



City of Coral Gables
CITY COMMISSION MEETING
March 25, 2015

ITEM TITLE:

Ordinance on Second Reading. Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Appendix A, "Site Specific Zoning Regulations," Section A-95, "Sunrise Harbour," by adding provisions for dock facilities for the Gables Harbour Condominium; providing for severability, repealer, codification and an effective date.

DEPARTMENT HEAD RECOMMENDATION:

Approval.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board at their 02.11.15 meeting recommended approval of the proposed Zoning Code text amendment (vote: 6-0).

BRIEF HISTORY:

On March 10, 2015 the City Commission approved the Zoning Code text amendment (vote: 5-0) on first reading. The proposed amendment is shown in ~~strike-through~~/underline format in the draft Ordinance provided as Exhibit A.

The Gables Harbor condominium is an existing development constructed in 1971. The project included finger piers along the shoreline. The finger piers have been in use since construction and are in need of repairs. Currently, the City of Coral Gables Zoning Code does not address the construction of finger piers at this location. As a result, the city cannot process permits to perform repairs or maintenance.

The City Attorney and City Staff recommend the Zoning Code be amended to legalize the existing docks with site specific provisions that would apply only to the finger piers on this site. This amendment would allow the performance of maintenance and repair. No expansions or redesign would be allowed.

The City Attorney's Office has reviewed the matter and believes that the site specific zoning amendment will formalize in the law what has already been existing for many years (and a use that is also lawfully existing on an adjacent property). The residents, through their counsel, have raised Article 6 of the Zoning Code and have requested that a finding be made that these are legally nonconforming structures. It is preferable to address this issue through a site specific amendment, as that is a more formal mechanism to address this issue, and supplies more certainty for residents and the City. In addition, the City Attorney's office, along with staff, have been concerned about life-safety issues relating to the piers. Accordingly, the City Attorney and Planning & Zoning Director have authorized agreements whereby residents can seek to repair the life safety issues and obtain permits to do so.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
03.10.15	Ordinance	Approved Zoning Code text amendment (vote: 5-0) on first reading.

OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
02.11.15	Planning and Zoning Board	Recommended approval of proposed Zoning Code text amendment (vote: 6-0).

PUBLIC NOTIFICATION(S):

Date	Form of Notification
01.30.15	Planning and Zoning Board legal advertisement.
01.30.15	Planning and Zoning Board agenda posted at City Hall.
02.06.15	Planning and Zoning Board agenda, staff report, legal notice and all attachments posted on City web page.
03.06.15	City Commission meeting agenda posted on City web page (1 st reading).
03.20.15	City Commission legal advertisement of Ordinance heading.
03.20.15	City Commission meeting agenda posted on City web page (2 nd reading).

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager
		

EXHIBIT(S):

A. Draft Ordinance.