

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2021-**

**A RESOLUTION OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA ISSUING A ZONING IN PROGRESS, IN ACCORDANCE WITH ARTICLE 14, “PROCESS”, SECTION 14-209, “MORATORIUM,” SECTION 14-209.3, “ZONING IN PROGRESS REQUEST” AND 14-209.4, “CITY COMMISSION ZONING IN PROGRESS RESOLUTION REVIEW AND DECISION” FOR THE CONSIDERATION OF ZONING CODE TEXT AMENDMENTS TO ADDRESS THE INCENTIVES AND/OR BONUSES PROVIDED IN SECTION 5-200 OF THE ZONING CODE “MEDITERRANEAN STANDARDS,” FOR NEW COMMERCIAL, MIXED-USE, AND MULTI-FAMILY PROJECTS; PROVIDING THAT PROJECTS THAT RECEIVED FINAL APPROVAL BY THE BOARD OF ARCHITECTS AND ARE NOT REQUESTING ANY CHANGES TO THE APPLICABLE ZONING OR LAND USE DESIGNATIONS, SHALL NOT BE SUBJECT TO THE ZONING IN PROGRESS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Section 2(b), Article VIII of the Florida Constitution, Chapter 166 of the Florida Statutes, the Miami-Dade County Home Rule Amendment, the County Charter, and the City Charter, the City of Coral Gables possesses the powers to enact ordinances and resolutions to protect the health, safety, and welfare of the City’s citizens and residents; and

**WHEREAS**, the City Commission of the City of Coral Gables, Florida determines that it is in the best interest of its residents, businesses, and visitors to enact sufficient land use and zoning regulations to ensure their health, safety, and welfare; and

**WHEREAS**, the City Commission, on its own initiative, pursuant to Section 14-209.3 of the Zoning Code, has considered this Zoning in Progress Resolution to address the bonuses and/or incentives set forth in Section 5-200 of the Zoning Code as applied to new commercial, mixed-use, and multi-family projects; and

**WHEREAS**, consideration of a Zoning in Progress Resolution request requires review, preliminary findings, and approval or denial by the City Commission, pursuant to Zoning Code Section 14-209.4; and

**WHEREAS**, the City Commission finds and declares a need to temporarily suspend the processing of applications for, and the issuance of permits, site plan approvals, or any other official action of the City of Coral Gables permitting or having the effect of allowing incentives and/or bonuses pursuant to Section 5-200 of the Zoning Code for new commercial, mixed-use, and multi-family projects; and

**WHEREAS**, a temporary moratorium on the processing of applications for, and the issuance of permits, site plan approvals, or any other official action of the City of

Coral Gables permitting or having the effect of allowing incentives and/or bonuses pursuant to Section 5-200 of the Zoning Code for new commercial, mixed-use, and multi-family projects, will maintain the status quo and allow time to review, study, hold public hearings, and prepare and adopt an amendment or amendments to the Zoning Code; and

**WHEREAS**, a public hearing was held before the City Commission on July 13, 2021, at which hearing this item was presented; and

**WHEREAS**, the City Commission on July 13, 2021, approved the Zoning in Progress Resolution for a period not to exceed the first regularly scheduled City Commission meeting after 120 days, and ordered that Staff report to the Planning and Zoning Board and City Commission with a report, proposed Zoning Code Text Amendment, and recommendations related to a potential moratorium, within 90 days, in accordance with Zoning Code Section 14-209.4; and

**WHEREAS**, the City Commission finds that projects that have already received final approval by the Board of Architects prior to July 13, 2021 and are not seeking any changes to the applicable zoning or land use designations, shall be deemed “vested” for purposes of this Zoning in Progress Resolution and shall not be subject to the Zoning in Progress; and

**WHEREAS**, upon adoption of the Zoning in Progress Resolution, the City Clerk shall publish this adopted resolution in a newspaper of general circulation published in the City of Coral Gables, or in Miami-Dade County, Florida, within ten (10) days following the date of adoption, in accordance with Zoning Code Section 14-209.4; and

**WHEREAS**, the City Commission for the City of Coral Gables, Florida finds and declares that this resolution is in the best interest of the public health, safety, and welfare of the citizens and residents of the City of Coral Gables, Florida and that it advances a significant and important governmental interest.

**NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES THAT:**

**Section 1.** The foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**Section 2.** Zoning in Progress shall be in effect for any requests or applications for permits, site plan approvals, or any other official action of the City of Coral Gables permitting or having the effect of allowing incentives and/or bonuses pursuant to Section 5-200 of the Zoning Code for new commercial, mixed-use, and multi-family projects. During the period of time that the Planning and Zoning Board and City Commission are considering a moratorium ordinance, no approvals, permits or development orders of any kind shall be issued if issuance may result in allowing incentives and/or bonuses pursuant to Section 5-200 of the Zoning Code for new commercial, mixed-use, and multi-family

projects. To the extent such a request or application is submitted, the City staff is authorized to take action to reject such application during the term of this Zoning in Progress.

**Section 3.** The Zoning in Progress shall not apply to projects that have already received final approval by the Board of Architects prior to July 13, 2021 and are not seeking any changes to the applicable zoning or land use designations.

**Section 4.** The Zoning in Progress is temporary and, unless dissolved earlier by the City, shall automatically dissolve on the date of the first regularly scheduled City Commission meeting after 120 days from the effective date of this resolution, unless extended in accordance with applicable law. This moratorium may be reasonably extended, if necessary, by resolution of the City Commission.

**Section 5.** That this Resolution shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2021.

(Moved: / Seconded:)

(Yeas: )

(; Vote)

APPROVED:

VINCE LAGO  
MAYOR

ATTEST:

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

BILLY Y. URQUIA  
CITY CLERK

MIRIAM SOLER RAMOS  
CITY ATTORNEY