

City of Coral Gables
Planning Department Staff Report

To: Planning and Zoning Board Members

From: Planning Department

Date: September 27, 2006

Subject: **Presentation of proposed Zoning Code and Zoning Map Amendments.**

Consideration and recommendation on the new Zoning Code (item 1) and City Zoning Map amendments including change of zoning for existing inconsistent properties and adoption of new Zoning Map designations (items 2 and 3 – two part process), as follows:

1. AN ORDINANCE REPEALING THE ZONING CODE OF THE CITY OF CORAL GABLES, FLORIDA, AS AMENDED, AND ALL OTHER CITY CODE PROVISIONS AND ORDINANCES INCONSISTENT WITH THE PROVISIONS OF THIS ORDINANCE, AND ADOPTING A NEW ZONING CODE TO BE KNOWN AS THE ZONING CODE OF THE CITY OF CORAL GABLES, FLORIDA, WHICH PERTAINS TO THE GENERAL PROVISIONS OF THE ZONING CODE; THE ESTABLISHMENT OF THE DECISION MAKING AND ADMINISTRATIVE POWERS AND DUTIES OF THE CITY COMMISSION, PLANNING AND ZONING BOARD, BOARD OF ARCHITECTS, BOARD OF ADJUSTMENT, HISTORIC PRESERVATION BOARD, CODE ENFORCEMENT BOARD, TICKET HEARING OFFICERS, ENFORCEMENT OFFICERS, DEVELOPMENT REVIEW COMMITTEE AND PLANNING AND ZONING ADMINISTRATORS; THE ESTABLISHMENT OF DEVELOPMENT REVIEW PROCEDURES, INCLUDING NOTICE AND HEARING REQUIREMENTS RELATED TO BUILDING SITE APPROVALS, CONDITIONAL USES, PLANNED AREA DEVELOPMENTS, MORATORIUMS, VARIANCES, SUBDIVISIONS, TRANSFER OF DEVELOPMENT RIGHTS, HISTORIC PRESERVATION AND PROCEDURES, ABANDONMENT AND VACATIONS, CONCURRENCY REVIEW, ZONING CODE AMENDMENTS, ZONING MAP AND LAND USE PLAN AMENDMENTS, DEVELOPMENTS OF REGIONAL IMPACT, THE PROTECTION OF LANDOWNERS' RIGHTS, VESTED RIGHTS DETERMINATIONS, UNITY OF TITLE AND DECLARATION OF RESTRICTIVE COVENANTS, DEVELOPMENT AGREEMENTS AND APPEALS PROCEDURES; THE ESTABLISHMENT OF ZONING DISTRICTS APPLICABLE TO ALL LAND WITHIN THE CORPORATE LIMITS OF THE CITY, INCLUDING RESIDENTIAL, OVERLAY AND SPECIAL PURPOSE, AND NON-RESIDENTIAL DISTRICTS, AND PROVIDING AUTHORIZED AND PROHIBITED USES WITHIN EACH ZONING DISTRICT; THE ESTABLISHMENT OF DEVELOPMENT STANDARDS, INCLUDING THOSE RELATED TO DESIGN, LANDSCAPING, LIGHTING, PARKING AND LOADING, CONSTRUCTION, PLATTING, ROOFS, SANITATION SYSTEMS,

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SCREENING, SIGNS, AND WALLS AND FENCES, WHICH ARE APPLICABLE TO USES PERMITTED WITHIN THE VARIOUS ZONING DISTRICTS AND ALL OTHER DEVELOPMENT ACTIVITIES SUCH AS ACCESSORY USES, AUTOMOBILE SERVICE STATIONS, AWNINGS AND CANOPIES, CLEARING, FILLING, AND EXCAVATION ACTIVITIES, COTTAGES, DOCKS AND OTHER WATERCRAFT MOORINGS, GROUP HOMES, ASSISTED LIVING AND CHILD CARE FACILITIES, HELIPORTS AND HELISTOPS, TELE-COMMUNICATION FACILITIES, UNDERGROUND UTILITIES AND TEMPORARY USES; THE ESTABLISHMENT OF REGULATIONS CONCERNING NONCONFORMING USES, STRUCTURES, SIGNS AND LAWFULLY EXISTING USES; THE ESTABLISHMENT OF PROVISIONS GOVERNING THE ADMINISTRATION, INTERPRETATION AND ENFORCEMENT OF THE NEW ZONING CODE; PROVIDING FOR DEFINITIONS APPLICABLE TO THE ZONING CODE; PROVIDING APPENDICES IN SUPPORT OF THE ZONING CODE, INCLUDING SITE SPECIFIC ZONING REGULATIONS, A FOUNDATION MAP, AND CAMPUS PERIMETER MAP; PROVIDING FOR THE SEVERABILITY OF THE PROVISIONS HEREOF; PROVIDING FOR THE PROPER NOTICE OF PROPOSED ENACTMENT AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THE ZONING CODE; AND PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

2. 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 USES TABLE"; AND PROVIDING FOR A REPEALER PROVISION, A SAVINGS CLAUSE, AND A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.
3. AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES APPROVING AN UPDATE AND REVISION OF THE 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.

Staff Recommendation

The Planning Department recommends the Planning and Zoning Board based upon the findings of fact herein recommends approval of the following:

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Issue	Section page / line	Proposed Zoning Code Provision	Staff Recommendation
	(chart)	feet.	minimum area requirement for individual projects.
Upgrading of nonconforming use – change of ownership.	Sec. 6-206 page 6-1 lines 50-53	Requires property be brought into conformance in the event of a change of ownership or substantial renovation of a nonconforming use.	Remain as proposed.
University of Miami Campus (UMC) District	Sec. 4-202 (reserved)	Proposed provisions not included.	Review and recommendation by Board at future PZB meeting.

Public Notification/Comments

The following has been completed to solicit input and provide notice of this public hearing:

Type	Explanation
Newspaper ad published for proposed Zoning Code	Completed 09.18.06
Newspaper ad published for rezoning of inconsistent properties and new Zoning Map	Completed 09.18.06
Inconsistent properties posted	Completed 08.25.06
Certified notification letter mailed to inconsistent property owners	Completed 08.25.06
Email notification sent to interested individuals	Completed 09.12.06
Posted agenda on City web page/City Hall	Completed 09.19.06
Posted Staff report on City web page	Completed 09.19.06

An updated synopsis of public comments received since 05.26.06 is provided as Attachment D. Copies of the published newspaper notifications for the new Zoning Code, Zoning Map inconsistencies and the new Zoning Map are provided as Attachments E and F.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Attachments:

- A. New Zoning Code document with an addendum of changes from 09.06.06 Planning and Zoning Board meeting shown in ~~strikethrough~~ / underline format.
- B. 09.06.06 Staff report with attachments.
- C. 09.06.06 Planning and Zoning Board verbatim meeting minutes (provided separately in meeting package for Board approval).
- D. Synopsis of public comments received (05.26.06. thru 09.15.06).
- E. Copy of published newspaper notification for proposed Zoning Code.
- F. Copy of published newspaper notification for rezoning of inconsistent properties and new Zoning Map.