

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2019-14

AN ORDINANCE OF THE CITY COMMISSION PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE (ZONING CODE), AMENDING ARTICLE 2, "DECISION MAKING AND ADMINISTRATIVE BODIES," DIVISION 2, "PLANNING AND ZONING BOARD," SECTION 2-203 "MEETINGS; QUORUM; REQUIRED VOTE," PROVIDING FOR CLARIFYING PLANNING AND ZONING BOARD VOTING PROCEDURES, PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission values the recommendations from its Planning and Zoning Board; and

WHEREAS, the City Commission finds it appropriate to clarify the Board's voting procedures; and

WHEREAS, the Planning and Zoning Board was presented with text amendments to the Official Zoning Code, and after due consideration, recommended (approval) (vote: 7 to 0) of the text amendment; and

WHEREAS, on February 26, 2019 the City Commission was presented with text amendments to the Zoning Code, and after due consideration and discussion, (approved) the amendment on First Reading (vote: 4- 0); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on March 12, 2019, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with text amendments to the Zoning Code, and after due consideration and discussion, (approved) the amendment on Second Reading (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

to read as follows¹:

ARTICLE 2-DECISION MAKING AND ADMINISTRATIVE BODIES

Division 2. Planning and Zoning Board

Section 3-203. A Meetings; Quorum; Required vote.

A. Meetings. The Planning and Zoning Board shall schedule one (1) regular meeting each month, and special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedures to be followed at meetings, shall be as prescribed by the Chairperson and the Secretary of the Board.

B. Quorum; Required Vote. Four (4) members of the Board shall constitute a quorum and the affirmative vote of four (4) members shall be necessary for the adoption of any motion. A vote of less than four (4) members on a motion regarding an application shall be deemed a tie vote. Whenever a tie vote occurs, and no other available motion on the application is made and approved before the next application is called for consideration or before recess or adjournment is called, whichever occurs first, the application shall proceed to the City Commission without a recommendation. A workshop meeting where no business is conducted may be held without a quorum. If only four (4) members of the Board are present, an applicant may request and be entitled to a continuance to the next regularly scheduled meeting of the Board. If a matter is continued due to lack of a quorum, the Chairperson or Secretary of the Board may set a special meeting to consider such matter. In the event that four (4) votes are not obtained an applicant may request a continuance or allow the application to proceed to the City Commission without a recommendation.

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

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

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 upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWELFTH DAY OF MARCH, A.D., 2019.
(Moved: Lago / Seconded: Mena)
(Yeas: Quesada, Keon, Lago, Mena, Valdes-Fauli)
(Unanimous: 5-0 Vote)
(Agenda Item: F-4)

APPROVED:



RAULI VALDES-FAULI
MAYOR

ATTEST:



BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MIRIAM SOLER RAMOS
CITY ATTORNEY