

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, BY AMENDING ARTICLE 5, "DEVELOPMENT STANDARDS," AMENDING SECTION 5-2601, "BED AND BREAKFAST ESTABLISHMENTS" TO MODIFY THE EXISTING BED AND BREAKFAST ESTABLISHMENTS STANDARDS AND CRITERIA TO ALLOW FOR VIABLE BED AND BREAKFAST ESTABLISHMENTS; PROVIDING FOR A REPEALER PROVISION, PROVIDING FOR A SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Coral Gables currently allows Bed and Breakfast establishments on property zoned MF2 within the district bounded by Southwest Eighth Street to the north, Navarre Avenue to the south, Douglas Road to the east, and LeJeune Road to the west; and,

**WHEREAS**, the current Bed and Breakfast regulations include provisions that hinder the opening of a Bed and Breakfast establishment in eligible existing buildings, including off-street parking requirements for each bedroom; and,

**WHEREAS**, the current Bed and Breakfast regulations include provisions that hinder the opening of a Bed and Breakfast establishment in eligible existing buildings, including a multi-step approval process that requires review and approval by multiple review committees, boards and the City Commission, and associated time, preparation, and application fees; and,

**WHEREAS**, the current Bed and Breakfast regulations include provisions that create uncertainty for the Bed and Breakfast owner/operator, including an imprecise annual revocation provision that provides little protection for the owner/operator; and,

**WHEREAS**, the current Bed and Breakfast regulations were adopted in 1993 by Ordinance 3023, and since that time, a Bed and Breakfast has not been opened or operated in the City of Coral Gables in accordance with those regulations; and,

**WHEREAS**, the City Commission and the Coral Gables community has expressed a strong interest in the conservation and enhancement of the North Ponce area, which includes the area in which Bed and Breakfast establishments are permitted and desired; and,

**WHEREAS**, encouraging the preservation and rehabilitation of historic buildings

in the North Ponce area is an important goal expressed by the Coral Gables community during the 2015 North Ponce Community Visioning Workshop and the 2016 North Ponce Community Planning Meeting; and,

**WHEREAS**, encouraging reinvestment in the North Ponce area through uses such as Bed and Breakfast establishments is an important goal expressed by the Coral Gables community during the 2015 North Ponce Community Visioning Workshop and the 2016 North Ponce Community Planning Meeting; and,

**WHEREAS**, providing clear and attainable guidelines for Bed and Breakfast Establishments in the North Ponce area will allow these establishments to be operated in an area of the City where this type of use is desired; and,

**WHEREAS**, Zoning Code text amendments are necessary in order to allow Bed and Breakfast Establishments to be opened and operated in the North Ponce area in a manner consistent with the community vision, including but not limited to: clear guidance on eligible properties, attainable parking requirements, an attainable City approval process, and greater assurance for the owner / operator that their approval cannot be revoked annually based on any neighborhood complaint; and,

**WHEREAS**, in order to encourage high quality Bed and Breakfast operations, the Conditional Use application process will not include a processing fee at this time; and,

**WHEREAS**, after notice was duly published, a public hearing was held before the Planning and Zoning Board on July 13, 2016, 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 of the amendment (vote: 7 - 0); and,

**WHEREAS**, after notice duly published, a public hearing for First Reading was held before the City Commission on September 28, 2016, 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 (votes: 5-0).

**WHEREAS**, after notice duly published, a public hearing for Second Reading was held before the City Commission on October 11, 2016, 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, (\_\_\_\_) 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.** Section 5-2601 of the Official Zoning Code of the City of Coral Gables is hereby amended to read as set forth in “Exhibit A” to this ordinance.

**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.** This ordinance shall become effective \_\_\_\_\_, 2016.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2016.

APPROVED:

JIM CASON  
MAYOR

ATTEST:

WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN  
CITY ATTORNEY

Second Reading