City of Coral Gables
Planning and Zoning Staff Report

Applicant:	City of Coral Gables
Application:	**Zoning Code Text Amendment - Loading and Unloading in Residential Districts**
Public Hearing:	Planning and Zoning Board
Date & Time:	**October 19, 2016; 6:00 – 9:00 p.m.**
Location:	City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts," Division 4, "Prohibited Uses," Section 4-411, "Parking in residential areas;" amending the provisions for loading and unloading of commercial vehicles within residential districts and within a specified distance of residential districts; providing for repealer provision, severability clause, codification, and providing for an effective date.

2. BACKGROUND INFORMATION

City Staff, at the request of the City Commission, has prepared a Zoning Code text amendment amending the provisions for loading and unloading of commercial vehicles within residential districts.

Currently, the loading or unloading of trucks, trailers or commercial vehicles is allowed within residential districts, provided that such loading or unloading takes less than two (2) hours and occurs between the hours of 7:00 AM and 7:00 PM. The proposed amendment would leave these restrictions in place and add a provision that they would apply to all properties within one-hundred (100) feet of residential districts.

3. PROPOSED ZONING CODE TEXT AMENDMENT

The proposed Zoning Code text amendment is provided below in ~~strikethrough~~/underline format.

Article 4 - Zoning Districts

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Division 4. Prohibited Uses

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Section 4-411. Parking, loading or unloading in residential ~~areas~~ and neighboring districts.

A. It shall be unlawful for any person to park any vehicle displaying advertising signs or any truck, trailer, commercial vehicle, or recreational vehicle, in or upon any property, public or private, in any area of the City in a residential district. This prohibition, however shall not apply in the following cases:

1. Vehicles which are entirely enclosed within the confines of an enclosed garage.

2. Vehicles used by licensed contractors or service establishments while actually doing work in such residential areas between the hours of 7:30 AM to 6:00 PM excluding Sundays and holidays, provided, however, that such vehicles shall contain written identification on both sides of the vehicle clearly indicating the name of the contractor or service establishment. Such identification shall be in conformance with the standards set forth in Section 8A-276(b), Commercial Vehicle Identification, of the Code of Metropolitan Dade County, Florida.

~~3. Loading or unloading of trucks, trailers or commercial vehicles provided that such loading or unloading takes no more than two (2) hours, and is not done between the hours of 7:00 PM of one day and 7:00 AM of the next day.~~

4. Vehicles carrying a sign displaying only a noncommercial message, including, but not limited to, a sign dealing with the candidacy of individuals for elected office.

5. The loading or unloading of recreational vehicles as provided for under this Section.

6. Mobile cranes and other heavy equipment used during building construction.

7. One pickup truck may be parked outside of a residence if all three of the following requirements are met:

   a. There are no items in the bed of the vehicle.

   b. The vehicle has no commercial markings or advertising, and no commercial equipment or appendage is attached to the exterior of the vehicle.

c. The vehicle is unmodified and has no more than four (4) wheels.

B. Loading or unloading of trucks, trailers or commercial vehicles is allowed, provided that such loading or unloading shall take no more than two (2) hours, and shall not be done between the hours of 7:00 PM of one day and 7:00 AM of the next day within residential districts or within one-hundred (100) feet of residential districts.

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4. FINDINGS OF FACT

In accordance with Section 3-1405 of the Zoning Code, the Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to the Zoning Code unless the text amendment:

A. Promotes the public health, safety, and welfare.

B. Does not permit uses the Comprehensive Plan prohibits in the area affected by the district boundary change or text amendment.

C. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.

D. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less the minimum requirements of the Comprehensive Plan.

E. Does not directly conflict with an objective or policy of the Comprehensive Plan.

Staff finds that all five of these criteria are **satisfied**.

5. COMPREHENSIVE PLAN CONSISTENCY

In accordance with Section 3-1407 of the Zoning Code, the Planning and Zoning Board shall determine whether the Zoning Code text amendment is consistent with the Comprehensive Plan. Staff finds that the proposed text amendment **is consistent** with the Comprehensive Plan overall, particularly with the following Goals, Objectives and Policies:

- Goal FLU-1. Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources make the City a very desirable place to work, live and play.

- Policy FLU-1.3.2. All development applications in residential neighborhoods shall continue to be reviewed by applicable boards and committees to ensure the protection from intrusion by incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic. The City will continue to enforce the adopted restrictive design standards; historic preservation policies and the applicable performance standards of the Commercial Limited designation in the Zoning Code.

- Policy FLU-1.3.3. Non-residential uses designated in the Comprehensive Plan which cause significant noise, light, glare, odor, vibration, dust, hazardous conditions or industrial traffic, shall provide buffering such as landscaping, walls and setbacks, when located adjacent to or across the street from incompatible uses such as residential uses.

- Objective FLU-1.9. Encourage sound innovation in the development standards of the City's Zoning Code which provides a continuing process to respond to community needs.

- Objective FLU-1.14. The City shall enforce Zoning Code provisions which continue to preserve and improve the character of neighborhoods.

- Goal DES-1. Maintain the City as a livable city, attractive in its setting and dynamic in its urban character.

- Policy DES-1.1.5. Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures.

- Policy DES-1.1.6. Maintain the character of the residential and nonresidential districts, and their peculiar suitability for particular uses.

6. PUBLIC NOTIFICATION

The following has been completed to provide notice of the request:

Type	Date
Legal advertisement	10.07.16
Posted agenda on City web page/City Hall	10.14.16
Posted Staff report on City web page	10.14.16

7. STAFF RECOMMENDATION

The Planning and Zoning Division recommends **approval**.

8. ATTACHMENTS

A. 10.07.16 Legal advertisement published.

Please visit the City's webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,

Ramon Trias
Director of Planning and Zoning
City of Coral Gables, Florida

Attachment A

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

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in the XXXX Court,
was published in said newspaper in the issues of

10/07/2016

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this
7 day of OCTOBER, A.D. 2016

(SEAL)
MARIA MESA personally known to me

ODALYS OJEDA
MY COMMISSION EXPIRES
SEPTEMBER 6, 2020
GG 026718
Bonded thru
Troy Fain Insurance
NOTARY PUBLIC, STATE OF FLORIDA

CITY OF CORAL GABLES, FLORIDA
NOTICE OF PUBLIC HEARING

City Public Hearing Dates/Times	**Local Planning Agency / Planning and Zoning Board Wednesday, October 19, 2016, 6:00 - 9:00 p.m.**
Location	**City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134**

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/ Planning and Zoning Board (PZB) will conduct Public Hearings on the following:

Items 1 through 3 are related.

1. An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 3, "Development Review", Division 15, "Comprehensive Plan Text and Map Amendments", and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Residential Multi-Family Medium Density" to "Commercial Mid-Rise Intensity" for the property legally described as all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; and, providing for severability, repealer and an effective date. (LPA Review)

2. An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments", from Multi-Family 2 District (MF2) to Commercial District (C) for the property legally described as all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; and providing for severability, repealer and an effective date.

3. A Resolution of the City Commission of Coral Gables, Florida requesting mixed use site plan review pursuant to Zoning Code Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-201, "Mixed Use District (MXD)", for the mixed use project referred to as "33 Alhambra" on the property legally described as all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; including required conditions; providing for an effective date.

4. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts," Division 4, "Prohibited Uses," Section 4-411, "Parking in residential areas;" amending the provisions for loading and unloading of commercial vehicles within residential districts and within a specified distance of residential districts; providing for repealer provision, severability clause, codification, and providing for an effective date.

5. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts," Division 1, "Residential Districts," Section 4-103, "Multi-Family 2 District," Section 4-104, "Multi-Family Special Area District;" Division 3, "Nonresidential Districts," Section 4-301, "Commercial Limited District," Section 4-302, "Commercial District," and Section 4-303, "Industrial District" requiring buildings containing a certain amount of floor area to be approved as a conditional use; providing for repealer provision, severability clause, codification, and providing for an effective date.

All interested parties are invited to attend and participate. Upon recommendation by the Board, the applications will be scheduled for City Commission consideration. Please visit the City webpage at www.coralgables.com to view information concerning the applications. The complete applications are on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134. Questions and written comments can be directed to the Planning and Zoning Division at planning@coralgables.com (FAX: 305.460.5327) or 305.460.5211.

Ramon Trias
Director of Planning and Zoning
Planning & Zoning Division
City of Coral Gables, Florida

Any person, who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, as amended, must register with the City Clerk prior to engaging in lobbying activities before City Staff, Boards, Committees or City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall. If a person decides to appeal any decision made by a Board, Committee or City Commission with respect to any matter considered at a meeting or hearing, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Any meeting may be opened and continued and, under certain circumstances, additional legal notice will not be provided. Any person requiring special accommodations in order to attend or participate in the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta (Email: relejabarrieta@coralgables.com, Telephone: 305-722-8686, TTY/TDD: 305-442-1600, at least three (3) working days prior to the meeting. All meetings are telecast live on Coral Gables TV Channel 77.

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