



# City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables

Application: **Zoning Code Text Amendments – Workforce Housing**

Public Hearing: Planning and Zoning Board

**Date & Time:** **February 20, 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 (Zoning Code), amending Article 1, "General Provisions," Section 1-104 "Jurisdiction and Applicability," amending provisions for the siting of city facilities to include facilities for workforce housing that are owned, financed, or operated by the City, the County, or other public (governmental) entity as required by the Code of Miami-Dade County Section 33-193.7 "Applicability in the Incorporated and Unincorporated Areas; Minimum Standards; Exemptions.," 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

Miami-Dade County has adopted a requirement that municipalities have an expedited process for the review of workforce housing that are owned, financed, or operated by the County, municipality, or other public government entity. As required by this Miami-Dade County Code Section 33-193.7, Staff has prepared a Zoning Code text amendment to comply with the County Code requirement to expedite the workforce application process for qualifying residential developments. As proposed, applications for workforce housing shall only be considered by the City Commission. The proposed expedited process includes required notice and public hearing, and provides direction for administrative approval of non-substantial changes.

## 3. PROPOSED TEXT AMENDMENTS

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

### Article 1. General Provisions

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Section 1-104. Jurisdiction and applicability.

- A. These regulations shall govern the development and use of land, buildings and structures within the corporate limits of the City.
- B. No building, structure, water or land shall be used or occupied, and no building, structure or land shall be developed unless in conformity with all of the provisions of the zoning district in which it is located, all other applicable regulations and all development approvals.
- C. Notwithstanding any other provision of this code to the contrary, the City of Coral Gables shall not be bound by the procedures or provisions contained in the zoning code in the construction, modification, or operation any city facility listed below, and the provisions of this subsection shall control.
  1. *City facilities enumerated.* The City Commission may establish or modify by resolution any of the following city facilities operated by or on behalf of the City of Coral Gables, where the City Commission may direct without regard to the zoning or use classification of any particular site or location: public parks, playgrounds and buildings, and structures supplementary and incidental to such uses; fire stations; police stations; public water and sewer treatment and distribution facilities; public libraries; public buildings and centers; public auditoriums, arenas, museums, art galleries and convention halls solid-waste collection and disposal facilities; public maintenance and equipment yards; public bus stations and other governmental facility uses as determined by the City Commission. It is further provided, that in addition to the City facilities listed in this subsection, the procedures set forth herein shall also apply to applications for workforce housing as that term is defined in Article XIIA, "WORKFORCE HOUSING DEVELOPMENT PROGRAM," of the Code of Miami-Dade County for qualifying residential developments that are owned, financed, or operated by the County, City, or other public (governmental) entity.
  2. *Notice and public hearing required.* The City Commission may only authorize the construction, modification or operation of the City facilities or workforce housing as enumerated in paragraph 1 above by resolution following public hearing.
    - a. Notice of the above public hearing shall be published in newspaper of general circulation published in the City of Coral Gables or in Miami-Dade County, Florida at least ten (10) days prior to the date of the public hearing before the City Commission, which publication shall include the time and place of the hearing before the City Commission.
    - b. A courtesy notice containing general information as to the date, time and place of the hearing, the property location and the general nature of the application may be mailed to property owners of record within a radius of 1000 feet of the property described in the application or a greater distance as the Development Review Official may prescribe, provided, however, the failure to mail or receive such courtesy notice shall not affect any action taken hereunder.
    - c. To provide additional notice to the public, the property shall be posted by a sign or signs indicating the action desired and the time and place of the public hearing. Failure to post such property shall not affect any action taken hereunder.
    - d. At the public hearing, the City Commission shall consider, among other factors, the type of function involved, the public need therefor, the existing land use pattern in the area, alternative locations for the facility and the nature of the impact of the facility on the surrounding property. After considering these factors, the City Commission shall take such action as is necessary to provide for and protect the public health, safety and welfare of the citizens and residents of the City of Coral Gables.

3. **Administrative Approval of Non-Substantial Change.** For governmental facilities or workforce housing plans approved in accordance with this section, the Development Review Official is hereby authorized to approve changes that the Development Review Official determines to be non-substantial, as demonstrated by the following factors:
- a. Development density and intensity have not materially changed;
  - b. Design has not materially changed, provided that:
    - i. Relocation of roadways, including ingress and egress, is determined not to create traffic obstructions and is approved by the Public Works Department;
    - ii. Relocation, reconfiguration, or reduction of the parking area and its spaces does not impact adjoining properties, and the Development Review Official determines that sufficient spaces for the use are retained;
    - iii. Modification of building setbacks from perimeter property lines does not negatively impact adjoining properties, or the modification is mitigated to minimize the impact;
    - iv. Reconfiguration of the landscaped open space does not diminish any previously approved buffering or separation from surrounding properties;
    - v. Modification to walls or fences does not diminish previously approved buffering or separation from surrounding properties;
    - vi. Conversion of a use, facility, or element to another use, facility, or element remains within the scope of the previously approved plan;
    - vii. Addition of uses, facilities, or elements not shown in the previously approved plans either: do not increase lot coverage, or decrease required open space, by greater than 10 percent;
    - viii. Relocation or modification of signage remains consistent with the intent of the approved plan in size, height

**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
Planning and Zoning Board	02.20.24
City Commission – First Reading	01.09.24
City Commission – Second Reading	TBD

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

PUBLIC NOTICE	DATE
Legal advertisement	02.05.24
Posted agenda and Staff report on City web page/City Hall	02.15.24

**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 or City Code unless the text amendment:

Standard	Staff Evaluation
1. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to comply with Section 33-193.7(C) of the Miami-Dade County Code. The proposed Zoning Code text amendment to Section 1-104 will incorporate workforce housing into the list of expedited applications in order to process qualifying residential developments. Including workforce housing as an expedited application ensures health, safety, and welfare of the City as it drives economic mobility and creates the foundation for a robust economy.
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 area 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 workforce housing 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 several goals, objectives, and policies under the Governance Element.

**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-1.2.</b> Provide clearly defined procedures, standards and expectation for development review.	Complies
2.	<b>Objective GOV-2.1.</b> Coordinate and cooperate City Comprehensive Plan activities with other jurisdictions and agencies at all levels and functions of government to achieve mutually beneficial goals and objectives.	Complies
3.	<b>Objective GOV-2.3.</b> Maintain and strengthen intergovernmental coordination and establish a leadership role on local, regional and state issues.	Complies

Ref. No.	CP Goal, Objective and Policy	Basis for Consistency
4.	<b>Objective GOV-2.4.</b> Continue coordination with adjacent local governments of proposed development within and/or adjacent to the borders of the City of Coral Gables.	Complies
5.	<b>Policy GOV-2.4.1.</b> The City shall ensure that the impacts of development within the City to adjacent municipalities, the county, adjacent counties, the region, and the state are addressed through coordination mechanisms. Likewise, local governments bordering Coral Gables should provide for opportunities for input by the City of Coral Gables.	Complies
6.	<b>Policy GOV-2.4.2.</b> Pursue resolution of growth management, development and impact assessment issues with impacts transcending the City’s political jurisdiction. Issues of regional and state significance shall be coordinated with the South Florida Regional Planning Council, the South Florida Water Management District, and/or State agencies having jurisdictional authority. Issues to be pursued include but are not limited to the following: <ul style="list-style-type: none"> <li>• <u>Affordable/attainable housing programs...</u></li> </ul>	Complies
7.	<b>Objective GOV-2.5.</b> Coordination shall be undertaken in the establishment of level of service standards for public facilities with any state, regional or local entity having operational and maintenance responsibility for such facilities.	Complies
8.	<b>Policy GOV-2.5.1.</b> The City shall coordinate with state, regional or local entities having operational and maintenance responsibility for public facilities for which the Level of Service standards are being established to ensure mutually compatible and equitable standards.	Complies

**Staff comments.** The proposed text amendment to Article 1 “General Provisions” is a requirement imposed by the Miami-Dade County Code and meets the Governance goals, objectives, and policies listed above. This initiative supports the City’s goals of coordination with the County, as well as defines the procedures, standards, and expectations for the expedited workforce housing application process. As aforementioned, the City mirrors the County’s expedited process for its governmental facilities, and aims to include workforce housing as part of its procedures for expedited review.

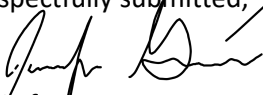
**6. STAFF RECOMMENDATION**

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

A FREE AND INDEPENDENT NEWSPAPER VOICE

COMMUNITY NEWSPAPERS
PUBLISHED MONDAY
MIAMI, MIAMI-DADE, FLORIDA

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GEORGIA GRIFFIN who on oath says she is OFFICE MANAGER of Legal Advertising of Community Newspapers, published Monday at Miami-Dade, Florida; that the attached copy of advertisement, published on the publicly accessible website of Miami-Dade County, Florida and/or in a newspaper in print, being a Legal Advertisement of Notice in the Matter of

Notice of Public Hearing
City of Coral Gables, FL
Planning & Zoning Division
February 20, 2024

in the XXXXX Court, published in said newspaper in the issue of

Affiant further says that the website or newspaper complies with the legal requirements for publication in chapter 50, Florida Statutes.

PROOF OF PUBLICATION -

AFFIANT
[Signature of Georgia Griffin]
05 day of February 2024.

JESUS TOLEDO
(Print or type or stamp commissioned name of Notary Public)

(SEAL)
My Commission Expires:
JESUS C. TOLEDO
Notary Public - State of Florida
Commission # HH 101046
My Comm. Expires Apr 10, 2025
Bonded through National Notary Assn.

X

Community Newspapers
6796 S.W. 62nd Avenue
South Miami, Florida 33143
305-669-7355 Ext. 2226

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. 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. (Item deferred at PZB Meeting of 01/10/24)
2. An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 14, "Process," Section 14-213, "Comprehensive Plan Text and Map Amendments," and Small Scale amendments procedures. (Iss. 1/6/24)
3. An Ordinance of the City Commission of Coral Gables, Florida making Zoning District boundary changes pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," from "Mixed Use 2 District" to "Mixed Use 3 District" for Lots 1 through 9 and Lots 39 through 42 and from "Single-Family Residential District" to "Mixed Use 1 District" for Lots 17 through 21, Block 14, Coral Gables Cratts Section (130 Almeria Avenue, 152 Almeria Avenue, 160 Almeria Avenue, 2701 Ponce de Leon Boulevard, and 103 Sevilla Avenue), Coral Gables, Florida, including required conditions; providing for a repealer provision, severability clause, and an effective date.
4. A Resolution of the City Commission of Coral Gables, Florida approving a Mixed-Use District for Lots 1 through 9 and Lots 39 through 42 and from "Single-Family Residential District" to "Mixed Use 1 District" for Lots 17 through 21, Block 14, Coral Gables Cratts Section (130 Almeria Avenue, 152 Almeria Avenue, 160 Almeria Avenue, 2701 Ponce de Leon Boulevard, and 103 Sevilla Avenue), Coral Gables, Florida, including required conditions; providing for a repealer provision, severability clause, and an effective date.
5. An Ordinance of the City Commission providing for a text amendment to the City of Coral Gables Official Zoning Code, Creating Section 5-314, "Window and Hurricane Shutters" to regulate the closure of window and hurricane shutters and amending the City Code, Chapter 1-General Penalties, Section 1-7 entitled "Penalties" to provide a penalty for the closure of window and hurricane shutters outside of the hurricane season, providing for severability clause, repealer provision, codification, and providing for an effective date.
6. An Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code, amending Article 1, "General Provisions," Section 1-104, "Jurisdiction and Applicability," amending provisions for the siting of city facilities to include facilities for workforce housing that are owned, financed, or operated by the City, the County, or other public (governmental) entity as required by the Code of Miami-Dade County Section 33-193.7, "Applicability in the Incorporated Areas: Unincorporated Areas: Exemptions," 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 Tuesday, February 20, 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://coral.gables.granicusideas.com/meetings) once the meeting's agenda is published, or by sending an email to 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/city) as well as Channel 77 on Comcast. Sincerely,
City of Coral Gables, Florida
(PUBLISH DATE: February 5th)