

## MEMORANDUM

Date: December 5, 2017

To: Mayor and City Commissioners

From: Miriam Soler Ramos, City Attorney

Re: Interim Report on the Annexation of the Gables Trailer Park as Part of Little Gables

On November 14, 2017, the City Commission adopted Resolution No.2017-345, directing the City Attorney's Office to research and prepare legislation that addresses the Little Gables Trailer Park over a period of time should the Little Gables area be annexed into the City and directing the City Manager to meet and negotiate with the property owner of such trailer park plan for the future use of the property utilizing appropriate City procedures. (See resolution attached.)

There are options available to the City Commission that would not only achieve, but incentivize, the redevelopment of the trailer park property in a way that benefits all parties involved, including and perhaps most importantly, the current mobile home residents.

### Government Settlement Pursuant to Article 3 Division 17

Pursuant to Article 3 Division 17 of the Coral Gables Zoning Code, the City Commission could authorize staff to continue negotiating with the property owner to reach a creative solution that contemplates increased development rights, appropriate mixed use zoning and the careful transition of current residents<sup>1</sup>. This provision, entitled "Protection of Landowner Rights; Relief from Inordinate Burdens," offers a tailor-made process for negotiation with the property owner for the future redevelopment of the trailer park. Article 3 Division 17 provides for City Commission approval of a "Government Settlement" that the City Attorney, in consultation with the City Manager, presents with a recommendation. If the settlement is approved, the City Commission would then hold a public hearing to decide whether to approve any land use and zoning applications to implement the "Government Settlement."

The City Commission could potentially approve the "Government Settlement" conditioned upon annexation of the trailer park. Action on land use and zoning changes would occur upon annexation. This process provides a roadmap to guide the ongoing negotiation with the property owner to a resolution, allowing the City Attorney and City Manager to jointly present a recommendation for final Commission approval.

If staff is not successful in reaching a conceptual agreement with the property owner within a reasonable amount of time, as determined by the City Commission, the Commission may choose to exercise its regulatory authority to compel redevelopment through an appropriate zoning code amendment.

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<sup>1</sup> Subject to applicable local, state and federal laws.

### Zoning Code Amendment Reaffirming Trailer and Mobile Home Parks as a Prohibited Use

Such an amendment could provide that in the event a trailer or mobile home park is annexed into the City, the owner of such trailer park would have a specified time from the date of annexation to discontinue the prohibited use and remove such trailers or mobile homes. Our office is still in the process of researching the question of the appropriate time to “amortize” the trailer park use and other matters relating to trailer park removal.

Attached are two draft proposed ordinances that would eliminate the trailer park over time. However, in light of the positive discussions taking place between City staff and the property owner, it is within the City Commission’s discretion to reserve these ordinances and allow productive negotiations to continue in due course.