



City of Coral Gables
CITY COMMISSION MEETING
December 12, 2006
Time Certain: 11:00 a.m.

ITEM TITLE:

Ordinances on First Reading. Zoning Code and Zoning Map Amendments. Consideration of the FINAL Zoning Code (item 1), City Zoning Map amendments, including change of zoning for existing inconsistent properties and adoption of FINAL Zoning Map designations (items 2 and 3 – two part process), and a “time certain” Resolution (item 4), as follows:

1. An Ordinance repealing the Zoning Code, referenced as Ordinance Number 1525, as amended, of the City of Coral Gables, Florida, 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, 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, private yacht basins, bed and breakfasts, family day care, group homes, assisted living and child care facilities, heliports and helistops, telecommunication 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 and a foundation 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.

PLANNING DEPARTMENT RECOMMENDATION:

Recommendation for approval of the Final Zoning Code and all associated maps as provided in the above referenced Ordinances incorporating the Planning and Zoning Board recommendations as provided in column 5 of Exhibit A (“City Commission request for further review chart,” hereinafter referenced as the “Chart”).

Two binders have been provided as background material for this agenda item. ‘Binder 1 of 2’ included all the background material (Exhibits) and ‘Binder 2 of 2’ is the FINAL Zoning Code with amendments noted in underline and strikeout format.

See Exhibit B for a copy of the PowerPoint. The Ordinances are attached as Exhibits C, D, and E.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board unanimously recommended approval of the FINAL Zoning Code and associated maps at its public hearing of 11.08.06 (vote: 6-0) as outlined in the Chart in Column 5 (see Exhibit A). The pages of each amendment are attached in underline and strikeout format. All amendments have been included into a revised Zoning Code document in underline and strikeout format (Binder 2 of 2).

BRIEF HISTORY:

The new Zoning Code and Zoning Maps were approved (5 to 0 vote) by the City Commission on October 17, 2006 for First Reading review and approval. This approval included the inconsistency maps and new Zoning Map. The Commission secured additional public input and testimony and requested that Staff re-review various issues based upon further public input and testimony from the meeting. The Commission then requested Staff reschedule the issues for Planning and Zoning Board public hearing review and recommendation and report back the Board’s recommendations.

After City Commission consideration, City Staff continued to meet with various interested parties of the remaining issues.

The Planning and Zoning Board concluded its review of the issues on 11.08.06, solicited further input and testimony and as noted above recommended unanimous approval (6 to 0 vote) as provided for in the Chart (see Exhibit A). The Planning Department Staff report and Planning and Zoning Board minutes are attached as Exhibits F and G.

The Chart provides the following information:

- Columns 1 and 2: Page and line number of issues.
- Column 3: Summary of specific issues.
- Column 4: Planning Department recommendations and justification.
- Column 5: Planning and Zoning Board final recommendation.

Refer to Columns 3 and 4 for a summary and background of each issue. To assist the City Commission, Planning Staff completed studies on three (3) issues:

1. Study of proposed MF1 Duplex height.
2. Study of proposed height limitations in CL, C, MF2 and MFSA districts when adjacent to SFR and/or MF1 properties.
3. Parking analysis of other local governments as it relates to retail and office uses.

A detailed overview of the process since the 10.17.06 City Commission meeting and the findings of the above studies will be presented at the meeting and is provided in detail in the PowerPoint Presentation attached as Exhibit B.

The City Commission also requested that Staff provide a report as to implementation of all issues identified during the Discovery Phase (Discovery Worksheets) (see Exhibit M) and the 2002 Charrette (see Exhibit N). Staff has reviewed each of these documents throughout the processes as a basis of direction for all issues. Staff has reviewed each document and noted with a “check mark” those items that have been completed. See Exhibits M and N for these findings.

During the Zoning Code rewrite process, the City Commission requested further study on various issues, which include the following:

Issue	Proposed Action and Timeframe
Metal roofs	Proposed metal roofs provisions are scheduled for consideration at the 12.12.06 City Commission meeting. If passed on first reading the provisions will be included in the FINAL Zoning Code for consideration on January 9, 2007.
Townhouses	Townhouses will be revisited as part of the North Ponce Area Study following completion of the CLUP rewrite.

The following background documents are attached to supplement this request:

- Exhibit H: Synopsis of Public Comments (Part 7 - Updated 10 16 06 thru 12 05 06).
- Exhibit I: Copy of advertisement.
- Exhibit J: Existing Zoning Map.
- Exhibit K: Inconsistent Zoning Map.
- Exhibit L: FINAL Zoning Map.
- Exhibit M: Discovery Worksheet – Completion status findings.
- Exhibit N: 2002 Charrette Implementation Chart – Completion status findings.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
10.17.06		City Commission requested that Staff re-review the new Zoning Code with reference to specific issues.

ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
11.08.06	Planning and Zoning Board	Unanimously recommended approval (vote: 6-0).

FINANCIAL INFORMATION: (If Applicable) N/A

No.	Amount	Account No.	Source of Funds
1.	N/A		
Total:		APPROVED BY:	

PUBLIC NOTIFICATION(S):

Date	Form of Notification
12.01.06	Newspaper ad published for FINAL Zoning Code (see Exhibit I).
11.15.06	Posted agendas and notice on City web page/City Hall.
12.05.06	Posted FINAL Zoning Code, Staff report, maps, and background materials on City web page.

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager
Eric Riel, Jr. Planning Director		

EXHIBIT(S):

Binder 1 of 2

- Exhibit A: Chart – City Commission request for further review (12.12.06) with each amendment noted in underline and strikeout format.
- Exhibit B: PowerPoint – Overview and study findings
- Exhibit C: Ordinance – FINAL Zoning Code.
- Exhibit D: Ordinance – Inconsistent Zoning Map.
- Exhibit E: Ordinance – FINAL Zoning Map.
- Exhibit F: 11.08.06 Planning Staff Report.
- Exhibit G: 11.08.06 Planning and Zoning Board Zoning Code Rewrite Meeting Minutes.
- Exhibit H: Synopsis of public comments (Part 7 - Updated 10 16 06 thru 12 05 06).
- Exhibit I: Copy of advertisement.
- Exhibit J: Existing Zoning Map.
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- Exhibit L: FINAL Zoning Map.
- Exhibit M: Discovery Worksheet – Completion status findings.
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Binder 2 of 2

New Zoning Code with amendments in strikeout and underline format