CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2013-03

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, APPENDIX A, "SITE SPECIFIC ZONING REGULATIONS", BY CREATING A NEW SECTION, "SECTION A-94 - SNAPPER CREEK LAKES - TRACT "A", PROVIDING PROVISIONS GOVERNING THE USE OF THE EXISTING MARINA FACILITY AND COMMUNITY CENTER, ON PROPERTY LEGALLY DESCRIBED AS TRACT "A", SNAPPER CREEK LAKES SUBDIVISION (11190 SNAPPER CREEK ROAD), CORAL GABLES, FLORIDA; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, an Application for a text amendment to the Zoning Code has been submitted in order to provide provisions governing the use of the existing Snapper Creek Lakes marina facility and community center; and

WHEREAS, the proposed Zoning Code text amendments have been submitted in conjunction with an application for Site Plan Review for the demolition of the existing one-story harbor master/boat storage building and construction of a new two-story community center building; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on January 9, 2013, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with the text amendments to the Zoning Code providing for provisions governing the use of the existing Snapper Creek Lakes marina facility and community center, and after due consideration, recommended approval (vote: 6-0) of the Zoning Code text amendments; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on January 22, 2013 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with the text amendments to the Zoning Code, and after due consideration and discussion, approved the Zoning Code text amendments on First Reading (vote: 5-0);

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 Zoning Code of the City of Coral Gables Appendix A, "Site Specific Zoning Regulations", is hereby amended by creating a new section, "Section A-94 - Snapper Creek Lakes - Tract "A " as follows:

Section A-94 - Snapper Creek Lakes.

The Snapper Creek Section known as Snapper Creek Lakes Subdivision was approved by the City of Coral Gables City Commission for the following: 1) Annexation via Resolution No. 28947 on November 14, 1995 (ratified by Miami-Dade County via Ordinance No. 96-58 on June 26, 1996); 2) Land Use and Zoning Designation via Ordinance No. 3207 on December 7, 1996; and establishment of Site Specific Regulations via Ordinance No. 3249 on May 13, 1997. The following provisions shall apply exclusively to the Snapper Creek Lakes Subdivision single family residences:

A. Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.
B. Building sites. No new building site shall contain less than one (1) fully platted lot and have an area of less than one (1) acre. The minimum lot width of any new building site shall be one hundred twenty-five (125) feet. All existing building sites shall be as existing at the time Snapper Creek was annexed into the City on June 26, 1996 and shall be deemed in conformity with this Ordinance.
C. Ground coverage. No single-family residence shall occupy more than fifteen (15%) percent of the ground area of the building site upon which the residence is erected. In addition, up to five (5%) percent of the rear yard may be used for accessory uses and structures.
D. Height of buildings. No single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site.
E. Height of walls and fences. Walls and fences may have a maximum height of six (6) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements of this code.
F. Roof-materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for the existing buildings in the Snapper Creek area.
G. Setbacks - Principal building.
    1. All lots shall provide a minimum front setback of fifty (50) feet.
    2. All lots shall provide a minimum side setback of fifteen (15) feet.
    3. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
    4. All lots shall provide a minimum rear setback of twenty-five (25) feet.
    5. All lots located on a lake or waterway shall provide a minimum waterfront setback of thirty-five (35) feet.
H. Setbacks - Accessory Buildings general.
    1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
    2. All accessory buildings shall provide a minimum side setback of twenty (20) feet.
    3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
    4. All accessory buildings shall provide a minimum rear setback of seven (7) feet and six (6) inches.

5. All accessory buildings on lots located on a lake or waterway shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.

I. Setbacks - Swimming pools.
   1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
   2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
   3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
   4. Swimming pools shall provide a minimum rear setback of seven (7) feet and six (6) inches.
   5. Swimming pools on lots located on a lake or waterway shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.

J. Setbacks - Tennis courts.
   1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
   2. Tennis courts shall provide a minimum side setback of twenty (20) feet.
   3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
   4. Tennis courts shall provide a minimum rear setback of seven (7) feet and six (6) inches.
   5. Tennis courts on lots located on a lake or waterway shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.

K. Setbacks - Screened enclosures.
   1. Screened enclosures shall provide a minimum front setback of seventy-five (75) feet.
   2. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
   3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
   4. Screened enclosures shall provide a minimum rear setback of six (6) feet.
   5. Screened enclosures on lots located on a lake or waterway shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.

L. As according to the Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any twelve (12) month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

Section A-94 - Snapper Creek Lakes – Tract A.

A. The following provisions shall apply exclusively to the Snapper Creek Lakes Subdivision - Tract A – Snapper Creek Lakes boat marina and community center. Except as specified in the following provisions, all requirements of this section and all other applicable requirements of the City of Coral Gables Zoning Code and City Code and federal, state, county governments shall apply.

B. Permitted uses. The following principal and accessory uses may be permitted on the property:
   1. Private boat marina, boat launching, ground level boat storage and dispensing of fuels and associated boat marina facilities uses approved pursuant to the City of Coral Gables Resolution No. 28947 (Annexation), Ordinance No. 3207 (Land Use and Zoning Designation) and Ordinance No. 3249 (Site Specific Single-Family Regulations).
   2. Private community center.
   3. Associated private boat marina accessory uses including:
      a) Bait and tackle sales.
      b) Vending machine facilities for the dispensing of food and nonalcoholic beverages located within a building.
      c) Exterior storage of kayaks, canoes, boat trailers, and non-motorized small boat(s) less than a total of fourteen (14) feet in length.

d) Minor customary vessel maintenance and repair.

4. Awnings and canopies. Awnings/canopies shall be permitted to be as building appendages and/or free standing.

C. Prohibited uses and operations. The following uses and/or operations shall be prohibited on any portion of the property:

1. Community center third party rental. No portion of the community center may be rented to third parties. The center shall remain as a private facility for use by the members of Snapper Creek.
2. Dry storage stacking of boats.
3. Food preparation for distribution to the public.
4. Mooring or operation of commercial vessels, charter boats or other similar commercial operations.
5. Overnight stays. No overnight accommodations shall be permitted on any portion of the property.
6. Rental or leasing of vessels.
7. Retail sales, professional office and boat repair facilities.

D. Community center hours of operation for activities and meetings. Activities and meetings within the community center shall be limited to the hours of 8:00AM to 10:00 PM, daily.

E. Boat marina. The maximum number of wet marina boat slips shall be thirty-five (35) and thirty-two (32) ground level dry storage spaces. The marina and all associated boat marina support facilities including but not limited to docks, finger piers, etc. shall satisfy all applicable local, county, state and federal requirements for the operations permitted pursuant to the approvals granted via City of Coral Gables Resolution No. 28947 (Annexation), Ordinance No. 3207 (Land Use and Zoning Designation) and Ordinance No. 3249 (Site Specific Single-Family Regulations). A boat slip as referenced herein is defined as that portion of a pier, finger pier, or float where a boat is moored for the purpose of berthing, embarking or disembarking.

F. Community center and accessory building regulations.

1. Maximum building capacity. The maximum building capacity may be up to one-hundred-and twenty-five (125) persons.
2. Maximum building square footage(s). A maximum of four-thousand-two-hundred (4,200) square foot building floor area is permitted on the property. Future community center and/or accessory building expansions up to a total of five-thousand (5,000) square feet may be administratively reviewed and approved by the City.

G. Maximum building height for the community center. A maximum height of two (2) stories, not to exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers is permitted.

H. Ground coverage. No structure shall occupy more than seven-and-a-half (7.5%) percent of the total ground area of the building site.

I. Landscape requirements. A five (5) foot minimum landscape buffer with vegetation shall be maintained the entire length of the property line abutting Old Cutler Bay Road to satisfy all applicable Zoning Code landscape requirements. Landscaping may be located within the Old Cutler Road right-of-way subject to receipt of applicable City encroachments review and approval and other applicable City/County/State review and approval requirements.

J. Parking. A minimum of six (6) vehicle parking spaces shall be provided.

K. Driveway access aisle width. A minimum of fourteen (14) feet shall be permitted for two-way driveway access from the northern to southern portion of the property.

L. Height of walls and fences. Walls and fences may have a maximum height of eight (8) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements.

M. Roof materials. Roofs materials shall be consistent with the roof materials of single family residences in Snapper Creek Lakes Subdivision.

N. The community center building shall satisfy as a minimum the following setbacks:
   1. Front (north) - fifteen (15) feet.
   2. Side (west) - fifteen (15) feet.
   3. Side street (east) - eighteen (18) feet.
   4. Rear (south) – two-hundred-and-fifty (250) feet.
   5. Waterfront setback – thirty (30) feet.

O. All accessory buildings shall satisfy as a minimum the following setbacks:
   1. Front (north) - fifteen (15) feet.
   2. Side (west) - twenty (20) feet.
   3. Side street (east) – eighteen (18) feet.
   4. Rear (south) - seven-and-a- half (7.5) feet.
   5. Waterfront setback - seven-and-a- half (7.5) feet.

P. All screen enclosure(s) shall satisfy as a minimum the following setbacks:
   1. Front (north) - fifteen (15) feet.
   2. Side (west) - fifteen (15) feet.
   3. Side street (east) - eighteen (18) feet.
   4. Rear (south) - twenty (20) feet.
   5. Waterfront setback - seven-and-a- half (7.5) feet.

Q. Sanitation facilities or dumpsters shall satisfy as a minimum the following setbacks:
   1. Front (north) - fifteen (15) feet.
   2. Side (west) - fifty (50) feet.
   3. Side street (east) – Zero (0) feet.
   4. Rear (south) – two-hundred-and-fifty (250) feet.
   5. Waterfront setback – fifteen (15) feet.

R. Community center façade mounted building signage. One (1) non-illuminated, fifty (50) square foot façade mounted building sign with a maximum of six (6) inch lettering may be located above the main door of the community center.

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 Table 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 within ten (10) days following the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FIFTH DAY OF FEBRUARY, A.D., 2013.
(Moved: Kerdyk / Seconded: Anderson)
(Yeas: Cabrera, Kerdyk, Quesada, Anderson, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: E-4)

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY