

CITY OF CORAL GABLES, FLORIDA

RESOLUTION 2018-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA, AUTHORIZING A NINETY-DAY EXTENSION OF A ZONING IN PROGRESS RELATED TO ACCESS TO THE PUBLIC RIGHTS-OF-WAY FOR WIRELESS FACILITIES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 11, 2017, the Commission adopted Resolution No. 2017-205 (the “Zoning in Progress Resolution”) issuing a Zoning in Progress in accordance with Article 3, Division 7 of the Zoning Code for the consideration of Zoning Code Text Amendments to Article 5, Division 20 “Telecommunications” addressing wireless communications facilities and Article 8 “Definitions,” to implement the recently passed Florida legislation known as the “Advanced Wireless Infrastructure Deployment Act;”

WHEREAS, Section 5 of the Zoning In Progress Resolution provides that the moratorium may be reasonably extended, if necessary, by resolution of the City Commission; and

WHEREAS, on October 24, 2017, the City Commission adopted Resolution No. 2017-330 which authorized a sixty-day extension of the Zoning in Progress Resolution through February 13, 2018; and

WHEREAS, on January 23, 2018, the City Commission adopted Resolution No. 2018-27 authorizing a ninety-day extension of the Zoning in Progress Resolution through May 22, 2018; and

WHEREAS, on April 24, 2018, the City Commission adopted Resolution No. 2018-128 authorizing a ninety-day extension of the Zoning in Progress Resolution through August 28, 2018; and

WHEREAS, on August 28, 2018, the City Commission adopted Resolution No. 2018-232 authorizing a ninety-day extension of the Zoning in Progress Resolution through December 11, 2018; and

WHEREAS, stakeholders, including members of the wireless communications industry, have requested to participate in the process of developing amendments to the City Code and this additional extension will support allowing all stakeholders an opportunity to participate in the Ordinance process; and

WHEREAS, the City Commission on October 9, 2018 approved on first reading the proposed Ordinance amending the Zoning Code and City Code and City staff has met

with stakeholders regarding their comments on the proposed ordinance and additional time is needed for consideration by City staff of such input and to make any additional changes to the proposed Ordinance; and

WHEREAS, the City Commission finds that the public interest requires an extension of the Zoning in Progress Resolution for an additional ninety (90) days and that such extension is reasonably necessary; and

WHEREAS, nothing in this Resolution shall affect or waive the City’s right to establish applicable regulations by Ordinance to implement the Advanced Wireless Infrastructure Deployment Act, consistent with applicable law.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That the foregoing “Whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

SECTION 2. That the City Commission authorizes an extension of the Zoning in Progress Resolution through a period not to exceed the first regularly scheduled City Commission meeting after ninety (90) days from December 11, 2018.

SECTION 3. That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS ____ DAY OF _____, A.D., 2018.
(Moved: / Seconded:)
(Yeas:)
(; Vote)

APPROVED:

RAÚL VALDÉS-FAULI
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

WALTER J. FOEMAN
CITY CLERK

MIRIAM SOLER RAMOS
CITY ATTORNEY