



Legislation Text

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An Ordinance of the City Commission of Coral Gables, Florida amending the Code of Ordinances, Chapter 58, "Special Assessments," Article III, "Repair or construction of streets and sidewalks", by exempting single family residential and duplex properties from the sidewalk, curb, and gutter construction requirements set forth in Section 58-57, revising the square footage and value thresholds of construction, providing for automatic annual adjustments based on the Engineering-News Record construction cost index, and authorizing the City Attorney to release covenants running with the land executed by exempted property owners prior to the adoption of this ordinance, providing for immunity, severability, repealer, codification and an effective date.

(Sponsored by Commissioner Mena)

On January 26th, 1988, the City of Coral Gables Commission adopted Ordinance No. 2765, amending the City Code to include Sec. 28-25.1 titled "Construction, reconstruction or repair of sidewalks, curbs and/or gutters required in new building construction and/or alterations exceeding fifteen thousand dollars in value or exceeding six hundred square feet in floor area," which required the construction of sidewalks in conjunction with new construction or renovations above a certain threshold in order to increase the availability of sidewalks throughout the City.

Nearly thirty years later, the City Commission continues to support increased sidewalks throughout the City in order to encourage pedestrian activity, improve mobility for persons with disabilities, provide safe routes to schools for children, and promote walkable neighborhoods and parks. However, it does not believe the existing framework is the best method to achieve these goals.

This amendment would exempt single family residential and duplex properties from the requirements of Section 58-57, and raise the value and square footage thresholds for commercial, multi-family, mixed use, and industrial properties. While this amendment narrows the applicability of Section 58-57 for *new* sidewalks, property owners must continue to maintain existing sidewalks pursuant to Section 58-48, which requires the abutting property owner to maintain sidewalks in a condition that presents a smooth, continuous surface and to remedy defective conditions.

In addition to requiring sidewalk, curb, and/or gutter improvements for certain new building or construction alterations exceeding \$150,000.00 in value or 750 square feet in floor area, this amendment also provides for automatic annual adjustments based on the Engineering-News Record, Construction Cost Index.

The City Commission recognizes that single family residential and duplex homeowners who have previously signed covenants running with the land in compliance with Section 58-57, should have the option of terminating such covenants through an administrative process. This ordinance therefore grants the City Attorney the ability to release said covenants at the request of exempted property owners.