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Miami 21 rezoning plan won't be stalled or repealed, Regalado says

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ROBERTO KOLTUN / EL NUEVO HERALD FILE

At Miami Mayor Tomas Regalado's request, the commission will discuss Miami 21 on Thursday, ostensibly to set out procedures for making tweaks to the code as it is rolled out.

There is "no way or will" for Miami 21 to be repealed or delayed before it goes into effect next week, Miami Mayor Tomás Regalado said, despite an intense, last-minute blitz by developers' lawyers trying to derail the city's controversial zoning overhaul.

In his most unequivocal statement since the lawyers' behind-the-scenes lobbying of Regalado and city commissioners cast the measure's future into doubt, the mayor said legal and technical obstacles make repealing or delaying the pedestrian-friendly Miami 21 zoning code "impossible" when the commission next meets Thursday, a week before the May 20 effective date.

"It would take 15 emergency ordinances, so it's out of the question," Regalado said in an interview Monday, alluding to numerous changes in ordinances and the city charter already adopted by the commission in preparation for the new zoning code.

As for the lawyers and property owners seeking delay or repeal, he said they may have legitimate issues that can be dealt with later, but added: "They always have recourse to the courts."

Regalado also cleared up the latest mystery surrounding the measure -- a published agenda item for Thursday's meeting that made it appear the mayor wants commissioners to consider repeal.

At Regalado's request, the commission will discuss Miami 21 on Thursday, ostensibly to set out procedures for making tweaks to the code as it is rolled out. In the language Regalado sent to City Manager Carlos Migoya's office last Thursday, the discussion was to center on issues surrounding amendments or delay of the new code, a memo signed by the mayor shows.

But the language in the agenda item published Friday contained the phrase "or repeal" -- setting off a fresh round of speculation in blogs and political circles about Regalado's intent.

However, city agenda coordinator Elvi Gallastegui said Tuesday she had erroneously incorporated an earlier draft of the item prepared by the city attorney's office, instead of the final version Regalado approved without the "repeal" language.

"It was my mistake," she told The Miami Herald.

The Miami 21 code, the product of more than four years of public meetings, hearings and commission votes, is meant to rein in the helter-skelter development that has plagued Miami for years, while promoting walkable streets and a more-coherent urban fabric.

Regalado said his focus will be ensuring that the commission considers a list of proposed amendments sought by Miami Neighborhoods United, a coalition of homeowners' groups that supported his election last fall.

Those proposals include reducing allowable building heights from what Miami 21 would allow for new construction along major corridors like Southwest 27th Avenue and Coral Way, and another measure allowing challenges of building permits in certain districts.

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