMISSION MEETING
August 23, 2016**

ITEM TITLE:

Ordinance on Second Reading. Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 3, "Development Review," Division 3, "Uniform Notice and Procedures for Public Hearing," Section 3-302, "Notice" and Article 8 "Definitions" expanding the notice area from one-thousand (1,000) feet to one-thousand five-hundred (1,500) feet for certain applications, amending the definition for aggrieved party and revising procedural requirements for public hearing notifications; providing for repealer provision, severability clause, codification, and providing for an effective date.

DEPARTMENT HEAD RECOMMENDATION:

Approval with changes.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board at their 05.11.16 meeting recommended approval (vote: 7-0).

BRIEF HISTORY:

On June 14, 2016 the City Commission approved the Zoning Code text amendment (vote: 5-0) on first reading with proposed changes. The Zoning Code text amendment, with changes, is provided in the draft Ordinance in ~~strikethrough~~/underline format attached as Exhibit A.

City Staff, at the request of the City Commission, has prepared a Zoning Code text amendment to expand the City's current public hearing notification area and procedural requirements. The proposed Zoning Code text amendment expands the radius for public hearing courtesy notices regarding planned area developments, change of land use map and change of zoning map applications before the Planning and Zoning Board from 1,000 feet to 1,500 feet, which doubles the number of properties that will be noticed. City Staff is recommending that this change pertain to only site specific land use and zoning map changes.

As a part of the proposed changes the "Definitions" section has been amended to clarify that an aggrieved party is any property owner receiving notice within 1,000 feet. It also provides language allowing for the Development Review Official to require re-notification for public hearing applications before the Planning and Zoning Board that have been continued for more than ninety (90) days or that have incurred substantial changes.

Additionally, the proposed text amendment will require applicants to be responsible for the mailing of courtesy notifications for applications heard before the Planning and Zoning Board. This practice is currently handled by City staff. Applicants will be required to provide an affidavit to the City indicating that the courtesy notification mailing has been completed. As a result, the public hearing notification fee associated with applications heard before the Planning and Zoning Board will be modified from a per envelope fee of \$3.81 to a flat fee of \$150. The flat fee is based on the costs associated with providing

applicants with the City envelopes necessary to complete the mailing and the time and resources necessary for City staff to prepare the public hearing courtesy notification letter that will be provided to the applicant.

The Zoning Code provides for courtesy notification for public hearings and every effort is made to reach all property owners. However, the Zoning Code states that failure to mail or receive a courtesy notice shall not affect any action or proceeding that takes place under the regulations of the Zoning Code. Additionally, the notice requirements provided for within the Zoning Code apply to various other boards and committees. The proposed changes will only affect the noticing requirements for the Planning and Zoning Board.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
04.14.16	Ordinance	Approved Zoning Code text amendment (vote: 5-0) on first reading with changes.




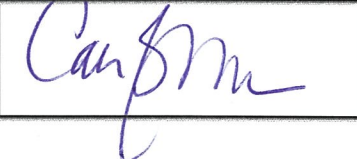
OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
05.11.16	Planning and Zoning Board	Recommended approval (vote: 7-0).

PUBLIC NOTIFICATION(S):

Date	Form of Notification
04.29.16	Planning and Zoning Board legal advertisement.
04.29.16	Planning and Zoning Board agenda posted at City Hall.
05.06.16	Planning and Zoning Board agenda, staff report, legal notice and all attachments posted on City web page.
06.10.16	City Commission meeting agenda posted on City web page (1 st reading).
08.12.16	City Commission legal advertisement of Ordinance heading.
08.19.16	City Commission meeting agenda posted on City web page (2 nd reading).

APPROVED BY:

Interim Department Director	City Attorney	Assistant City Manager	City Manager
			

EXHIBIT(S):

- A. Draft Ordinance.