



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
Application: **Zoning Code Text Amendment – Development Agreement**
Public Hearing: Planning and Zoning Board
Date & Time: **August 12, 2026; 6:00 – 9:00 p.m.**
Location: Community Meeting Room, Police and Fire Headquarters, 2151 Salzedo Street, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

An Ordinance of The City Commission of Coral Gables, Florida, providing for text amendments to The City of Coral Gables Official Zoning Code by amending Article 14, "Process," Section 14-217, "Development Agreements," to amend the maximum duration of Development Agreements and certain requirements to ensure consistency with State Statutes; and providing for repealer provision, severability clause, codification, and providing for an effective date.

The request requires three (3) public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

2. BACKGROUND INFORMATION

Development agreements are authorized by the Florida Local Government Development Agreement Act, Sections 163.3220 through 163.3243, Florida Statutes. Development agreements allow a local government and a property owner to establish the terms, conditions, and obligations governing the development of property for a defined period, subject to consistency with the Comprehensive Plan and applicable land development regulations. Section 14-217 of the City's Zoning Code establishes the City's procedures and minimum content requirements for development agreements.

Section 14-217.7 currently limits the duration of a development agreement to twenty (20) years and requires the City to submit a recorded copy of the agreement to the State of Florida Department of Community Affairs. The applicable Florida Statutes permit development agreements with a maximum initial duration of thirty (30) years, with any extension permitted by mutual consent of the parties and subject to the applicable public hearing requirements. State law also requires an executed development agreement to be recorded with the Clerk of the Circuit Court but no longer requires transmittal to the former Department of Community Affairs.

The proposed Zoning Code text amendment therefore:

1. Increases the maximum duration of a development agreement from twenty (20) years to thirty (30) years;
2. Revises the description of development uses from uses "proposed" for the property to uses

“permitted” for the property; and

3. Removes the obsolete requirement that the City submit a recorded copy of the development agreement to the State of Florida Department of Community Affairs.

The amendment is limited to procedural and administrative revisions intended to ensure consistency between the City’s Zoning Code and Florida Statutes. It does not approve any particular development, authorize a new land use, or modify any permitted density, intensity, building height, or other development standard.

3. PROPOSED ZONING CODE TEXT AMENDMENT

The proposed Zoning Code text amendment is provided as **Attachment A** in ~~striketrough~~/underline format.

4. 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	08.12.26
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	07.31.26
Posted agenda and Staff report on City web page/City Hall	08.07.26

5. FINDINGS OF FACT

In accordance with Section 14-212.5 of the Zoning Code, the Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to these land Zoning Code unless the text amendment:

Standard	Staff Evaluation
a. Promotes the public health, safety, and welfare.	The proposed text amendment promotes the public health, safety, and welfare by maintaining a clear, predictable, and legally consistent process for the review and approval of development agreements. The amendment preserves the City’s public hearing, recording, Comprehensive Plan consistency, infrastructure, and substantive review requirements while updating the maximum duration of

	development agreements and removing an obsolete administrative requirement.
b. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed text amendment is procedural and does not create, approve, or authorize any land use. Any use included in a future development agreement must remain permitted by the applicable Future Land Use Map designation, zoning district, Comprehensive Plan provisions, and Zoning Code regulations.
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 modify any permitted density, intensity, floor area ratio, building height, or other development standard. Any future development agreement will remain subject to the maximum densities and intensities permitted by the applicable future land use category, zoning district, and land development regulations.
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 does not authorize development or increase development capacity and therefore will not directly affect adopted levels of service for public infrastructure. Future development agreements must continue to identify the public facilities and services serving the development, address the timing and responsibility for required improvements, and demonstrate compliance with applicable concurrency and infrastructure-capacity requirements.
e. Does not directly conflict with any objective or policy of the Comprehensive Plan.	The proposed text amendment does not conflict with any objective or policy of the Comprehensive Plan. Aligning the Zoning Code's development-agreement provisions with Florida Statutes, while retaining the requirement that each development agreement be consistent with the Comprehensive Plan and applicable land development regulations, supports the orderly, predictable, and lawful implementation of the Comprehensive Plan.

The proposed text amendment is consistent with and directly supports Policy CIE-1.3.3, which identifies enforceable development agreements as a mechanism to guarantee the timely provision of public facilities and maintain adopted levels of service. By aligning Section 14-217 with current Florida Statutes, the amendment preserves the City's ability to establish binding infrastructure obligations, schedules, and financial assurances.

The amendment also supports Goal GOV-2 and Objective GOV-2.3 by ensuring consistency between the City's regulations and State law, and supports Goal GOV-3 and Objective GOV-3.1 by retaining the City's

annual monitoring and evaluation of development agreement compliance.

Based upon the Findings of Fact provided herein, Staff finds that the proposed Zoning Code text amendment **satisfies** all five standards established in Section 14-212.5 of the Zoning Code. The amendment is limited to procedural and administrative revisions necessary to align the City's development-agreement provisions with Florida Statutes and does not change permitted uses, densities, intensities, development standards, or adopted levels of service.

6. STAFF RECOMMENDATION

The Planning and Zoning Division recommends **approval**.

7. ATTACHMENTS

A. Draft Ordinance

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
Assistant Director of Development Services
for Planning and Zoning
City of Coral Gables, Florida

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2026-__

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 14, "PROCESS," SECTION 14-217, "DEVELOPMENT AGREEMENTS," TO AMEND THE MAXIMUM DURATION OF DEVELOPMENT AGREEMENTS AND CERTAIN REQUIREMENTS TO ENSURE CONSISTENCY WITH STATE STATUTES; AND PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Sections 163.3227 and 163.3229 of Florida State Statutes authorize local governments to enter into development agreements with certain requirements and establish a maximum duration of thirty (30) years, with any extension permitted only by mutual consent of the parties and subject to public hearing requirements; and

WHEREAS, Section 14-217 of the City of Coral Gables Official Zoning Code currently limits the maximum duration of development agreements to twenty (20) years and presently includes certain requirements for development agreements which are inconsistent with Sections 163.3227 and 163.3229 of Florida State Statutes; and

WHEREAS, the proposed text amendment updates the maximum duration of development agreements to thirty (30) years and the requirements for a Development Agreement for the sole purpose of achieving consistency with Section 163.3229 of Florida State Statutes; and

WHEREAS, to the extent any requirements of Section 14-217 of the City of Coral Gables Official Zoning Code are inconsistent with Sections 163.3227 and 163.3229, Florida Statutes, such requirements are proposed to be amended to ensure consistency with State law; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on August 12, 2026, 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 Commission held a public hearing on ___, 2026 at which hearing all interested persons were afforded an opportunity to be heard, and the item was approved on first reading (vote: _ to _); 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 ORDAINED 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:

ARTICLE 14. PROCESS

Section 14-217. Development Agreements

Section 14-217.7 Contents of development agreement/recording

- A. Contents. The approved development agreement shall contain, at a minimum, the following information:
1. A legal description of the land subject to the development agreement.
 2. The names of all persons having legal or equitable ownership of the land.
 3. The duration of the development agreement shall not exceed ~~twenty (20)~~ thirty (30) years.
 4. The development uses ~~proposed~~ permitted for the land, including population densities, building intensities and building height.
 5. A description of the public facilities and services that will serve the development, including who shall provide such public facilities and services; the date any new public facilities and services, if needed, will be constructed; who shall bear the expense of construction of any new public facilities and services; and a schedule to assure that the public facilities and services are available concurrent with the impacts of the development. The development agreement shall provide for a cashier's check, a payment and performance bond or letter of credit in the amount of one hundred fifteen (115) percent of the estimated cost of the public facilities and services, to be deposited with the City to secure construction of any new public facilities and services required to be constructed by the development agreement. The

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

- development agreement shall provide that such construction shall be completed prior to the issuance of any certificate of occupancy.
6. A description of any reservation or dedication of land for public purposes.
 7. A description of all local development approvals approved or needed to be approved for the development.
 8. A finding that the development approvals as proposed are consistent with the Comprehensive Plan and these regulations. Additionally, a finding that the requirements for concurrency as set forth in Section [14-218](#) of these regulations have been satisfied.
 9. A description of any conditions, terms, restrictions or other requirements determined to be necessary by the City Commission for the public health, safety or welfare of the citizens of the City of Coral Gables. Such conditions, terms, restrictions or other requirements may be supplemental to requirements in existing codes or ordinances of the City.
 10. A statement indicating that the failure of the development agreement to address a particular permit, condition, term or restriction shall not relieve the developer of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions.
 11. The development agreement may provide, in the discretion of the City Commission, that the entire development or any phase thereof commenced or be completed within a specific period of time. The development agreement may provide for liquidated damages, the denial of future development approvals, the termination of the development agreement, or the withholding of certificates of occupancy for the failure of the developer to comply with any such deadline.
 12. A statement that the burdens of the development agreement shall be binding upon, and the benefits of the development agreement shall inure to, all successors in interest to the parties to the development agreement.
 13. All development agreements shall specifically state that subsequently adopted ordinances and codes of the City which are of general application not governing the development of land shall be applicable to the lands subject to the development agreement, and that such modifications are specifically anticipated in the development agreement.
- B. Recording. No later than fourteen (14) days after the execution of a development agreement by all parties thereto, the City shall record the development agreement with the Clerk of the Circuit Court in Miami-Dade County. The applicant for a development agreement shall bear the expense of recording the development agreement. ~~Additionally, the City shall submit a recorded copy of the development agreement to the State of Florida Department of Community Affairs no later than fourteen (14) days after the development agreement is recorded.~~

Section 14-217.8. Effect of decision.

- A. The codes and ordinances of the City governing the development of land subject to a development agreement, in existence at the time of the execution of a development agreement, shall govern the development of the land for the duration of the

development agreement. Upon the expiration or termination of a development agreement, all codes and ordinances of the City in existence upon the date of expiration or termination shall become applicable to the development regardless of the terms of the development agreement.

- B. The City may apply codes and ordinances adopted subsequent to the execution of a development agreement to the subject property and development only if the City Commission, upon holding a public hearing, has determined that such subsequent codes and ordinances are:
1. Not in conflict with the laws and policies governing the development agreement and do not prevent development of the land uses, intensities or densities in the development agreement.
 2. Are essential to the public health, safety or welfare, and expressly state that they shall apply to a development that is subject to a development agreement.
 3. Are specifically anticipated and provided for in the development agreement.
 4. The City demonstrates that substantial changes have occurred in pertinent conditions existing at the time of approval of the development agreement.
 5. The development agreement is based on substantially inaccurate information supplied by the developer.

Section 14-217.9. Changes to development agreements.

A development agreement may be amended by mutual consent of the parties, provided the notice and public hearing requirements of Article 15 of these regulations are followed. A party to a development agreement may request ~~one (1) extensions~~ of the duration of the development agreement, ~~not to exceed one (1) year from the date of expiration of the initial term of the development agreement,~~ by submitting an application to the Development Review Official at least sixty (60) days prior to the expiration of the initial term of the agreement. The application shall address the necessity for the extension and shall demonstrate that the extension is warranted under the circumstances. The Development Review Official shall schedule the requested extension as a proposed amendment to the development agreement for public hearing before the Planning and Zoning Board and City Commission, in accordance with Article 15 of these regulations.

Section 14-217.10. Expiration or revocation of approval.

The City Manager shall review all lands within the City subject to a development agreement at least once every twelve (12) months to determine if there has been demonstrated good-faith compliance with the terms of the development agreement. The City Manager shall make an annual report to the City Commission as to the results of this review. In the event the City Commission finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of the development agreement, the development agreement may be revoked or modified by the City Commission upon giving at least fifteen (15) days written notice to the parties named in the development agreement. Such termination of a development agreement shall occur only after compliance with the public hearing and notice requirements of Article 15.

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 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 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 ____ OF ____, A.D., 2026.

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

CRISTINA SUAREZ
CITY ATTORNEY