

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2010-30

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES GRANTING APPROVAL OF AN AMENDMENT TO ZONING CODE ARTICLE 3, DIVISION 19, ENTITLED "DEVELOPMENT AGREEMENTS", SECTION 3-1907, ENTITLED "CONTENTS OF DEVELOPMENT AGREEMENT/RECORDING", BY INCREASING THE DURATION OF A DEVELOPMENT AGREEMENT FROM NOT TO EXCEED TEN (10) YEARS TO NOT TO EXCEED TWENTY (20) YEARS; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Florida Statutes were amended by the Legislature to increase the maximum term of a development agreement from ten (10) to twenty (20) years; and

WHEREAS, the University of Miami has requested an amendment to the Zoning Code to extend the valid time frame of a Development Agreement from ten (10) to twenty (20) years pursuant to a pending Development Agreement between the City of Coral Gables and the University; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on August 11, 2010 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code and after due consideration, recommended approval (vote: 6-0) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on September 14, 2010 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, recommended approval the amendment on First Reading (vote: 5-0);

NOW, THEREFORE, BE IT RESOLVED 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 Zoning Code of the City of Coral Gables Article Article 3, Division 19, entitled “Development Agreements”, Section 3-1907, entitled “Contents of development agreement/recording”, by increasing the duration of a development agreement from not to exceed ten (10) years to not to exceed twenty (20) years; is hereby amended as follows (changes in strikethrough / underline format):

“Section 3-1907. Contents of development agreement/recording.

A. *Contents. The approved development agreement shall contain, at a minimum, the following information:*

- 1. A legal description of the land subject to the development agreement.*
- 2. The names of all persons having legal or equitable ownership of the land.*
- 3. The duration of the development agreement shall not exceed ten (10) twenty (20) years.”*

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. That this Ordinance shall become effective ten (10) days after final reading and adoption thereof.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF SEPTEMBER,
A.D., 2010.

(Moved: Kerdyk / Seconded: Anderson)
(Yea: Anderson, Cabrera, Kerdyk, Withers, Slesnick)
(Unanimous: 5-0 Vote)
(Agenda Item: E-5)

APPROVED:

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY