



City of Coral Gables
CITY COMMISSION MEETING
January 11, 2022

ITEM TITLE:

Ordinance on Second Reading. Zoning Code Text Amendment.

An Ordinance of the City Commission providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 1, “General Provisions” Section 1-109, “Construction Rules” to clarify that where the provisions of this Zoning Code vary from the applicable requirements of any law, statute, rule, regulation, ordinance, or code, the most restrictive provisions which shall be deemed to be the higher standard of zoning shall govern, including provisions of zoning within the Miami-Dade County Rapid Transit Zone; providing for a repealer provision, severability clause, codification and providing for an effective date.

DEPARTMENT HEAD RECOMMENDATION:

Approval.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board at their 12.09.21 meeting recommended approval of the proposed zoning code text amendment (vote: 5 yes – 2 no).

BRIEF HISTORY:

No changes have been made since First Reading.

As directed by the City Commission, Staff has prepared a Zoning Code text amendment to clearly state that where the provisions of the Coral Gables Zoning Code vary from an applicable requirement of any law (including statute, rule, regulation, ordinance, or code), the most restrictive or that imposing the higher standard shall govern.

Section 6.02 of the Miami-Dade County Charter provides municipalities with the authority to exercise all powers relating to local affairs that are not inconsistent with the County Charter. Under this Charter provision, each municipality may provide for higher standards of zoning, service, and regulation than those provided by Miami-Dade County (“County”), so that municipalities can preserve their individual characters and standards for the benefit of municipal residents.

There are many examples of the City of Coral Gables imposing higher standards of zoning, service, and regulation than the County in areas generally regulated by the County. This Zoning Code amendment codifies a basic but important legal principal that the City has applied consistently and successfully countless times in the past.

The draft Ordinance of the Zoning Code text amendments is provided as Exhibit A.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments


OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)

PUBLIC NOTIFICATION(S):

Date	Form of Notification
10.19.21	City Commission meeting agenda posted on City webpage.
10.29.21	Planning and Zoning Board legal advertisement. (November PZB)
11.04.21	Planning and Zoning Board staff report, legal notice and all attachments posted on City web page. (November PZB)
11.24.21	Planning and Zoning Board legal advertisement. (December PZB)
12.03.21	Planning and Zoning Board staff report, legal notice and all attachments posted on City web page. (December PZB)
12.30.21	City Commission legal advertisement.
01.04.22	City Commission meeting agenda posted on City webpage.

APPROVED BY:

Asst. Director of Development Services for Planning and Zoning


EXHIBIT(S):

- A. Draft Ordinance.
- B. 12.08.21 Planning & Zoning Board Staff Report with attachments.
- C. Excerpts from 12.08.21 PZB meeting.