

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, ARTICLE 5, "DEVELOPMENT STANDARDS," DIVISION 8, "DOCKS, WHARVES, MOORING PILES AND WATERCRAFT MOORINGS," CLARIFYING THE DISTANCE OF UNOBSTRUCTED NAVIGABLE WATER, PROVIDING FOR A REPEALER PROVISION, PROVIDING FOR A SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Coral Gables waterway system is a unique feature from the original George Merrick vision; and,

WHEREAS, the Waterway Advisory Board recommended reducing the open unobstructed navigable water space for waterways north of US-1 on their February 7, 2018, meeting; and,

WHEREAS, the bridges at Ponce de Leon / US1 and Granada are too narrow for twenty (20) foot wide boats to pass; and,

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board ("Board") on May 9, 2018, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, the Board was presented with the text amendment to the Official Zoning Code, and after due consideration and discussion, recommended approval with modifications of the amendment, including extending the forty-five (45) foot wide allowance south of US-1 to Miller Road (vote: 4 – 0); and,

WHEREAS, Staff has incorporated all modifications into the proposed text as recommended by the Board; and,

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on June 12, 2018, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: 4 -0).

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on (month) (day), 2018, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, (approved/denied) the amendment on Second Reading (vote: __-__).

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

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 5 – Development Standards

Division 8. Docks, Wharves, Mooring Piles and Watercraft Moorings

Section 5-802. Docks, wharves and mooring piles – canals, lakes, or waterways.

The construction, erection or installation of mooring piles and/or watercraft docks or similar landing facilities for watercraft, in any water body, or on land abutting thereon, shall be subject to the following conditions and restrictions:

- A. No dock, wharf or similar structure shall be constructed over or in any canal, lake or bay more than five (5) feet outward from the bank except as described for specific properties and the Mahi Canal in Appendix A.
- B. No mooring piles shall be placed or set in the water bodies which shall be located at a greater distance than twenty-five (25) feet from the bank of such water or waterways.
- ~~C. Except as described for specific properties and the Mahi Canal in Appendix A, no dock or mooring piles shall be placed in any waterway within the City at a greater distance from the bank thereof, which, when allowance is made for the erection or placing of a dock or mooring piles on the opposite bank at a similar distance from the bank, will leave less than seventy-five (75) feet of open unobstructed navigable water between such piles, docks and similar structures on the opposite bank.~~
- C. Docks and mooring piles may be placed on both sides of the waterways at similar distances from the bank. Open unobstructed navigable water between such piles, docks, and similar structures shall maintain a clear distance as set forth below for the following geographic areas:
 - a. Seventy-five (75) feet south of US-1, excluding Block 92, Riviera Section #2.
 - b. Forty-five (45) feet north of US-1 and including Block 92, Riviera Section #2.

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

- c. Thirty (30) feet in the Mahi Canal.
- D. No dock extending outward over or in the water from the bank shall be permitted in connection with any lot which a reasonable area along the shore thereof shall be at such level as to provide a natural landing stage or platform for persons embarking on or debarking from watercrafts.
- E. All mooring piles, docks and/or similar structures shall maintain the same minimum setback from the adjacent owner's property line extended as established for the main structure permitted on each building site, except as described for specific properties and the Mahi Canal in Appendix A.
- F. Except as described for specific properties and the Mahi Canal in Appendix A, and as provided for under Section 5-802(C) above, the mooring of watercraft in water bodies shall be forbidden unless such moorings, and similar mooring on the opposite bank, shall leave unobstructed passageway in the water body of at least seventy-five (75) feet in width.
- G. Where the width of the water body permits mooring of watercraft parallel to the banks, but does not permit the erection of docks or the placing of outer mooring piles, fender or mooring piles may be placed at a distance not greater than eighteen (18) inches from the bank or shore, and such piles shall be Venetian type, painted and ornamentally capped

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 City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the “Zoning Code” of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

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 _____, 2018.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2018.

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY