



## City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables  
 Application: **Zoning Code Text Amendment – City Plan**  
 Public Hearing: Planning and Zoning Board  
 Date & Time: **March 14, 2018; 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 is requesting review and consideration of the following:

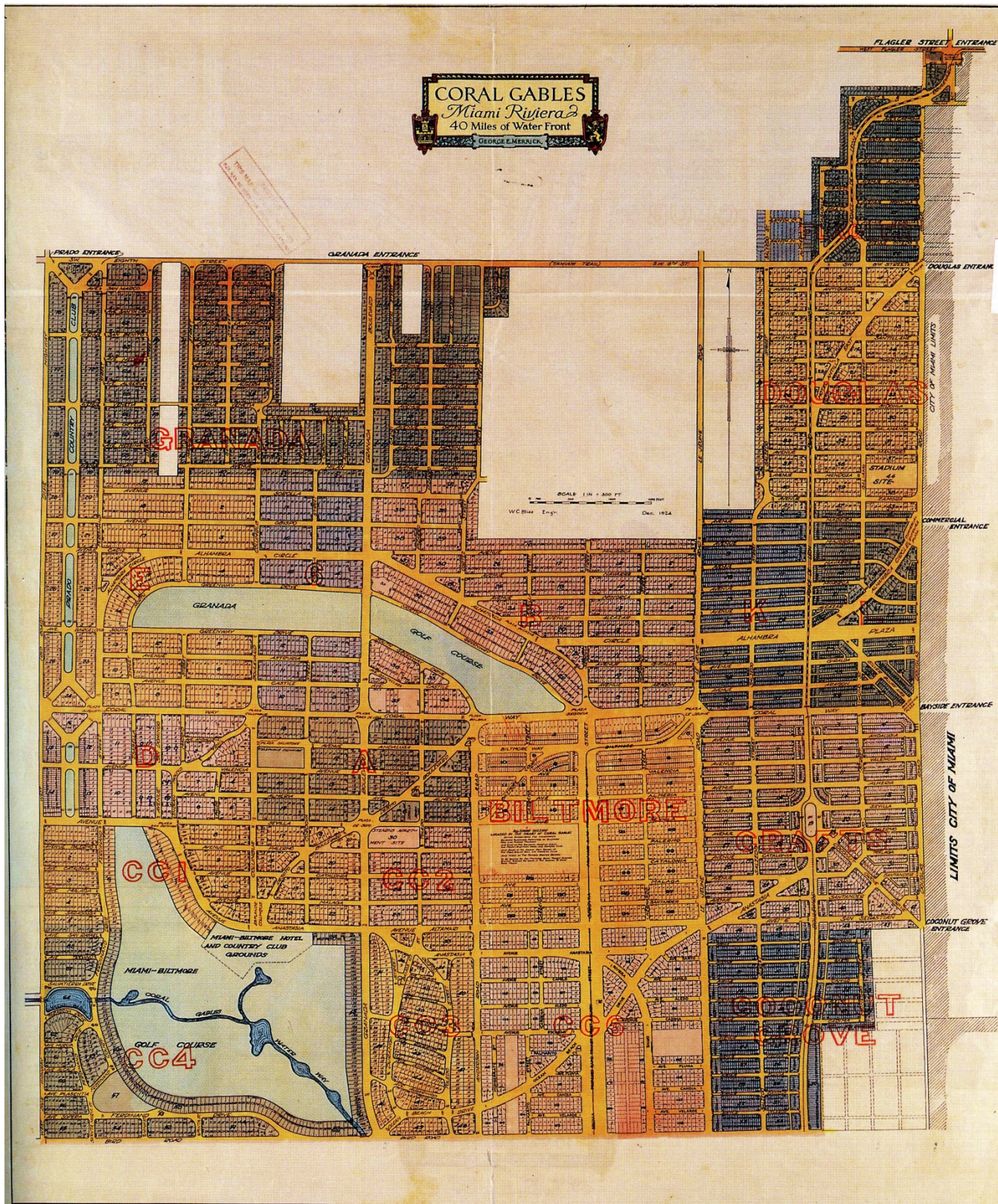
*An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 3, "Development Review," Division 11, "Historic Preservation: Designation and Certificates of Appropriateness," Section 3-1104, "Designations Procedures," providing for procedures for designation of the City Plan, Notice of Hearing and, amendments to the Plan, providing for a repealer provision, providing for a severability clause, codification, and providing for an effective date.*

### 2. BACKGROUND INFORMATION

In November of last year, the City Commission adopted Resolution No. 2017-240 (Attachment A), which directed City Staff to prepare an ordinance that would provide a procedure to adopt the City Plan as historic, and further for the Historic Preservation Officer and the City Attorney to proceed to designate the City Plan historic. The ordinance that is attached recognizes the importance of the City Plan noting, "the underlying grid of orthogonal streets and avenues of which a series of diagonal and thoroughfares were carefully overlaid as part of Merrick's 'Great Development Program.'"

It should be noted that the attached ordinance does not declare the City Plan historic. Rather, it provides the procedural framework whereby the City Commission can consider declaring the City Plan historic and provides a process to consider amendments to the City Plan if declared historic.

### Historic 1925 City Plan, North





The proposed Zoning Code text amendment is provided below in ~~striketrough~~/underline format.

### **ARTICLE 3 – Development Review**

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#### **Division 11. Historic Preservation: Designation and Certificates of Appropriateness**

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Section 3-1104. Designation Procedures.

Properties which meet the criteria for local historic landmarks and local historic landmark districts set forth in Section 3-1103 shall be designated according to the following procedures:

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#### D. Procedure for Designation of the City Plan and Amendments to such Plan

1. The procedure for designation of the City Plan as historic shall follow the process set forth in this Division except that notwithstanding anything in this Article to the contrary, notice of any public hearing designating the City Plan historic shall be by publication in a newspaper of general circulation ten (10) days in advance of such hearing.
2. In the event that the City Plan is designated historic, any material amendments to the City Plan, including but not limited to, the closing of streets and any developments that would affect such City Plan, shall be in accordance with the following procedure notwithstanding any provisions in this Article to the contrary:
  - a. The Historic Preservation Board, at a public hearing, shall review and make recommendation for a Special Certificate of Appropriateness on any proposed amendments to the City Plan under a balancing of interests weighing the following factors: historic integrity, development, and public purpose; provided, that any development that would cause an amendment to the City Plan having first been reviewed for a recommendation by the Planning and Zoning Board.
  - b. The City Commission shall at a public hearing render a decision to either grant or deny a Special Certificate of Appropriateness after review of the recommendation by the Historic Preservation Board and after notice as provided herein.
  - c. Any public hearing either to consider and make a recommendation on a Special Certificate of Appropriateness before the Historic Preservation Board, or a public hearing before the City Commission to render a decision on a Special Certificate of Appropriateness shall be by publication in a newspaper of general circulation ten (10) days in advance of such hearing.

### **4. FINDINGS OF FACT**

In accordance with Section 3-1405 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:

- A. Promotes the public health, safety, and welfare.
- B. Does not permit uses the Comprehensive Plan prohibits in the area affected by the district boundary change or text amendment.
- 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.
- 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 the minimum requirements of the Comprehensive Plan.
- E. Does not directly conflict with an objective or policy of the Comprehensive Plan.

Staff finds that all five of these criteria are **satisfied**.

## 5. COMPREHENSIVE PLAN CONSISTENCY

In accordance with Section 3-1407 of the Zoning Code, the Planning and Zoning Board shall determine whether the Zoning Code text amendment is consistent with the Comprehensive Plan. Staff finds that the proposed text amendment **is consistent** with the Comprehensive Plan.

## 6. PUBLIC NOTIFICATION

The following has been completed to provide notice of the request:

Type	Date
Legal advertisement	03.02.18
Posted agenda on City web page/City Hall	03.02.18
Posted Staff report on City web page	03.09.18

## 7. STAFF RECOMMENDATION

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

**8. ATTACHMENTS**

- A. Resolution No. 2017-240.
- B. 03.02.18 Legal advertisement published.

Please visit the City's webpage at [www.coralgables.com](http://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,



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

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2017-240**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, DIRECTING CITY STAFF TO PREPARE AN ORDINANCE CREATING A NOTICE PROVISION AND PROCESS IN THE ZONING CODE, AS WELL AS A STANDARD FOR EVALUATING AMENDMENTS TO THE CITY PLAN, AND AUTHORIZING THE HISTORIC PRESERVATION OFFICER AND CITY ATTORNEY TO PROCEED WITH SEEKING HISTORIC DESIGNATION OF THE CITY PLAN; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE.

**WHEREAS**, both State law and the City's Zoning Code recognize the importance of preserving historic districts; and

**WHEREAS**, the City has many roadways with historic significance (i.e. Old Cutler Road, Coral Way, Sunset Drive); and

**WHEREAS**, Frank Button drew the first comprehensive map of what would become the City of Coral Gables in 1921; and

**WHEREAS**, this map pre-dates the incorporation of the City on April 29, 1925; and

**WHEREAS**, the City Plan is part of George Merrick's vision for the City which included broad avenues and vast park land, as shown in both the 1925 City map and the 1928 City map (attached); and

**WHEREAS**, it is the desire of the City Commission to designate the City Plan as historic;

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**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 Resolution upon adoption hereof.

**SECTION 2.** That the City Attorney, Historic Preservation Officer and other appropriate staff are directed to proceed with seeking designation of the City Plan as historic, which would create a historic district.

**SECTION 3.** That an Ordinance be drafted establishing a process for designation of the City Plan as historic, which provides that any material amendments to the plan would be reviewed by the Historic Preservation Board for a special certificate of appropriateness and under a balancing of interests standard, with an opportunity for review by the City Commission.

**SECTION 4.** That the standard of review for proposed amendments to the City Plan will be a balancing of interests (weighing historic integrity, development and public purpose). The review would be conducted initially by the Historic Preservation Board, with the final decision being made by the City Commission.

**SECTION 5.** That the Zoning Code be amended to provide that notice, relating to the historic designation of City roads or the City Plan, be provided by publication in a newspaper of general circulation.

**SECTION 6.** That City staff is directed to prepare a proposed amendment to the Zoning Code to reflect this process.

**SECTION 7.** That this Resolution shall become effective upon the date of its passage and adoption herein.

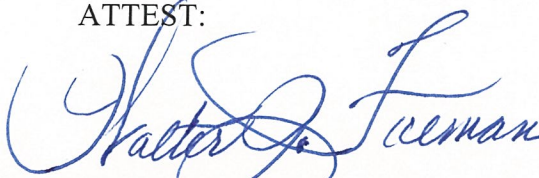
PASSED AND ADOPTED THIS TWENTY-NINTH DAY OF AUGUST, A.D.,  
2017.

(Moved: Quesada / Seconded: Keon)  
(Unanimous Voice Vote)  
(Agenda Item: I-7)

APPROVED:

  
RAUL VALES-FAULI  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

  
CRAIG E. LEEN  
CITY ATTORNEY



**MIAMI DAILY BUSINESS REVIEW**

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

**STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared JOHANA OLIVA, who on oath says that he or she is the LEGAL CLERK, 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

**NOTICE OF PUBLIC HEARING  
CITY OF CORAL GABLES - PLANNING AND ZONING BOARD  
- MAR 14, 2018**

in the XXXX Court,  
was published in said newspaper in the issues of

03/02/2018

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

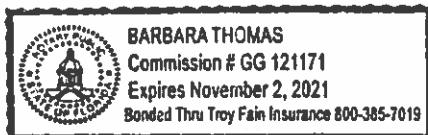
*Johana Oliva*

Sworn to and subscribed before me this  
2 day of MARCH, A.D. 2018

*Barbara Thomas*

(SEAL)

JOHANA OLIVA personally known to me



**CITY OF CORAL GABLES, FLORIDA  
NOTICE OF PUBLIC HEARING**

<b>City Public Hearing Dates/Times</b>	<b>Local Planning Agency / Planning and Zoning Board Wednesday, March 14, 2018, 6:00 - 9:00 p.m.</b>
<b>Location</b>	<b>City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134</b>

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

1. 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 4, "Zoning Districts," Section 4-101, "Single-Family Residential (SFR) District;" and Article 5, "Development Standards," to modify and clarify provisions regulating single-family residential standards related to garages, Floor Area Ratio (FAR) calculations, fences and walls, and accessory uses; providing for a repealer provision, providing for a severability clause, codification, and providing for an effective.
2. Discussion Item: Update to Venera Mixed-Use Site Plan.
3. Resolution of the City Commission of Coral Gables, Florida requesting an encroachment agreement and mixed use site plan review pursuant to Zoning Code Article 4, "Zoning Districts," Division 2, "Overlay and Special Purpose Districts," Section 4-201, "Mixed Use District (MXD)," for the mixed use project referred to as "Gables Living" on the property legally described as Lots 1 thru 8 and Lots 39 thru 42, Block 1, Industrial Section (390 Bird Road and 4012 Laguna Street), Coral Gables, Florida; including required conditions; providing for an effective date.
4. Resolution of the City Commission of Coral Gables, Florida approving the Final Plat entitled "Almeria Square" pursuant to Zoning Code Article 3, Division 9, "Platting/Subdivision," being a re-plat of an approximately 0.2754 acre (12,000 sq. ft) property into four (4) platted lots for four (4) residential townhouses on property assigned Multi-Family Special Area District (MFSA) zoning, on the property legally described as Lots 29 and 30, Block 13, Coral Gables Biltmore Section (625 Almeria Avenue); according to the plat thereof as recorded in Plat Book 20, page 28, of the public records of Miami Dade County, Florida providing for an effective date.

5. Resolution of the City Commission of Coral Gables, Florida approving the Final Plat entitled "Plaza Coral Gables" pursuant to Zoning Code Article 3, Division 9, "Platting/Subdivision," being a re-plat of an approximately 6.731 acre property into seven (7) tracts of land on property assigned Commercial District (C) zoning, on the property legally described as all of blocks 20 and 30, and a portion of the platted alley lying within block 23, Coral Gables Crafts Section (2801, 2901, and 3001 Ponce de Leon Boulevard), Coral Gables, Florida; providing for an effective date.
6. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts," Division 2, "Overlay and Special Purpose Districts," Section 4-201, "Mixed Use District (MXD)," amending marking requirements for MXD projects less than forty-five (45) feet in height; providing for a repealer provision, providing for a severability clause, codification, and providing for an effective date.
7. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 3, "Development Review," Division 11, "Historic Preservation: Designation and Certificates of Appropriateness," Section 3-1104, "Designations Procedures," providing procedures for designation of the City Plan, notice of hearing, and amendments to the Plan, providing for repealer provision, severability clause, codification, and providing for an effective date.

All interested parties are invited to attend and participate. Upon recommendation by the Board, the applications will be scheduled for City Commission consideration. Please visit the City webpage at [www.coralgables.com](http://www.coralgables.com) to view information concerning the applications. The complete applications are on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134. Questions and written comments can be directed to the Planning and Zoning Division at [planning@coralgables.com](mailto:planning@coralgables.com) (FAX: 305.460.5327) or 305.460.5211.

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

Any person, who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, as amended, must register with the City Clerk prior to engaging in lobbying activities before City Staff, Boards, Committees or City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall. If a person decides to appeal any decision made by a Board, Committee or City Commission with respect to any matter considered at a meeting or hearing, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Any meeting may be opened and continued and, under certain circumstances, additional legal notice will not be provided. Any person requiring special accommodations in order to attend or participate in the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta (Email: [relejabarrieta@coralgables.com](mailto:relejabarrieta@coralgables.com)), Telephone: 305-722-8686, TTY/TDD: 305-442-1600, at least three (3) working days prior to the meeting. All meetings are telecast live on Coral Gables TV Channel 77.