

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. ___

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, GRANTING THE CITY MANAGER THE AUTHORITY TO RELAX CURRENT STANDARDS FOR OUTDOOR/OPEN-AIR DINING AND SIGNAGE THROUGH JANUARY 15, 2021 IN ORDER TO PROVIDE FOR EXPANDED OUTDOOR SEATING OPPORTUNITIES TO ASSIST WITH SOCIAL DISTANCING AT RESTAURANTS AND SUSPENDING ALL APPLICABLE FEES.

WHEREAS, on March 12, 2020, Mayor Raúl Valdés-Fauli declared a state of emergency for the City of Coral Gables, Florida (the “City”) as authorized by Section 252.38(3)(a), Florida Statutes, and Section 27-2(c)(6) of the City Code in response to the Novel Coronavirus Disease-2019 (COVID-19) (the “Declaration”); and

WHEREAS, on March 25, 2020, Mayor Valdés-Fauli issued the City of Coral Gables “Safer at Home” Emergency Order (“City Order”); and

WHEREAS, the City understands the importance of strategically re-opening the economy while providing appropriate protections for its residents and visitors; and

WHEREAS, on April 29, 2020, the Governor issued Executive Order 20-112 setting forth the terms for the State’s Phase 1 Recovery, which includes restaurants and retail establishments, but that order excluded Miami-Dade County, among others, except with regard to medical procedures; and

WHEREAS, on May 9, 2020, the Governor issued Executive Order 20-120 expanding Phase 1 to include barbershops, cosmetology, and cosmetology special salons; and

WHEREAS, on May 14, 2020, the Governor issued Executive Order 20-122 to include Miami-Dade County in the Phase 1 Recovery, as expanded by Executive Order 20-120; and

WHEREAS, on May 14, 2020, the Governor issued Executive Order 20-123 establishing an indoor occupancy limit of fifty (50) percent of an establishment’s capacity (excluding employees) for restaurants, retail establishments, museums, and gyms; and

WHEREAS, the Miami-Dade County Mayor has issued a series of emergency orders, collectively known as the “Safer at Home” protocols pursuant to Emergency Order 12-20; and

WHEREAS, on May 15, 2020, based on the above-mentioned Governor’s Executive Orders, Miami-Dade County Mayor issued Emergency Order 23-20 allowing for the re-opening of restaurants and certain retail establishments with specific conditions, requiring certain measures

if an employee tests positive, and expressly allowing for municipalities to impose more stringent standards; and

WHEREAS, on May 16, 2020 Mayor Valdés-Fauli issued an Emergency Order Allowing for the Limited Re-opening of Restaurants and Certain Establishments with Conditions which amended the City's Safer At Home Order to allow for the re-opening of restaurants and certain retail and other establishments with conditions (the "Limited Reopening Order"); and

WHEREAS, the Limited Reopening Order authorizes the City Manager to provide expanded opportunities in the right of way, private property, and city-owned properties by relaxing the requirements in Section 4-206(B)(4) and 5-119 of the Zoning Code relating to outdoor/open air dining, while continuing to adhere to requirements under the Americans with Disabilities Act (ADA) and general life-safety standards, to waive all applicable fees, and to expedite permitting; and

WHEREAS, the Limited Re-opening Order also grants the City Manager the authority to relax requirements related to signage set forth in the City Code and Zoning Code in order to provide expanded economic opportunity for affected establishments. In addition, the City Manger is granted the authority to relax applicable standards in the Zoning Code relating to uses on a temporary basis; and

WHEREAS, the City Commission, consistent with the Limited Re-opening Order, wishes to allow affected establishments to maximize their ability to serve patrons while complying with social distancing measures and to provide for expanded economic opportunities the Amended Safer at Home Order by facilitating expanded opportunities for outdoor seating and to relax certain standards relating to signage through January 15, 2021.

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

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. That the City Commission grants the City Manager the authority to provide expanded outdoor seating opportunities in the right-of-way, on private property, and on city-owned properties by relaxing the requirements in Section 4-206(B)(4) and 5-119 of the Zoning Code relating to outdoor dining/open-air dining requirements, while continuing to adhere to requirements under the Americans with Disabilities Act and general life safety standards; to waive all fees applicable to outdoor dining/open-air dining permits; and to provide for expedited permitting. Additionally, in furtherance of providing expanded economic opportunity to affected establishments, the City Manager is granted the authority to relax applicable standards set forth in the City Code and Zoning Code relating to signage.

SECTION 3. The City Manager is granted the authority to provide for such expanded opportunities by relaxing the applicable standards through January 15, 2021, unless further extended by the City Commission.

SECTION 4. That said resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF MAY , A.D., 2020.

APPROVED:

ATTEST:

RAUL VALDES-FAULI
MAYOR

BILLY URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY