

City of Coral Gables  
Planning Department Staff Report

To: Honorable Planning and Zoning Board Members

From: Planning Department

Date: August 10, 2005

Subject: City of Coral Gables Zoning Map Amendments (Two-Part Process)  
Part 1: Recommendation and adoption of the Inconsistent Property Map Ordinance: and,  
Part 2: Recommendation and adoption of the new Zoning Classifications and Map Ordinance.

Consideration of adopting the following Ordinances as a part of the Zoning Code rewrite process:

1. AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING A CHANGE OF ZONING TO THE OFFICIAL ZONING MAP OF THE CITY OF CORAL GABLES, FLORIDA FOR VARIOUS PROPERTIES REFERENCED HEREIN FOR THE PURPOSE OF CORRECTING INCONSISTENCIES BETWEEN COMPREHENSIVE LAND USE PLAN MAP AND ZONING MAP CLASSIFICATIONS, REFERENCED HEREIN AS THE "INCONSISTENCIES LOCATION MAP" AND LEGALLY DESCRIBED IN THE "INCONSISTENT PROPERTY TABLE" OF WHICH THIS IS PART ONE OF A TWO PART PROCESS: PART ONE SHALL CORRECT INCONSISTENT ZONING AND PART TWO, AS PROVIDED IN THE ACCOMPANYING ORDINANCE UPDATES AND ASSIGNS THE NEW ZONING MAP CLASSIFICATIONS; AND PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.
2. AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING THE UPDATING AND REVISION OF ZONING MAP CLASSIFICATIONS PURSUANT TO THE ZONING CODE REWRITE AND CITYWIDE CHANGE OF ZONING AND ASSIGNMENT OF THE NEW ZONING MAP CLASSIFICATIONS TO THE OFFICIAL ZONING MAP OF THE CITY OF CORAL GABLES, FLORIDA FOR ALL PROPERTIES LOCATED WITHIN THE CITY, WHICH IS PART TWO OF A TWO PART PROCESS, AND PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

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**Recommendation**

The Planning Department recommends the Planning and Zoning Board based upon the "Findings of Fact" contained herein recommends approval of the following:

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Part 1: Recommendation and adoption of the Inconsistent Property Map Ordinance. Change of existing Zoning Map classifications on specific inconsistent properties to provide for the correct Zoning Map classification to be consistent with the current/correct Comprehensive Land Use Plan (CLUP) Map classification.

Part 2: Recommendation and adoption of the new Zoning Classifications and Map Ordinance per the Zoning Code rewrite.

### **Background**

The rewrite of the Zoning Code, Evaluation and Appraisal Report (EAR) of the CLUP and the rewrite of the CLUP are currently underway. The Zoning Code rewrite is expected to be completed by the end of 2005 and the EAR of the CLUP and rewrite of the CLUP is expected to be completed in the Spring of 2006.

As a part of the Zoning Code rewrite process, the Planning Department is required to correct “inconsistencies” between existing Zoning Map classifications and the existing CLUP Map classifications and provide for new Zoning Map classifications.

### **Request**

This request is necessary as part of the Zoning Code rewrite process. The Planning Department has completed extensive research of the existing Zoning Map and in order to “correct” the City’s Zoning Map, has completed the following two-part process:

*Part 1 – Identify/correct inconsistent existing Zoning Map classifications to be consistent with the correct CLUP Map classifications; and,*

*Part 2 - Recommendation and adopt new Zoning classifications and map.*

The above items must be reviewed and adopted sequentially as a two-part process. A summary of actions completed by Staff include:

*Part 1 – Identify/correct inconsistent existing Zoning Map classifications to be consistent with the CLUP Map classification.*

Planning Staff identified inconsistent Zoning Map classifications in comparison to the “correct” CLUP Map classifications. The State of Florida Growth Management Act of 1985 mandates the City adopt a CLUP Future Land Use Map, and Florida law requires that the zoning of properties within the City be consistent with the CLUP Map. This must be completed before the new Zoning Map can be adopted as proposed in Part 2. The CLUP, specifically Objective 1-1.3 and Policy 1-1.3.4 requires achieving compliance with the Future Land Use Map and actual land uses, and to examine and revise the Zoning Code to correct any inconsistencies.

Sixty-seven (67) parcels were found to have inconsistent zoning and CLUP map classifications. Please refer to the “Inconsistencies Location Map” (see Attachment A), the “Inconsistent Property Table” (see Attachment B) for a listing of these properties, and the Inconsistent Property Map Ordinance (See Attachment C).

The sixty-seven (67) parcels identified as inconsistent include 163 separate properties, with forty-six (46) of the parcels requiring a change of zoning and the remainder requiring a CLUP

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Map amendment. Forty-eight (48) of the sixty-seven (67) inconsistent parcels are privately owned properties and nineteen (19) are owned by the City of Coral Gables. Three of the parcels owned by the City are existing improvements within the public right-of-way (green space, parking areas, etc), which previously had no assigned Zoning Map and/or CLUP Map classification.

To complete Part 1, the following assumptions were utilized:

- a. Zoning designations are required by Florida law to be “consistent” with existing CLUP classifications and change of zoning will be recommended for properties, which are not in compliance.
- b. Amendments to the CLUP Map are required to correct existing graphic scrivener’s errors (which will be considered as part of the CLUP EAR).
- c. All public and private recreational facilities shall be designated “Parks and Recreational Use” on the CLUP Map, and shall be designated “S,” Special Use on the Zoning Map.
- d. All City buildings and grounds shall be designated “Public Buildings and Grounds” on the CLUP Map, and shall be designated “S,” Special Use on the Zoning Map.
- e. All churches shall be designated “Religious/Institutional Use” on the CLUP Map, and shall be designated “S,” Special Use on the Zoning Map.

*Part 2 - Recommendation and adopt new Zoning classifications and map.*

A change of zoning is required for all properties City-wide to comply with new zoning district classifications of the new Zoning Code. The new Zoning Map incorporates and graphically displays the recommended new zoning classifications that are included in the Zoning Code rewrite, see Attachment D for the New Zoning Classification and Map Ordinance and Attachment E for an 11 x 17 color version of the new zoning map.

The existing Zoning district classifications and the new Zoning district classifications in the Zoning Code are provided below:

<b>Existing Zoning District Classifications:</b>	<b>New Zoning District Classifications:</b>
Single-Family District (R-1-2) (R-2) (R-3) (R-4) (R-5) (R-6) (R-6-7) (R-7) (R-8) (R-8-9) (R-9) (R-9-10) (R-11) (R-12) (R-13) (R-14) (R-14-15) (R-16) (R-17) (R-18) (R-19) (R-20)	Single-Family District 1 (SF1) Single-Family District 2 (SF2)

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<b>Existing Zoning District Classifications:</b>	<b>New Zoning District Classifications:</b>
Duplex District (D-10) (D-14)	Multi-Family District 1 (MF1) Multi-Family District 2 (MF2)
Apartment District (A-13) (A-15) (A-17)	
Commercial District (CA) (CB) (CC)	Commercial Limited District (CL) Commercial District (C)
Industrial District (M)	Industrial District (I)
Special Use District (S)	Special Use District (S)
University of Maim Campus Area Development (UMCAD) District	University of Miami Campus District(UMC)
Preservation District (P)	Preservation District (P)

In summary, the following will be completed:

1. Reduced the number of Residential, Single-Family zoning classifications from twenty (20) to two (2).
2. Reduced the number of Residential, Multi-Family zoning classifications from five (5) to two (2).
3. Reduced the number of Commercial zoning classifications from three (3) to two (2).
4. Industrial, Special Use and Preservation zoning classifications will remain unchanged.
5. Add the University of Miami Campus zoning designation.
6. Mixed-use overlays will remain as assigned to the areas north and south of the Village of Merrick Park.

Further changes to the new Zoning Map may be entertained based upon future Board direction when the findings of the North Ponce de Leon Master Plan are reviewed (09.21.05). This may require additional changes to the map which then would be considered prior to second reading of the final/new Zoning Map.

Only properties requiring a change of zoning are included with this request. Properties requiring a CLUP Map amendment will be included with the EAR of the CLUP and rewrite of the CLUP. The CLUP will be presented to the Board at a later date.

## Public Notification/Comments

Planning Staff has taken every effort to provide property owners and public notification of the process and upcoming public hearings outlined herein. This has included the following:

1. Two certified mailings to affected property owners (144 separate properties) determined to be inconsistent (see Attachments F and G for an example of the letters)
2. Planning Staff offered to meet with each property owner and provided a comment form with a self-addressed stamped envelope to allow return of written responses (see Attachment H for an example). As of 08.04.05, Staff held 10 meetings with property owners, received 13 written comments and received 27 telephone inquires. A summary of the written comments received by the Planning Department is provided with this report (see Attachment I).
3. Legal advertisement in the Miami Herald.
4. Posting of all 46 affected parcels requiring a change of zoning.
5. A Citywide notification letter (written in both English and Spanish) was mailed on 07.14.05 to all property owners in the City. 16,778 notices were mailed (see Attachment J).

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6. Notification of public hearings on the City's cable television station.
7. All background materials, agendas, staff reports, mapping (included each of the 67 parcels), schedules, letters, etc have been posted on the City web page at [www.coralgables.com](http://www.coralgables.com).

### **Findings of Facts**

The following "Findings of Fact" support approval of this request/recommendation:

1. The State of Florida Growth Management Act of 1985 mandates the City adopt a CLUP Future Land Use Map, and Florida law requires that the zoning designation of properties within the City be consistent with the Future Land Use Map.
2. Objective 1-1.3 and Policy 1-1.3.4 of the City's CLUP requires achieving compliance with the CLUP Plan Future Land Use Map by reducing the number of inconsistencies between the future land Use Map and actual land uses, and to examine and revise the Zoning Code to correct any inconsistencies.
3. Criteria has been established to determine inconsistent properties that shall require a change of zoning or land use amendment to come into compliance, and land use and zoning categories for specific existing land uses.
4. Forty-six (46) parcels have been identified that have inconsistent CLUP and zoning designations and require a change of zoning.
5. The City of Coral Gables is in the process of rewriting the Zoning Code, which has resulted in the creation of new zoning classifications, which are required to be reflected and shown on the City's Zoning Map.
6. The City has completed extensive outreach to property owners of the 67 parcels as well as Citywide to advise of the process and public hearings.

### **Timeline**

This item is tentatively scheduled for City Commission review and consideration as follows:

1<sup>st</sup> Reading, Tuesday, September 27, 2005, 11:00 a.m. (time certain)

2<sup>nd</sup> Reading, Tuesday, November 22 or December 13, 2005, 11:00 a.m. (time certain)

Dates and times of the above are subject to change.

### **Background materials**

At the Planning and Zoning Board meeting of 06.15.05, the following information was distributed to all Board members:

1. New Zoning Map.
2. Current Zoning Map.
3. Inconsistent Property Map.
4. Existing and proposed land use and zoning designations:
  - Existing land use and proposed change in land use as applicable.
  - Existing zoning and proposed change in zoning as applicable.
  - Aerial view of the property.
  - Existing and new zoning and land use classifications.

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Copies of the above has also been provided to the City Commission on 06.15.05, and copies of this information will also be provided to the City Commission to insure they are advised of upcoming actions and public hearings.

Respectfully submitted,

Eric Riel, Jr.  
Planning Director

**Attachments:**

- A. Inconsistencies Location Map.
- B. Inconsistent Property Table.
- C. Draft Inconsistent Property Map Ordinance (Part 1).
- D. Draft New Zoning Classification and Map Ordinance (Part 2).
- E. Color version of new Zoning Map.
- F. Property owner certified letter and attachments.
- G. Property owner certified letter – change of public hearing date.
- H. Example comment form.
- I. Summary of written comments received from property owners.
- J. City-wide notification letter – new Zoning Map and public hearing dates.