



# City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables  
Application: **Zoning Code Text Amendments – Applicants Public Information Meeting**  
Public Hearing: Planning and Zoning Board  
Date & Time: **January 10, 2024; 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 pursuant to Zoning Code Article 15, "Notices," Section 15-102, "Notice," to amend requirement for the Applicants Required Public Information Meeting to occur prior to review by the Board of Architects and to require additional registration information for future notifications to be included in meeting notice, providing for repealer provision, severability clause, codification, and providing for an effective date.*

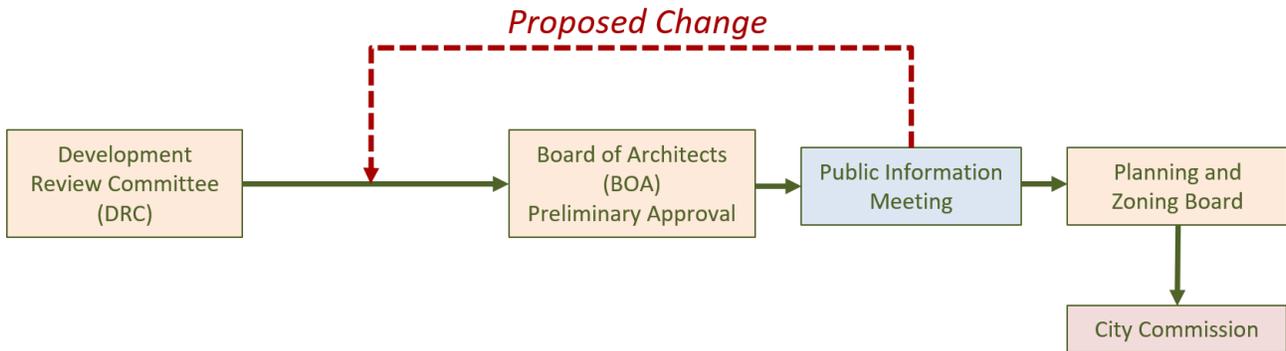
The request requires three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

## 2. BACKGROUND INFORMATION

The City values and prioritizes government-to-resident communication to help foster a sense of community and engagement amongst residents. Notices provide a foundation for better understanding and support of government initiatives. The City seeks to improve communication and encourage discussion on development that impacts neighbors earlier in the development review process.

As requested by a Commissioner, Staff prepared a Zoning Code text amendment that amends the requirement for the Applicant's neighborhood meeting to occur prior to the preliminary review by the Board of Architects. Currently, Zoning Code Section 15-102.D requires that an applicant conduct a Public Information Meeting 14 days prior to the Planning & Zoning Board public hearing. The information meeting is organized, noticed, and hosted solely by the Applicant, who then provides a copy of the mailing addresses, attendance, and meeting summary to Staff. Currently, any development application must complete the following prior to the Planning & Zoning Board public hearing: (1) review by the Development Review Committee (DRC), (2) preliminary approval by the Board of Architects (BOA), and (3) present to the neighbors in a public information meeting.

The proposed text amendment would require the Applicants public information meeting to occur earlier in the public review process prior to preliminary review by the Board of Architects. In addition, the amendment requires the Applicant's notice to provide the website and QR Code for residents to sign up for all future notices as to the property. All other requirements for the public information meeting would remain. The below flowchart illustrates the proposed change to the sequence of the public review process:



The text amendment was approved at City Commission on December 12th, 2023 for first reading (vote: 5 to 0).

**3. PROPOSED ZONING CODE TEXT AMENDMENTS**

The proposed Zoning Code text amendments are provided below in ~~strikethrough~~/underline format.

**Article 15. Notices**

Section 15-102. Notice.

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D. Applicants required public information meeting. All applicants filing applications requiring a public hearing before the Planning and Zoning Board and City Commission shall conduct a minimum of one (1) public information meeting, a minimum of fourteen (14) days in advance of the ~~Planning and Zoning Board public hearing~~ Board of Architects preliminary review meeting. This meeting shall be conducted by the applicant representatives to inform surrounding property owners, neighborhoods, homeowners associations, interested parties, etc. of pending applications under review by the City. As a minimum the following shall be completed and provided:

1. Notification to all surrounding property owners within the identified mail notification radius as provided within Section 15-102.C. or additional mail notification radius as determined by the Development Review Official.
2. The notice shall provide the website and QR Code for residents to sign up for all future required notices as to the property.
3. The meeting is conducted on the subject property or in a location that is convenient to surrounding property owners.
4. Copy of forwarded notice.
5. Listing of all mailing addresses of all parties notified.
6. Meeting attendance records including the property owner addresses and other applicable contact information.
7. Meeting summary minutes or verbatim record as determined by the Development Review Official.

Above items 4 5 through 6 7 shall be provided to the Development Review Official seven (7) days after the public information meeting. It is recommended these meetings occur after the application has undergone preliminary review by City Staff. This will ensure City review and comments are included as a part of the information provided to the interested parties. The Development Review Official may require additional public information meetings and notice to provide for further public input and dissemination of information.

**4. REVIEW TIMELINE / PUBLIC NOTICE**

**City Review Timeline.** The submitted application has undergone the following City meetings to solicit input and reviews:

MEETINGS, REVIEW COMMITTEES, AND BOARDS	DATE
City Commission – First Reading	12.12.23
Planning and Zoning Board	01.10.24
City Commission – Second Reading	TBD

The following has been completed to solicit input and provide notice of the Application:

PUBLIC NOTICE	DATE
Legal advertisement	12.28.23
Posted agenda and Staff report on City web page/City Hall	01.05.24

**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 the Zoning Code unless the text amendment:

Standard	Staff Evaluation
1. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to respect and encourage the rights of affected persons to participate in the City’s development review and planning. The amendment requires the notice to provide the website and QR Code for residents to sign up for all future notices as to the property. Several policies in the Coral Gables Comprehensive Plan allow every affected person the opportunity to participate early and throughout the decision-making process. The proposed amendment aims for the neighborhood information meeting to occur earlier in the development review process – prior to Board of Architects – to promote effective government communication with the public. Impacted neighbors and the

	public will be able to advocate and/or voice any concerns, reservations, suggestions they may have that affect their health, safety, and welfare. Therefore, the proposed amendment better serves the City, Applicants, and residents by fostering improved communication.
2. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed text amendment does not permit uses the Comprehensive Plan prohibits in the City affected by the text amendment.
3. 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 impact densities or intensities.
4. 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 will not affect the level of service for public infrastructure. Each proposed development will be reviewed by Staff to meet the concurrency requirements.
5. Does not directly conflict with any objective or policy of the Comprehensive Plan.	The proposed amendment does not directly conflict with any goal, objective or policy of the Comprehensive Plan. The proposed amendment meets Objective GOV-1.1., Policy GOV-1.1.1, Policy GOV-1.1.2, Policy GOV-1.1.3., Policy GOV-1.1.4., and Policy GOV-1.2.3.

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

**Consistency Evaluation of the Comprehensive Plan (CP) Goals, Objectives and Policies**

The Planning and Zoning Division has reviewed the CP and finds the following CP Goals, Objectives and Policies are applicable. Consistent CP Goals & Objectives and Policies are as follows:

Ref. No.	CP Goal, Objective and Policy	Basis for Consistency
1.	<b>Objective GOV-1.1.</b> Provide ample and effective opportunities for public participation at all levels of City of Coral Gables governance and decision-making.	Complies
2.	<b>Policy GOV-1.1.1.</b> Strengthen strategies and processes to promote effective opportunities for public participation at all levels of City governance and decision-making.	Complies
3.	<b>Policy GOV-1.1.2.</b> Promote public outreach and participation including but not limited to the following: workshops; public meetings; public hearings; neighborhood meetings; electronic mailings; regular mailing; newspaper advertisements; property posting; City webpage posting; cable TV; city radio; E-News electronic newsletter; citizen boards and committees.	Complies
4.	<b>Policy GOV-1.1.3.</b> Enhance communication between residents, civic and cultural organizations, and the City Boards/Committees and City Commission beyond legal requirements and beyond traditional mediums, specifically by electronic media, and other easily accessible methods.	Complies

Ref. No.	CP Goal, Objective and Policy	Basis for Consistency
5.	<b>Policy GOV-1.1.4.</b> Encourage the formation of neighborhood and civic organizations to facilitate effective participation in the community; build relationships between City staff and organizations to enhance communication between the parties with the intent of providing an additional opportunity to communicate with City staff, applicable boards/committees, and the City Commission.	Complies
6.	<b>Policy GOV-1.2.3.</b> Provide education for policy and decision makers, staff, and the public on all planning related matters, including but not limited to the Comprehensive Plan, other local, regional and state land planning requirements.	Complies

**Staff comments:** The proposed text amendment to Section 15-102 “Notice” aims to improve public participation in the development review and planning processes by requiring a neighborhood information meeting prior to Board of Architects review. The request fulfills the goals, objectives, and policies of the Coral Gables Comprehensive Plan, such as Objective GOV-1.1., Policy GOV-1.1.1, Policy GOV-1.1.2, Policy GOV-1.1.3., Policy GOV-1.1.4., and Policy GOV-1.2.3. These multiple policies encourage public input early and throughout decision-making processes.

**6. STAFF RECOMMENDATION**

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

**7. ATTACHMENTS**

- A. Legal Advertisement.

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,  


Jennifer Garcia, AICP, CNU-A  
 Planning Official  
 City of Coral Gables, Florida

# An argument over ski masks ends with 3 men shot and an arrest, Miami cops say

BY OMAR RODRÍGUEZ ORTIZ AND DAVID J. NEAL  
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A Wednesday shooting involving 31 shots fired and three men hit started as an argument over ski masks and a teenager boy, one of the shot men told Miami police.

That person's account is

the only one in the arrest report describing why Jesus Falu, 32, was charged with attempted murder, shooting a deadly missile and criminal mischief causing damage between \$200 and \$1,000.

The account of Falu, who was shot in the leg and allegedly waived his right to remain silent, is redacted. The third man

involved in the shooting near Northwest 12th Street and First Avenue in Over-town had been shot in the chest and was intubated, a tube in his trachea to make sure he gets oxygen, at Jackson Memorial Hospital's Ryder Trauma Center.

The report says when officers got to the area around 12:25 a.m., they found Falu under a black

Chevrolet Silverado pickup truck with his tan 9mm Sig Sauer handgun. The other two men, neither of whom is named, were nearby. One had put his black 9 mm Glock on top of a nearby car. Like Falu, he'd suffered a leg wound.

That's the man who spoke to police at the hospital and gave an account the report says is backed up by

videos from a nearby surveillance camera and city of Miami Real Time Crime Center video.

He told police he and his pal "like to wear ski masks just for fashion." They entered Arena Supermarket, 1201 NW First Pl., where Falu began criticizing them for wearing the ski masks in front of his 17-year-old son. The argu-

ment increased in intensity until Falu revealed his Sig Sauer. The two ski mask wearers left the store and began walking west on 12th Street, followed by Falu.

Falu, the report said, pulled out a gun and pointed it at the head of the unarmed ski mask wearer. The armed ski mask wearer pulled out his gun and the 9 mm bullets began flying.

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PEDRO PORTAL pportal@miamiherald.com

Veteran Kenneth Heller, 78, stands in front of his house in North Miami.

FROM PAGE 11A

## WISH BOOK

the living room.

### "ILLUSIONS OF GRANDEUR"

Heller prefers to talk about better days, like learning to water ski in Biscayne Bay after he first moved to Florida or taking Spanish classes in Mexico as a teenager. He graduated from the University of Florida and went on to law school at Samford University in Alabama. By his own admission, Heller wasn't the most dedicated law student. Instead, he spent his time "fooling around" and "living the high life." He eventually dropped out and joined the Marine Corps in 1968 — at the height of the Vietnam War — in hopes of seeing the world.

"You've got to understand, I had illusions of grandeur," Heller said. "Besides, it was either join up or get drafted."

Heller never did go to Vietnam. He said he broke his elbow and a knee during training and was eventually discharged. He returned to Florida and went to work at a Zayre department store in Miami before eventually going back to law school in Alabama and graduating in 1975.

Heller moved around over the ensuing decade. He got married, had two children and got divorced.

He moved back to his North Miami home in 1987 to take care of his mother. A year later, in 1988, the law firm that he worked at was sold off, and he soon became his mother's full-time caregiver. She passed away in 1999.

### HOLDING ONTO THE FAMILY HOME

It's been nearly 25 years since his mother passed away, and Heller is hoping to fix up his family home while dealing with a long list of health challenges. He struggles with hearing and vision deficits, as well as congestive heart failure. Getting around can also be difficult; Heller wears braces on both of his legs and uses a walker.

He has help from his friend Victoria Sanchez who stays with him at times. Sandi Dioli Kumm, who works for the North Miami Foundation for Senior Citizens' Services, stops by often. She said that Heller needs help paying to repair his roof and purchasing some small appliances, like a toaster oven.

"It's the family home. Everybody else has gone through two and three ownerships, but he's held onto it," said Kumm, who nominated Heller for Wish Book, a Miami Herald/eNuevo Herald program that raises money

from the community to help needy people identified by nonprofit agencies. "We're trying to work to rectify some of these issues that are just overwhelming for a man in his late 70s."

"He wants to stay in his home and we want to make sure he can do so safely," she said.

Heller said that he's been encouraged by some friends to sell the home, but insisted that he wants to stay put.

"I'm trying to hold onto this house," he said. "It's where I belong."

Max Greenwood:  
 @KMaxGreenwood

### How to help

To help this Wish Book nominee and the more than 100 other nominees who are in need this year:

To donate, use the coupon found in the newspaper or pay securely online through [www.MiamiHerald.com/wishbook](http://www.MiamiHerald.com/wishbook)

For more information, call 305-376-2906 or email [Wishbook@MiamiHerald.com](mailto:Wishbook@MiamiHerald.com)

The most requested items are often laptops and tablets for school, furniture, and accessible vans

Read all Wish Book stories on [www.MiamiHerald.com/wishbook](http://www.MiamiHerald.com/wishbook)

FROM PAGE 11A

## SHARK FIN

before-and-after shots of the same injured shark.

"In the summer of 2022, 10 silky sharks were tagged with satellite tags for a separate study. Shortly after, a silky shark was spotted with its dorsal fin cut up — in the exact shape of where a satellite tag would be," Black wrote in a Dec. 14 Instagram post.

"We never expected to see the shark again. Fast forward to summer 2023 and sure enough this silky shark returned to Jupiter. He was spotted by (two photographers) who were able to capture multiple images for me of this newly healed dorsal fin."

Schellenberg and photographer John Moore both contributed their images to aid in the research, she said. The identity of the silky shark was confirmed with the help of a National Oceanic and Atmospheric Administration (NOAA) dart tag that was present before and after the fin regenerated, she said.

Silky sharks — named for their smooth-looking

skin — are native to the Gulf of Mexico and Florida's Atlantic coast and can reach up to 10 feet in length, the Florida Museum of Natural History reports.

Their size makes silky sharks a potential threat to humans, but their "oceanic habits make contact with humans a relative rarity," the museum says. They prefer "the edges of continental shelves and over deepwater reefs," the museum notes.

"This newfound insight into tissue regeneration and wound healing underscores the importance of further research to understand how they respond to traumatic injury in the face of mounting environmental challenges," Black wrote.

"Additionally, this study exemplifies the power of collaboration between researchers and the public, including photographers and divers, to expand the scope of research studies and bridge the gap between science and society."

Mark Price: 704-358-5149,  
 @markprice\_obs



Instagram screengrab

A new study by a University of Miami PhD student reports a silky shark was able to regenerate much of its damaged dorsal fin.



### City of Coral Gables, Florida Notice of Public Hearing HYBRID MEETING on Zoom platform

<b>City Public Hearing Dates/Times</b>	<b>Local Planning Agency/Planning and Zoning Board    Wednesday, January 10, 2024, 6:00 p.m.</b>
<b>Location</b>	<b>City Commission Chamber, City Hall    405 Biltmore Way, Coral Gables, FL 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 Hearing on the following:

- 1 A Resolution of the City Commission of Coral Gables, Florida granting conditional use approval pursuant to Zoning Code Article 14, "Process," Section 14-203, "Conditional Uses" for a walk-up counter as an accessory use to Sanguich, a restaurant, on property legally described as Track A, Plaza Coral Gables, also generally known as 111 Palermo Ave, Suite 103, Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.
- 2 Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to Appendix A "Site Specific Zoning Regulations," Section A-94 "Snapper Creek Lakes" of the City of Coral Gables Official Zoning Code to include all types of accessory uses in the rear yard ground coverage calculation, to remove outdated Section A-94-2, and to provide consistency with the Snapper Creek Lakes' protective covenants by increasing various setbacks; providing for severability, repealer, codification, and an effective date.
- 3 An Ordinance of the City Commission amending Article 9 "Art in Public Space" of the City Zoning Code in order to amend certain procedures related to the Art in Public Places waiver process and options; providing for a repealer provision, severability clause, codification, enforceability, and providing for an effective date.
- 4 An Ordinance of the City Commission amending Section 14-103.3. "Meeting; Panel Review; Full by Full Board; Conflict Resolution Meeting; Special Master Quasi-Judicial Hearing" in order to amend certain procedures related to the conflict resolution and Special Master Quasi-Judicial Process for appeals of decisions by the Board of Architects; providing for repealer provision, severability clause, codification, enforceability, and providing for an effective date.
- 5 An Ordinance of the City Commission providing for text amendments to Article 2, "Zoning Districts," Section 2-201, "Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts" and Article 3, "Uses," Section 3-209, "Live work minimum requirements," of the City of Coral Gables Official Zoning Code to allow a reduction of storefront transparency on frontages facing single-family and multi-family uses, providing for repealer provision, severability clause, codification, and providing for an effective date.
- 6 An Ordinance of the City Commission providing for text amendments to Article 15, "Notices," Section 15-102, "Notice," of the City of Coral Gables Official Zoning Code to amend requirement for the Applicants Required Public Information Meeting to occur prior to review by the Board of Architects, providing for repealer provision, 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 (Zoning Code), amending Article 10, "Parking and Access," Section 10-112 "Miscellaneous Parking Standards," creating provisions for considering reduction of parking requirements for affordable housing located near a major transit stop as required by the Live Local Act, Ch. 2023-17, Laws of Florida; providing for repealer provision, severability clause, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its board meeting on Wednesday, January 10, 2024, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. However, the City Commission has established the ability for the public to virtually provide sworn testimony or public comments (non-sworn and without evidentiary value). Any individual who wishes to provide sworn testimony virtually must have their video on and must be sworn in.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/83788709513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (<https://coralgables.granicusideas.com/meetings>) once the meeting's agenda is published, or by sending an email to [planning@coralgables.com](mailto:planning@coralgables.com) prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website ([www.coralgables.com/cgvt](http://www.coralgables.com/cgvt)) as well as Channel 77 on Comcast.



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