

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, ARTICLE 3, "DEVELOPMENT REVIEW," DIVISION 10, "TRANSFER OF DEVELOPMENT RIGHTS," EXPANDING THE RECEIVER SITES FOR THE USE OF TRANSFER DEVELOPMENT RIGHTS TO INCLUDE BLOCKS 1, 2, 3, 4, 6, 7, 8, AND 10 IN THE BILTMORE SECTION, PROVIDING FOR A REPEALER PROVISION, PROVIDING FOR A SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Staff has proposed a Zoning Code text amendment to allow the receiver sites of transfer development rights (TDRs) to include Blocks 1, 2, 3, 4, 6, 7, 8, and 10 of Biltmore Way;

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on June 13, 2018, at which hearing all interested parties were afforded the opportunity to be heard;

WHEREAS, the Board was presented with the text amendment to the Official Zoning Code, and provided comments to City Staff;

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on July 11, 2018, at which hearing all interested parties were afforded the opportunity to be heard;

WHEREAS, the Board was presented with the text amendment to the Official Zoning Code, and after due consideration, recommended approval (vote: 4-1) of the text amendment;

WHEREAS, after notice was duly published, a public workshop with neighbors was held on August 15, 2018, at which the process and impact of transfer development rights (TDRs) were explained in detail;

WHEREAS, a public hearing for First Reading was held before the City Commission on August 28, 2018, at which hearing all interested parties were afforded the opportunity to be heard;

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

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on (month) (day), 2018, 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/denied) the amendment on Second Reading (vote: __-__).

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 follows¹:

ARTICLE 3 - DEVELOPMENT REVIEW

Division 10. Transfer of Development Rights

Section 3-1005. Use of TDRs on receiver sites.

A. Use of TDRs on receiver sites. The receiving sites shall be (i) located within the boundaries of the CBD and designated Commercial zoning, ~~or~~ (ii) located within the boundaries of the North Ponce de Leon Boulevard Mixed Use District and designated Commercial zoning, or (iii) the Biltmore Section, Blocks 1, 2, 3, 4, 6, 7, 8, and 10 and designated Multi-Family High Density or Commercial High-Rise Intensity Land Use on the Comprehensive Plan Map, and facing Biltmore Way or Coral Way.

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.

¹ Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

SECTION 7. This ordinance shall become effective _____, 2018.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2018.

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY