

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

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 REVISING ARTICLE 15 “NOTICES”, SECTION 15-102 “NOTICE”, SUBSECTION C “MAIL NOTICES” PROVIDING THAT WHEN A NOTICE RADIUS EXTENDS OUTSIDE OF THE CITY LIMITS, NOTICE SHALL BE MAILED OUTSIDE OF THE CITY LIMITS ONLY TO ADDRESSES THAT ARE WITHIN A FIVE HUNDRED (500) FOOT RADIUS OF THE PROPERTY THAT IS THE SUBJECT OF THE APPLICATION; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Coral Gables Zoning Code does not clearly address mail notice to properties outside of the City limits; and

WHEREAS, the Zoning Code requires properties within a one thousand (1000) foot radius of a subject property to be mailed notice of public hearings but for site specific applications for a change in land use, the Zoning Code provides that courtesy notice be mailed to properties within a one thousand five hundred (1500) foot radius; and

WHEREAS, the City Commission finds that mailing notice to an address that is not within the City and located up to one thousand five hundred (1500) feet away from the subject property is too remote and does not serve the best interest of the City and its residents; and

WHEREAS, the City Commission wishes to provide greater clarity and transparency in regards to the City’s notice requirements; and

WHEREAS, the Planning and Zoning Board was presented with this text amendment to the Official Zoning Code, and after due consideration and discussion, recommended approval (vote: 5-0);

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:

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

Section 15-102. Notice.

In every case where a public hearing is required pursuant to the provisions of these regulations and other applicable Florida Statute requirements, the City shall provide a Notice of Public Hearing in the manner set out in this section and as summarized in the following table:

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) 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.

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 _____, 2022.

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

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY