



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
Application: **Zoning Code Text Amendments – Mahi Canal Mailed Notice**
Public Hearing: Planning and Zoning Board
Date & Time: **August 14, 2024; 6:00 – 9:00 p.m.**
Location: City Commission Chambers, City Hall,
405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code Article 15, “Notices,” Section 15-102, “Notice,” to require notice to all properties along the Mahi Canal regardless of distance for any new Mixed-use and Multi-family developments on the Mahi Canal, providing for repealer provision, severability clause, codification, and providing for an effective date.

The request requires three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

2. BACKGROUND INFORMATION

The City of Coral Gables values and prioritizes government-to-resident communication to foster a sense of community and engagement among residents. Effective communication and early discussion on development that impacts neighbors are essential for better understanding and awareness of government actions.

The Mahi Canal is a unique waterway in Coral Gables. Most of the waterways create a network within single-family neighborhoods; however, the Mahi Canal, is the only waterway that has commercial uses abutting it, which extends from a high-density development area along the US1 road. This strategic location creates opportunities for Mixed-use and Multi-family developments that may impact all residents along the rest of the canal.

As requested by the Commission and the Waterway Advisory Board, Staff prepared a Zoning Code text amendment to require mailed notice to all properties along the Mahi Canal for any new Mixed-use (MX) and Multi-family (MF) developments on the Mahi Canal. The Zoning Code currently requires mailed notice of public hearings affecting specific properties to be sent to the property subject to the application, and to property owners and tenants within a one thousand (1,000) foot radius. For change in land use before the Planning and Zoning Board and City Commission, a courtesy notice radius of one thousand five hundred (1,500) feet is required. The new amendment provides that for development projects along the

Mahi Canal, notice shall be sent to all property owners along the Mahi Canal, regardless of distance from the perimeter boundaries of the subject property thereby extending the current radius requirement. By extending the notification requirements beyond the standard radius, all property owners along the canal will be adequately informed of proposed developments. This ensures that residents have the opportunity to participate in the decision-making process, voice their concerns, and contribute to the planning and development discussions that directly affect their quality of life and the overall character of the Mahi Canal area.

The Waterway Advisory Board discussed the idea of mailing notices to inform nearby neighbors of upcoming developments on the Mahi Canal at their May 1, 2024, meeting. The Board emphasized the importance of resident awareness and engagement in developments impacting the waterways, and recommended to the City Commission to require extended mailed notice for the Mahi Canal.

The City Commission discussed the proposed mailed notice requirement at their July 9, 2024, Commission meeting and directed Staff to prepare the text amendments for review with the Planning & Zoning Board.

3. PROPOSED ZONING CODE TEXT AMENDMENTS

The proposed Zoning Code text amendments are provided below in ~~striketrough~~/underline format.

Article 15. Notices

Section 15-102. Notice.

C. Mail notices.

1. Except for public hearings before the Board of Architects, or as otherwise provided in the Coral Gables Zoning Code (“Zoning Code”), a required notice of public hearings affecting specific properties containing general information as to the date, time, place of the hearing, property location and general nature of the application shall be mailed to the property that is subject of the application, and to the property owners and tenants, if such names are indicated in the current tax rolls, whose addresses are known by reference to the latest ad valorem tax record, within a one thousand (1,000) foot radius. However, should the one thousand (1000) foot radius extend beyond the City limits, notice shall be mailed outside of the City limits only to addresses that are known by reference to the latest ad valorem tax record that are within a five hundred (500) foot radius of the property that is the subject of the application. It is provided, however, that the radius for a courtesy notice of public hearings for site specific applications for change in land use before the Planning and Zoning Board and City Commission shall be one-thousand five-hundred (1,500) feet. However, should the one thousand five hundred (1500) foot radius extend beyond the City limits, courtesy notice shall be mailed outside of the City limits only to addresses that are known by reference to the latest ad valorem tax record that are within a five hundred (500) foot radius of the property that is the subject of the application. This notification requirement is measured in feet from the perimeter boundaries of the subject property.

The Development Review Official may require an additional area to receive a courtesy notice on any

application. If a public hearing application before the Planning and Zoning Board is continued for more than ninety (90) days then re-notification shall be required. Continued public hearing applications that have incurred substantial changes may require re-notification, as determined by the Development Review Official. The Development Review Official may also require courtesy notices on applications that are not typically required to be noticed if it is determined that such notification is desirable.

It is provided, however, notices shall be mailed to all property owners along the Mahi Canal for mixed-use or multi-family development projects along the Mahi Canal, regardless of the distance from the perimeter boundaries of the subject property.

4. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline. The submitted application has undergone the following City meetings to solicit input and reviews:

MEETINGS, REVIEW COMMITTEES, AND BOARDS	DATE
Waterway Advisory Board	05.01.24
City Commission discussion	07.09.24
Planning and Zoning Board	08.14.24
City Commission – First Reading	08.27.24
City Commission – Second Reading	TBD

The following has been completed to solicit input and provide notice of the Application:

PUBLIC NOTICE	DATE
Legal advertisement	07.29.24
Posted agenda and Staff report on City web page/City Hall	08.09.24

5. FINDINGS OF FACT

In accordance with Section 14-212.5 of the Zoning Code, the Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to the Zoning Code unless the text amendment:

Standard	Staff Evaluation
1. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to enhance public awareness and participation in the City’s development review and planning processes. By requiring mailed notice to all property owners along the Mahi Canal for any new Mixed-use (MX) and Multi-family developments, the amendment ensures that impacted neighbors are informed and have the opportunity to voice concerns or suggestions that may affect their health,

	safety, and welfare. This proactive communication fosters a more inclusive and transparent development process, promoting the overall welfare of the community.
2. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed text amendment does not permit uses the Comprehensive Plan prohibits.
3. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.	The proposed text amendment does not impact densities or intensities.
4. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Plan.	The proposed text amendment will not affect the level of service for public infrastructure. Each proposed development will be reviewed by Staff to meet the concurrency requirements, maintaining the required levels of service as per the Comprehensive Plan.
5. Does not directly conflict with any objective or policy of the Comprehensive Plan.	The proposed amendment does not directly conflict with any goal, objective or policy of the Comprehensive Plan. The proposed amendment aligns with multiple policies that encourage transparency and public participation in the decision-making process. By improving communication with residents, the amendment supports the Comprehensive Plan’s objectives of fostering an engaged and informed community.

Staff comments: Staff finds that all five of these criteria are satisfied.

Consistency Evaluation of the Comprehensive Plan (CP) Goals, Objectives and Policies

The Planning and Zoning Division has reviewed the CP and finds the following CP Goals, Objectives and Policies are applicable. Consistent CP Goals & Objectives and Policies are as follows:

Ref. No.	CP Goal, Objective and Policy	Basis for Consistency
1.	Objective GOV-1.1. Provide ample and effective opportunities for public participation at all levels of City of Coral Gables governance and decision-making.	Complies
2.	Policy GOV-1.1.1. Strengthen strategies and processes to promote effective opportunities for public participation at all levels of City governance and decision-making.	Complies

Ref. No.	CP Goal, Objective and Policy	Basis for Consistency
3.	Policy GOV-1.1.2. Promote public outreach and participation including but not limited to the following: workshops; public meetings; public hearings; neighborhood meetings; electronic mailings; regular mailing; newspaper advertisements; property posting; City webpage posting; cable TV; city radio; E-News electronic newsletter; citizen boards and committees.	Complies
4.	Policy GOV-1.1.5. Ensure that resident’s concerns regarding incompatible or inconsistent development are addressed in conformance with established provisions of the City Code, Comprehensive Plan, and Zoning Code provisions; and coordinate with established neighborhood organizations in the planning and implementation of neighborhood improvements – such as historic preservation, infrastructure, traffic calming, landscaping, public safety, and other quality of life issues.	Complies
5.	Goal PRP-1.2. Provide transparency in the decision-making processes and procedures so that all people may reasonably participate in decisions that affect their lives and property.	Complies
6.	Policy PRP-1.2.1. Allow public participation from any affected person, as is consistent with controlling law, and be a party to a hearing on any land use decision.	Complies
7.	Policy PRP-1.2.4. Provide public notice as required by controlling law and shall adhere to a policy of open meetings and freedom to review and copy public records.	Complies
8.	Policy PRP-1.2.5. Allow every affected person the opportunity to participate early and throughout the decision-making process.	Complies

Staff comments: The proposed text amendment to Section 15-102 “Notice” aims to enhance public participation in the development review process by requiring mailed notice to all property owners along the Mahi Canal for any new Mixed-use (MX) and Multi-family developments. This proposed amendment ensures that all potentially impacted property owners are adequately informed, extending beyond the current radius requirement, which promotes transparency and encourages community engagement. The request fulfills the goals, objectives, and policies of the Coral Gables Comprehensive Plan that encourage public notification and input during decision-making processes.

6. STAFF RECOMMENDATION

The Planning and Zoning Division recommends **approval**.

7. ATTACHMENTS

- A. Legal Advertisement.

Please visit the City's webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,

Jennifer Garcia, AICP, CNU-A
Planning Official
City of Coral Gables, Florida

A FREE AND INDEPENDENT NEWSPAPER VOICE

COMMUNITY NEWSPAPERS
PUBLISHED MONDAY
MIAMI, MIAMI-DADE, FLORIDA

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared **GEORGIA GRIFFIN** who on oath says she is **OFFICE MANAGER** of Legal Advertising of Community Newspapers, published Monday at Miami-Dade, Florida; that the attached copy of advertisement, published on the publicly accessible website of Miami-Dade County, Florida and/or in a newspaper in print, being a Legal Advertisement of Notice in the Matter of

Notice of Public Hearing
City of Coral Gables, Florida
August 14, 2024

in the XXXXX Court, was published in said newspaper in the issue of

July 29, 2024

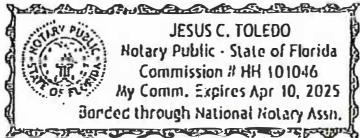
Affiant further says that the website or newspaper complies with the legal requirements for publication in chapter 50, Florida Statutes.

PROOF OF PUBLICATION -

AFFIANT *Georgia Griffin*
_____ day of July _____ 2024.


JESUS TOLEDO *[Signature]*

(Print or type or stamp commissioned name of Notary Public)

(SEAL)
My Commission Expires: _____


X

Community Newspapers
6796 S.W. 62nd Avenue
South Miami, Florida 33143
305-669-7355 Ext. 2226


City of Coral Gables, Florida
Notice of Public Hearing
HYBRID MEETING on Zoom platform
Local Planning Agency / Planning and Zoning Board
Wednesday, August 14, 2024, 6:00 p.m.
City Commission Chamber, City Hall
405 Biltmore Way, Coral Gables, FL 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA) / Planning and Zoning Board (PZB) will conduct Public Hearing on the following:

1. An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code, Article 5, "Architecture," Section 5-200, "Mediterranean Standards;" Article 3, "Uses," Section 3-402, "Restrictions related to location;" and Article 16, "Definitions;" to enhance the quality of Coral Gables Mediterranean design by requiring a conceptual design review; removing duplicative criteria; relocating in-applicable standards; supplementing existing criteria; and including additional Mediterranean building examples; providing for severability, repealer, codification, and for an effective date.
2. An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code Article 15, "Notices;" Section 15-102, "Notice," to require notice to all properties along the Mahi Canal regardless of distance for any new Mixed-use and Multi-family developments on the Mahi Canal, providing for repealer provision, severability clause, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its board meeting on Wednesday, August 14, 2024, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. However, the City Commission has established the ability for the public to virtually provide sworn testimony or public comments (non-sworn and without evidentiary value). Any individual who wishes to provide sworn testimony virtually must have their video on and must be sworn in.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/83788709513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (<https://coralgables.granicusideas.com/meetings>) once the meeting's agenda is published, or by sending an email to planning@coralgables.com prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cgtv) as well as Channel 77 on Comcast.