



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables

Application: **Zoning Code Text Amendments – Med Bonus Mailed Notice**

Public Hearing: Planning and Zoning Board

Date & Time: **June 12, 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 mailed notice for Mediterranean Bonus applications before the Board of Architects, 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 values and prioritizes government-to-resident communication to help foster a sense of community and engagement amongst residents. Notices provide a foundation for better understanding and knowledge of government actions. The City seeks to improve communication and encourage discussion on development that impacts neighbors earlier in the development review process.

As requested by a Commissioner, Staff prepared a Zoning Code text amendment to require mailed notice for Mediterranean Bonus applications before the Board of Architects. Currently, mailed notice is provided for public hearings before the Planning & Zoning Board, Board of Adjustment, Historic Preservation, and City Commission. However, since some proposed development is encouraged in the Zoning Code and therefore not required to have an approved site plan by the City Commission via the Conditional Use review process (properties less than 20,000 square feet), neighbors are not aware of some proposed development unless they immediately about the property and see the signs for Development Review Committee (DRC) or Board of Architects. Therefore, the proposed text amendment requires mailed notice for Board of Architects meeting that are considering granting the Mediterranean Bonus.

The City Commission discussed the proposed mailed notice requirement at their May 21, 2024, Commission meeting and directed Staff to prepare the text amendments to review with the Planning & Zoning Board.

The Board of Architects discussed the proposed text amendment at their May 30, 2024, meeting. The Board welcomed the idea of mailing notice to notify nearby neighbors of upcoming meetings. However, the Board was concerned about additional time that would be required for public comments, as the Board meets weekly on a voluntary basis. After discussion, the Board unanimously recommended that mailed notice should be provided for Mediterranean Bonus applications, however, public comment should be collected via email or e-comment.

3. PROPOSED ZONING CODE TEXT AMENDMENTS

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

Article 15. Notices

Section 15-102. Notice.

In every case where a public hearing is required pursuant to the provisions of these regulations and other applicable Florida Statute requirements, the City shall provide a Notice of Public Hearing in the manner set out in this section and as summarized in the following table:

Types of Public Notice ^{1,2,4,5}

Timing of Notice Before...

Type of Application	Type of Notice	Board Public Hearing (if required)	First Commission Public Hearing (if required)	Second Commission Public Hearing (if required)

<i>Board of Architects</i>	Posting	5 days		
<u>Mediterranean Bonus</u>	<u>Mail</u>	<u>13 days</u>		

D. Mail notices.

- Except for public hearings regarding conceptual review, preliminary review, or reconsiderations 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.

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
City Commission discussion	05.21.24
Board of Architects	05.30.24
Planning and Zoning Board	06.12.24
City Commission – First Reading	TBD
City Commission – Second Reading	TBD

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

PUBLIC NOTICE	DATE
Legal advertisement	05.27.24
Posted agenda and Staff report on City web page/City Hall	06.07.24

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 respect and encourage the rights of affected persons to participate in the City's development review and planning. The amendment requires mailed notice before the Board of Architects review any application that requests Mediterranean Bonus. The proposed amendment aims for additional public notification for public information meetings to promote effective government communication with the public. Impacted neighbors and the public will be able to advocate and/or voice any concerns, reservations, suggestions they may have that affect their health, safety, and welfare.
2. Does not permit uses the Comprehensive Plan prohibits in	The proposed text amendment does not permit uses the Comprehensive Plan prohibits.

the area affected by the text amendment.	
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.
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 meets multiple policies that encourage transparency in the decision making process.

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
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-1.1.3. Enhance communication between residents, civic and cultural organizations, and the City Boards/Committees and City Commission beyond legal requirements and beyond traditional mediums, specifically by electronic media, and other easily accessible methods.	Complies

Ref. No.	CP Goal, Objective and Policy	Basis for Consistency
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-1.2.4. 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

Staff comments: The proposed text amendment to Section 15-102 “Notice” aims to improve public participation in the development review process by requiring mailed notice as an additional notification for Board of Architects meetings when considering to grant Mediterranean Bonus. 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
The City of Coral Gables, Florida
June 12, 2024

in the XXXXX Court, was published in said newspaper in the issue of
May 27, 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

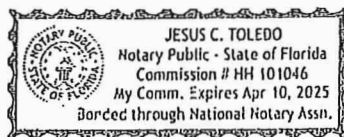
27 day of May 2024.

JESUS TOLEDO

(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, June 12, 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. A Resolution of the City Commission of Coral Gables, Florida approving Conditional Use Review of a Site Plan pursuant to Zoning Code Article 14, "Process," Section 14-203, "Conditional Uses," for a proposed townhouse development referred to as "The George" on the property legally described as Lots 29 through 41, Block 10, Coral Gables Biltmore Section (717, 729, 737 and 741 Valencia Avenue), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.
2. A Resolution of the City Commission of Coral Gables, Florida approving the Tentative Plat entitled "The George" pursuant to Zoning Code Article 14, "Process," Section 14-210, "Platting/Subdivision," being a re-plat of 36,634 square feet (0.84 acres) into thirteen (13) platted lots for thirteen (13) residential townhouses on property assigned Multi-Family 4 District (MF4) zoning the property legally described as Lots 29 through 41, Block 10, Coral Gables Biltmore Section (717, 729, 737 and 741 Valencia Avenue), Coral Gables, Florida; providing for a repealer provision, severability clause, and an effective date.
3. 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 inapplicable standards; supplementing existing criteria; and including additional Mediterranean building examples; providing for severability, repealer, codification, and for an effective date.
4. 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 mailed notice for Mediterranean Bonus applications before the Board of Architects, providing for repealer provision, severability clause, codification, and providing for an effective date.
5. An Ordinance of the City Commission providing for a text amendment to the City of Coral Gables Official Zoning Code, amending Section 14-202.6 "Building Site Determination" to facilitate building site determination applications; providing for severability, repealer, codification, and for an effective date.

The Planning and Zoning Board will be holding its board meeting on Wednesday, June 12, 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://coral.gables.unificusideas.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.