

City of Coral Gables Zoning Code – 11.08.06

City Commission request for additional information/further review pursuant to 10.17.06 meeting

<i>Page number</i>	<i>Line number</i>	<i>Summary</i>	<i>Planning Department Recommendation/Justification</i>	<i>Planning and Zoning Board Recommendation</i>
Article 1 General Provisions				
1-3	23	Previously granted variances. Clarify previously granted variance time frames for vesting.	Recommend clarification of provisions as provided in attachment. The City Attorney's Office and outside legal counsel has approved the proposed language.	
Article 3 Development Review				
3-6	19	Review by Development Review Committee (DRC). Clarify DRC thresholds for review.	Recommend new language which provides thresholds for review. The new language reflects existing DRC procedures pursuant to previously approved Ordinance 0-2003-45 (DRC rules and procedures).	
3-7	2	Permitted uses. Updated the City Architect reviews to include additional accessory uses. Complete as a part of cross reference of accessory uses section.	Recommend additional accessory uses be included for City Architect review and approval.	
3-29	43	Planned Area Development. Reaffirm provisions have been included pursuant to Planning and Zoning Board recommendation for approval at last meeting.	Recommend previously omitted PAD provisions be included, consistent with existing Zoning Code regulations (Pg. A9-7, Sections 9-4 thru 910, excluding 9-7).	
Article 4 Zoning Districts				
4-3 4-8 4-11 4-15 4-47 5-10	25 38 19 46 16 38	Accessory uses and special uses. These uses were not listed in the new single family regulations which were adopted in August 2006. These regulations are verbatim from the existing single family regulations and reflect the accessory use provisions on page 5-1, Article 5, Division 1, Accessory Uses. This will allow users to identify all allowable uses within each district.	Recommend language on accessory uses and special uses be included.	
4-6	55	50% FAR calculation on SFR garages.	The City Commission recommended that since this was not a part of the Single-family Ordinance approved on August 2006, this provision should not be included. Therefore, Staff recommends removal of language that allows gross floor area calculations of one story detached garages and/or garage storage areas located in the rear yard, for lots with fifty (50) feet of lot frontage or less, and not exceeding sixteen (16) feet in height and three hundred and fifty (350) square feet in floor area, to be counted as one half (1/2) of the total allowable floor area.	
4-8 5-13 8-5	23 16 38	Carport canopies. Prohibit carport canopies constructed of canvas, cloth or other similar material on SFR properties.	Recommend carport canopies are constructed of similar construction materials as the principal structure. Canopies constructed in canvas, cloth, plastic or other similar materials shall be prohibited. Article 5, Awnings and canopies and Article 8, definition of Carport canopies is amended to reflect above recommendation.	
4-10	38	MF1 Duplex District height. Height of 29 feet versus 34 feet. The Planning and Zoning Board previously recommended 29 feet which is a reduction from the existing Code which permits 34 feet.	Planning Staff is in the process of finalizing a study of this issue and will present its findings and recommendations at the meeting.	
4-15 4-18 4-53 4-57	1 (MF1) 18 (MFSA) 24 (CL) 13 (C)	Limitation of height of MF2, MFSA, CL and C properties when adjacent to SFR and/or MF1 properties. Examine height restrictions adjacent to SFR and MF1 Districts with reference to the 50 foot depth requirement. The current code is silent on this issue; however, it has been interpreted that a minimum of 100 feet is required.	Planning Staff is in the process of finalizing a study of this issue and will present its findings and recommendations at the meeting.	
4-17	1	Minimum townhouse width. Request to increase the minimum townhouse width from 16 to 23 feet.	Planning Staff does not support this change. The 16 foot width is a minimum. Units could be built of varying sizes which is the intention of the 16 foot minimum. The 23 foot minimum width would limit/constrain the designer and could result in a loss of density given the larger width.	
4-22	46	MXD and existing site specific standards. Inserted language into the MXD to clarify that single buildings are permitted as an MXD, subject to certain provisions, and that site specific standards do not apply if a property owner submits to the MXD provisions. Clarified applicability of MXD regulations to individual buildings or overlay districts.	Recommend revising MXD language to clarify that individual buildings are permitted as an MXD subject to certain provisions, and that site specific standards do not apply if a property owner submits to the MXD provisions. Clarified applicability of MXD regulations to individual buildings or overlay districts.	
4-47	16	"S" Special Use District. Corrected "S" Use District permitted and conditional uses.	Recommend changes to permitted uses and conditional uses in the Special Use (S) District.	
4-51	32	Alcohol beverage sales as accessory use. Allow Alcoholic beverage sales as an accessory use in the CL District.	Recommend alcoholic beverage sales be added as an accessory use in the CL District.	
4-51 4-52	44 24	Clarify required City reviews of medical clinics when adjacent to "or" not adjacent to SFR, MF1, MF2, or MFSA districts.	Recommend medical clinic continue as a permitted use, except that medical clinics shall not exceed ten-thousand-five-hundred (10,500) square feet of floor area when adjacent to an SFR, MF1, MF2, or MFSA district. Medical clinic greater than 10,500 square feet of floor area when adjacent to an SFR, MF1, MF2, or MFSA district shall be conditional use.	
4-51 4-52	53 32	Request allowance of all overnight accommodations (hotel) beyond 8 rooms in a CL District. Previous proposal limited use to a maximum of 8 rooms.	Recommend overnight accommodations continue as a permitted use, however, overnight accommodations shall not exceed eight (8) rooms when adjacent to an SFR or MF1 district.	

Changes clarifying and/or cross referencing provisions.

Further review requested pursuant to City Commission October 17, 2006 meeting

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			Overnight accommodations greater than eight (8) rooms when adjacent to an SFR or MF1 district shall be a conditional use.	
4-52	20	Allowance of drive through facilities if not adjacent to SFR and MF1 districts. Approximately four properties are not adjacent to SFR and MF1; therefore staff inserted provisions providing for drive throughs as a conditional use.	Recommend drive-through facilities be allowed as a conditional use if not adjacent to SFR or MF1 districts.	
4-52	39	Reduction in the minimum development standards for development for the CL zoning district. Request to reduce minimum frontage to 100 feet and minimum square footage to 10,000 sq. ft. The current Code sets the minimum at 200 foot minimum frontage and 20,000 square feet minimum lot size.	Planning Staff does not support this change. This would allow numerous properties within a CL district to develop as mid rise properties which are not presently permitted. The current limitation of 200 foot minimum frontage and 20,000 square feet minimum has existed since September 1984. A reduction of these regulations would allow a significant number of properties to develop at higher intensities.	
Article 5 Development Standards				
5-62 (parking table)	Parking table	Retail parking requirements versus office parking requirements.	Recommend the retail parking requirements remain at one space per 250 square feet (versus one space per 300 square feet) and office remain at one space per 300 square feet. Staff's analysis (see attachment) notes that urban cities have more restrictive standards for retail commercial. In addition, the City Commission directed staff to increase parking requirements, which has subsequently been required of all projects that have undergone City Commission review in previous years.	
Article 8 Definitions				
8-2	1	Aggrieved party definition. Public request to allow all citizens of the City to be an aggrieved party.	Recommend no change to the definition as stated. This issue has been debated on numerous occasions, and City Attorney has approved the language.	
Throughout Code		Utilize the term "Market value" versus "assessed value" as the values to determine when codes are "triggered" or "applicable." As an example, "Section 5-1701. Air conditioning., New commercial construction or renovation of an existing commercial structure, the use of which involves food products (such as restaurants, cafeterias, etc.), where the cumulative cost of such renovation is in excess of twenty-five (25%) percent of the assessed value of the existing commercial structure shall make provisions for the installation of an air conditioning system for commercial trash containers."	Recommend the term "assessed value" remain as the determining factor. "Assessed value" is a figure that is precise and can be determined by looking at the Tax Collector's records. In contrast, the term "fair market value" requires the submission of an appraisal, which is subject to review by City Staff. FMV is therefore subject to additional work for property owners and allows for interpretation which could be subject to further disputes.	
Others				
N/A		Townhouse required to face public street.	Planning Staff will complete a future study pursuant to City Commission direction.	N/A
		Inclusion of Riveria Neighborhood Association (RNA) recommendations into Zoning Code. The RNA recommended the City Commission incorporate the recommendations of the RNA Charrette into the Zoning Code.	The Planning Department has been working with the RNA membership to draft language that can be included in the Comprehensive Land Use Plan. Staff recommends the reference to the Plan be included in the CLUP. Staff review of the RNA Charrette notes that the current Zoning Code rewrite does satisfy various recommendations of the RNA Charrette, specifically with regards to protection of all residential neighborhoods.	
		Home offices.	The Planning Department recommends this be subject to future review and study.	
		Trucks.	No changes have been proposed to the truck regulations pursuant to recent court litigation.	
		Cottage provisions.	No change necessary. The Cottage regulations were reviewed and updated as a part of the rewrite process.	
		Providing notice for demolition of properties.	The City Manager's Office, in coordination with several departments, is developing a notification system to address this issue.	
	Evaluation of accomplishments from City Commission meeting – Discovery worksheets.	Planning Staff throughout the process has referred back to the Discovery sheets which capsulated the City Commission direction. A verbal report will be provided at the meeting. See Attachment for a copy of the worksheets.		