

City of Coral Gables City Commission Meeting
Agenda Item E-2
October 10, 2023
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Peter Iglesias

City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item E-2 [11:01 a.m.]

An Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code by amending Article 3, “Uses,” Section 3-315, “Restaurant, open air dining at ground level and other location,” to provide a minimum clear distance for pedestrian traffic within any arcade or loggia that has outdoor seating, providing for repealer provision, severability clause, codification, and providing for an effective date. (09 21 23 PZB recommended approval, Vote 6-1) (Sponsored by Vice Mayor Anderson)

Mayor Lago: We’ll move onto item E-2, ordinances on first reading.

City Attorney Suarez: E-2 is an Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code by amending Article 3, “Uses,” Section 3-315, “Restaurant, open air dining at ground level and other location,” to provide a minimum clear distance for pedestrian traffic within any arcade or loggia that

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has outdoor seating, providing for repealer provision, severability clause, codification, and providing for an effective date. This is a public hearing item.

City Planner Garcia: Good morning, Jennifer Garcia, City Planner, good morning, yes. This is sponsored text amendment to provide for actual distance within any arcade or loggia. Right now, the zoning code is not very clear as far as the actual distance. It provides that the pedestrian movement within the arcade, this sets that distance of four feet.

Vice Mayor Anderson: This has been one of the things that I've been asking questions about for many, many years, and I'm glad that we're finally able to get it before this Commission to deal with. These arcades and loggias were designed for pedestrian traffic and all too often they are filled with tables, chairs and people dining and servers in the way. They were meant to encourage pedestrian traffic and now they're actually stopping pedestrian traffic. The ADA, as you all know, requires a minimum of 36 inches. Four feet is selected here because by the time you have a table with a couple of chairs and then someone swings a third chair in, and then you have the server, the entire arcade is blocked. So, although this is a forward-looking one, I think we need to continue to look at this issue and for additional restaurant permits and so forth, we need to provide the pedestrian traffic. We need to have the minimum of 36 inches there, because by the time someone has a chair there, sits back, a football player with long legs, there's no space at all for anybody to walk through there, let alone somebody in a wheelchair or walker, a stroller, etc. The Mile is a really good example of that. There's been times when it rains and there's no place to go now, because it's all restaurant filled. It wasn't meant to be for restaurants. It was meant to be for pedestrians. With that, I don't know if there's any public comment on this. I'd like to hear your comments. I'm definitely ready to move this, if you all are ready to proceed.

Mayor Lago: Madam Vice Mayor, I think again, this is a much-needed ordinance. I'm happy you caught this, because I've thought about it before, and I'll give you an example. They don't do it with malicious intent, the restaurants. I just think, obviously they are taking advantage of that area, which is again, its there, and sometimes we don't think about it because we are enjoying the beautiful promenades and sidewalks in the city, but when its pouring rain, everybody is rushing to those arcades and overhangs and in certain instances, these restaurants have made these arcades beautiful. They put planters. They put, in certain cases, hedges that have made it even prettier, but again, that takes away from individuals that are in wheelchairs, individuals that are handicapped. You're talking about people with young children, the elderly. The purpose of the arcade is to get them out of the elements. So, we've got to find a happy balance, and that's something that I was talking to the Manager, and I know that my colleagues are thinking the same thing. We have to find

some sort of happy balance here, even if that means – and I’ll give you an example. For example, Morton’s, I frequent that restaurant a lot. I know that a lot of my colleagues do also. That is, it’s a beautiful sitting area, but we have to provide some sort of access so that people can walk through that area unimpeded and provide some cover, especially during the rain. I commend you for bringing this forward. I know that a lot of us have thought about it, but we thought maybe it was part of the code. So, thank you for cleaning that up.

Vice Mayor Anderson: Right. Right. I made inquiries about that a long time ago. It made no sense to me whatsoever why they were allowed to fill that up. Was there some exception made? What was the procedure? What supported it? I’d like to move it. You guys have any other comments.

Commissioner Fernandez: Just wanted to add, I think its not just rain, its also in the heat. It’s important to have shaded areas on Miracle Mile, even though we do have some tree canopy, it can still be extremely hot during the summer months to walk through. So, I applaud you for bringing this up. And I’ll be happy to second.

Vice Mayor Anderson: Thank you. Appreciate it.

City Clerk Urquia: Mr. Mayor, we have no public comment on the item.

Mayor Lago: Okay. None.

City Clerk Urquia: No.

Mayor Lago: We have a first and a second.

Commissioner Castro: Yes

Commissioner Fernandez: Yes

Commissioner Menendez: Yes

Vice Mayor Anderson: Yes

Mayor Lago: Yes

(Vote: 5-0)