

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2019-38**

AN ORDINANCE OF THE CITY COMMISSION PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, ARTICLE 5, "DEVELOPMENT STANDARDS," DIVISION 8, "DOCKS, WHARVES, MOORING PILES AND WATERCRAFT MOORINGS," UPDATING SIDE SETBACK REQUIREMENTS AND ALLOWING MULTI-LEVEL DOCKS BELOW ESTABLISHED GRADE, PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, it has been determined that the side setback restrictions on mooring piles, docks and/or similar structures are not consistent with the existing character of established docks along the Coral Gables Waterways; and

**WHEREAS**, after notice was duly published, a public hearing was held before the Planning and Zoning Board ("Board") on October 16, 2019, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the Board was presented with the text amendment to the Official Zoning Code, and after due consideration and discussion, recommended approval (vote: 5-1); and

**WHEREAS**, after notice duly published, a public hearing for First Reading was held before the City Commission on October 8, 2019, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on First Reading (vote: 5-0); and

**WHEREAS**, after notice duly published, a public hearing for Second Reading was held before the City Commission on November 12, 2019, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, approved the amendment on Second Reading (vote: 5 -0);

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:**

**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 Ordinance upon adoption hereof.

**SECTION 2.** The Official Zoning Code of the City of Coral Gables is hereby amended as follows<sup>1</sup>:

**ARTICLE 5 – Development Standards**

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**Division 8. Docks, Wharves, Mooring Piles and Watercraft Moorings**

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**Section 5-802. Docks, wharves and mooring piles – canals, lakes, or waterways.**

The construction, erection or installation of mooring piles and/or watercraft docks or similar landing facilities for watercraft, in any water body, or on land abutting thereon, shall be subject to the following conditions and restrictions:

- A. No dock, wharf or similar structure shall be constructed over or in any canal, lake or bay more than five (5) feet outward from the bank except as described for specific properties and the Mahi Canal in Appendix A.
- B. No mooring piles shall be placed or set in the water bodies which shall be located at a greater distance than twenty-five (25) feet from the bank of such water or waterways.
- C. Docks and mooring piles may be placed on both sides of the waterways at similar distances from the bank. Open unobstructed navigable water between such piles, docks, and similar structures shall maintain a clear distance as set forth below for the following geographic areas:
  - a. Seventy-five (75) feet south of US-1, excluding Block 92, Riviera Section #2.
  - b. Forty-five (45) feet north of US-1 and including Block 92, Riviera Section #2.
  - c. Thirty (30) feet in the Mahi Canal.
- D. No dock extending outward over or in the water from the bank shall be permitted in connection with any lot which a reasonable area along the shore thereof shall be at such level as to provide a natural landing stage or platform for persons embarking on or debarking from watercrafts.
- E. All mooring piles, docks and/or similar structures shall maintain the same minimum side setback from the adjacent owner's property line extended as established for the main structure permitted on each building site, unless otherwise permitted by Miami Dade County Department of Regulatory and Economic Resources, Division of Environmental Resources Management (DERM) and the Board of Architects, except as described for specific properties and the Mahi Canal in Appendix A. In no case shall a side setback be less than five (5) feet.
- F. Except as described for specific properties and the Mahi Canal in Appendix A, and as provided for under Section 5-802(C) above, the mooring of watercraft in water bodies shall

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<sup>1</sup> Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

be forbidden unless such moorings, and similar mooring on the opposite bank, shall leave unobstructed passageway in the water body of at least seventy-five (75) feet in width.

G. Where the width of the water body permits mooring of watercraft parallel to the banks, but does not permit the erection of docks or the placing of outer mooring piles, fender or mooring piles may be placed at a distance not greater than eighteen (18) inches from the bank or shore, and such piles shall be Venetian type, painted and ornamentally capped.

H. No dock, wharf or similar structure shall be covered above grade or multi-level above grade, including platforms or balconies.

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**SECTION 3.** All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

**SECTION 4.** If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

**SECTION 5.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

**SECTION 6.** If the Official Zoning Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

**SECTION 7.** That this Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWELFTH DAY OF NOVEMBER, A.D., 2019.

(Moved: Lago / Seconded: Mena)

(Yeas: Fors, Jr., Keon, Lago, Mena, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: F-1)

APPROVED:

  
RAUL VALDES-FAULI  
MAYOR

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
MIRIAM SOLER RAMOS  
CITY ATTORNEY

ATTEST:

  
BILLY Y. URQUIA  
CITY CLERK