



City of Coral Gables Implementing Order of the City Manager

Implementing Order No.: 2020-02 **Title:** Temporary Open-Air Dining Permit to provide businesses with enhanced economic opportunities to aid their recovery from the COVID-19 pandemic.

Ordered: May 26, 2020 Effective: May 27, 2020 Revised: December 8, 2020

AMENDMENT: Order sunset date extended to June 15, 2020 in order to provide for expanded outdoor seating opportunities to assist with social distancing at restaurants and suspending all applicable fees. Amendment Authority Resolution No. 2020-266.

AUTHORITY: Executive Order 2020-122 re: Broward and Miami-Dade Counties to Phase 1: Safe. Smart. Step-by-Step. Plan for Florida's Recovery; Miami Dade County Emergency Order 23-20; Coral Gables Emergency Order allowing for the limited re-opening of restaurants (May 20, 2020) and certain establishments (May 18, 2020) with conditions; Resolution No. 2020-119 and No. 2020-266

PURPOSE

The purpose of this Implementing Order is to establish an expedited permit process for restaurants to take advantage of expanded open-air dining opportunities on a temporary basis. As the City returns to a new normal in the wake of the COVID-19 public health crisis, the City Commission has tasked the administration with finding creative ways to support businesses and encourage individuals to participate in the local economy. In response to the re-opening of restaurants under the strict conditions outlined in applicable emergency orders and corresponding handbooks¹, which include social distancing and reduced indoor seating capacity, the City will temporarily relax the requirements in Sections 4-206(B)(4) and 5-119 of the Zoning Code to allow expanded open-air dining opportunities in the right-of-way, on private property and on city owned property, while continuing to adhere to the requirements of the Americans with Disabilities Act and general life safety standards.

APPLICABILITY

All restaurants within the City may apply for a Temporary Open-Air Dining Permit. Nothing in this Order shall be construed to override or be more lenient than the COVID-19-related regulations set forth by state, county, or local laws, including all applicable Emergency Orders.

APPLICATION PROCESS FOR TEMPORARY OPEN-AIR DINING PERMIT

The Temporary Open-Air Dining Permit is intended to create a business-friendly, expedited avenue for restaurants to safely offer open-air or expanded open dining areas to their clientele for a limited time. The Temporary Open-Air Dining Permit is a **NO FEE Permit**. The site plan required as part of the application process does not need to be prepared by an engineer or architect and can be hand-drawn, provided all elements listed below are included. With the exception of type, quantity, and location of outdoor

¹ Miami-Dade County's Moving to a New Normal Handbook and the City of Coral Gables' Reopening the Local Economy Handbook

furnishings, all other regulations contained in Sections 4-206(B)(4) and 5-119 of the Zoning Code continue to apply to restaurants unless otherwise waived by the City Manager.

1. Restaurants operating with or without a current outdoor dining permit may apply for a Temporary Open-Air Dining Permit to add or expand outdoor seating on private property, in the right of way, or on city-owned property such as surface parking lots.

To apply, please visit www.coralgables.com/sidewalkcafe and submit an application to PZapplications@coralgables.com.

Once issued, the temporary permit must be posted on site in a common area with other certificates.

REVIEW PROCESS FOR TEMPORARY OPEN-AIR DINING PERMIT

1. All Temporary Open-Air Dining Applications must be submitted via email to PZapplications@coralgables.com.
2. Once a complete application is submitted, staff will internally route the application for concurrent expedited review as outlined below:
 - a. A request to use the sidewalk only, must be reviewed by the Public Works Right of Way Division.
 - b. A request to use on-street parking spaces must be approved by the Public Works Right of Way Division, the Fire Department, and the Parking Department.
 - c. A request to use city-owned off-street parking spaces must be approved by the Building Department, Fire Department, and Parking Department.
 - d. A request to use other city-owned property must be approved at a minimum by the Building Department and Fire Department.
 - e. A request to use private property, including private surface parking lots, must be approved by the Building Department and Fire Department.
 - f. In all cases, insurance compliance will be provided by the Risk Management Division.
3. Once all necessary approvals are obtained, the Planning Division will issue the temporary permit to the applicant via email.
4. Restaurants are required to post the temporary permit in a common area on-site with other certificates. The temporary permit should be available for inspection at all times.
5. Code Enforcement will conduct periodic site inspections to ensure compliance.

EXPIRATION

In accordance with Resolution No. 2020-266, the expiration of this order and all permits issued pursuant to this order is extended from January 15, 2021, to June 15, 2021.

APPROVED BY:



Peter J. Iglesias, P.E.

City Manager



Date

CITY OF CORAL GABLES, FLORIDA

RESOLUTION NO. 2020-266

A RESOLUTION OF THE CITY COMMISSION EXTENDING THROUGH JUNE 15, 2021 THE AUTHORITY GRANTED TO THE CITY MANAGER TO RELAX CURRENT STANDARDS FOR OUTDOOR/OPEN-AIR DINING AND SIGNAGE IN ORDER TO PROVIDE FOR EXPANDED OUTDOOR SEATING OPPORTUNITIES TO ASSIST WITH SOCIAL DISTANCING AT RESTAURANTS AND SUSPENDING ALL APPLICABLE FEES.

WHEREAS, on March 12, 2020, Mayor Raúl Valdés-Fauli declared a state of emergency for the City of Coral Gables, Florida (the “City”) as authorized by Section 252.38(3)(a), Florida Statutes, and Section 27-2(c)(6) of the City Code in response to the Novel Coronavirus Disease-2019 (COVID-19) (the “Declaration”); and

WHEREAS, in order to provide for expanded economic opportunities to establishments affected by COVID-19 while complying with social distancing measures, on May 26, 2020, the City Commission adopted Resolution No. 2020-119 which authorized the City Manager to provide expanded outdoor seating opportunities in the right-of-way, on private property, and on city-owned properties by relaxing the requirements in Section 4-206(B)(4) and 5-119 of the Zoning Code relating to outdoor dining/open-air dining requirements; to waive all fees applicable to outdoor dining/open-air dining permits; to provide for expedited permitting; to temporarily close streets, subject to County approval, if required, to provide restaurants with additional outdoor dining opportunities; and to relax applicable standards relating to signage; and

WHEREAS, the City Manager was granted such authority through January 15, 2021, unless further extended by the City Commission; and

WHEREAS, the City Commission acknowledges that the expansion of such authority has been a successful measure to allow affected establishments to maximize their ability to serve patrons while complying with social distancing measures and that the expanded opportunities have been well-received in the community; and

WHEREAS, given that the Declaration remains in effect and that establishments in the City continue to be subject to restrictions providing for social distancing measures, the City Commission wishes to extend the deadline set forth in Resolution 2020-119 through June 15, 2021;

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

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 Resolution upon adoption hereof.

SECTION 2. That the City Commission extends the grant of authority to the City Manager to provide for expanded opportunities by relaxing applicable standards as set forth in Resolution No. 2020-119 through June 15, 2021, unless further extended by the City Commission. Specifically, through June 15, 2021, the City Manager is authorized to continue to provide expanded outdoor seating opportunities in the right-of-way, on private property, and on city-owned properties by relaxing the requirements in Section 4-206(B)(4) and 5-119 of the Zoning Code relating to outdoor dining/open-air dining requirements, while continuing to adhere to requirements under the Americans with Disabilities Act and general life safety standards; to waive all fees applicable to outdoor dining/open-air dining permits; and to provide for expedited permitting. The City Manager is also authorized, through June 15, 2021, to temporarily close streets, subject to County approval if required, to provide restaurants with additional outdoor dining opportunities. Additionally, in furtherance of providing expanded economic opportunity to affected establishments, the City Manager is granted the authority, through June 15, 2021, to relax applicable standards set forth in the City Code and Zoning Code relating to signage.

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

PASSED AND ADOPTED THIS EIGHTH DAY OF DECEMBER, A.D., 2020.

(Moved: Lago / Seconded: Keon)

(Yeas: Mena, Fors, Jr., Keon, Lao, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: G-3)

APPROVED:

RAUL VALDES FAULI
MAYOR

ATTEST:



BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY