

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2018-44

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 4, "ZONING DISTRICTS," DIVISION 3, "NONRESIDENTIAL DISTRICTS," SECTION 4-302, "COMMERCIAL DISTRICT" REQUIRING CONDITIONAL USE REVIEW FOR SCHOOLS LOCATED WITHIN A COMMERCIAL ZONING DISTRICT; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, City Staff has proposed a Zoning Code text amendment requiring all school uses located on property zoned Commercial District to be reviewed via the conditional use approval process; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on August 29, 2018, 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, recommended approval (vote: 5-0) of the text amendment;

WHEREAS, a public hearing for First Reading was held before the City Commission on September 25, 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 the amendment on First Reading (Majority: (4-0) Vote); and

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:

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

ARTICLE 4 - ZONING DISTRICTS

Division 3. Nonresidential Districts

Section 4-302. Commercial (C) District.

C. Conditional uses. The following uses are permitted as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:

9. Schools.

~~9.~~ 10. Walk-up counter only as an accessory use to a restaurant.

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 All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.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 upon the date of its passage and adoption hereof.

PASSED AND ADOPTED THIS NINTH DAY OF OCTOBER, A.D. 2018.

(Moved: Keon / Seconded: Quesada)

(Yeas: Quesada, Keon, Mena, Valdes-Fauli)

(Majority: (4-1) Vote)

(Nays: Lago)

(Agenda Item: F-3)

APPROVED:

A handwritten signature in blue ink, consisting of a large, stylized 'R' followed by a smaller 'V' and 'F'.

RAUL VALDES-FAULI
MAYOR

ATTEST:

A handwritten signature in blue ink, reading 'Walter J. Foeman' in a cursive script.

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, consisting of a stylized 'M' followed by 'S' and 'R'.

MIRIAM SOLER RAMOS
CITY ATTORNEY