



**City of Coral Gables
CITY COMMISSION MEETING
February 26, 2019**

ITEM TITLE:

Ordinance on First Reading. An Ordinance of the City Commission of Coral Gables, Florida, providing for a text amendment to the City of Coral Gables Official Zoning Code, Amending Article 1, "General Provisions," Section 1-104, "Jurisdiction and Applicability," Providing Exception from Zoning for City of Coral Gables Facilities; Providing for Repealer Provision, Severability Clause, Codification, and Providing for an Effective Date

BRIEF HISTORY:

Many County and municipal governments exempt themselves from zoning regulations when siting or modifying government facilities in the County or municipality. In fact, Miami-Dade County does not subject its governmental facilities to its zoning code; but rather provides for a separate procedure for siting or modifying its government facilities. "Government facilities" includes public parks, playgrounds, fire stations, police stations, public libraries, and other public buildings that provide essential services to City residents, business owners, and visitors.

The City of Coral Gables, siting or modifying its facilities is acting in its proprietary capacity and not exercising its zoning authority over private property. Thus, the City of Coral Gables should not be subject to the zoning code when siting or modifying its own facilities. It has been a long-standing opinion of the Coral Gables City Attorney that the City is not subject to its zoning code when siting its own facilities. It is in the public interest of the City of Coral Gables to provide flexibility in siting or modifying its own facilities.

ATTACHMENT(S):

1. Draft Ordinance