

City of Coral Gables
Planning Department Staff Report

To: Planning and Zoning Board Members

From: Planning Department

Date: November 8, 2006

Subject: **Planning and Zoning Board Review and Recommendation.** Review and recommendation of the Zoning Code Rewrite pursuant to City Commission direction on October 17, 2006 (First Reading of the Zoning Code as referenced below):

Article 1.	General Provisions
Article 2.	Decision Making and Administrative Bodies
Article 3.	Development Review
Article 4.	Zoning Districts (City of Coral Gables: Zoning Districts and Maps Zoning Map Inconsistencies)
Article 5.	Development Standards
Article 6.	Nonconformities
Article 7.	Violations, Enforcement and Penalties
Article 8.	Definitions
Appendix A	Site Specific Regulations
Appendix B	Foundation Map

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, 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.

Staff Recommendation

The Planning Department recommends the Planning and Zoning Board based upon the findings of fact herein recommends approval of the additional changes as noted in Attachment A, within the column labeled, "Planning Department Recommendation."

Background

The new Zoning Code and Zoning Maps were presented to the City Commission on October 17, 2006 for First Reading review and approval. This included approval of the new Zoning Code, inconsistency mapping and new zoning map.

The Commission secured additional public input and testimony and requested that Staff rereview the new Zoning Code with reference to specific issues.

Staff has provided a comprehensive listing of all issues in a table format with the revised text in ~~strikethrough~~ / underline format (see Attachment A). The format of the table is as follows:

Zoning Code Rewrite

November 8, 2006

Page 3 of 4

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 recommendation (to be completed after meeting).

Refer to Columns 3 and 4 for a summary and background of each issue. Planning Staff has completed studies of three issues, of which staff will present its findings and recommendation at the meeting. The studies completed include the following:

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.

The City Commission also requested that staff provide a report as to implementation of all issues identified during the Discovery Phase which is capsulated in the Discovery Worksheets (see Attachment B). This report will be provided to the Board at the meeting.

Timeline

After Planning and Zoning Board recommendation on November 8, 2006, these items will be scheduled for City Commission First Reading consideration on Tuesday, December 12, 2006. The Commission actions of October 17, 2006 and December 12, 2006 will then be considered simultaneously for City Commission final and second reading approval on Tuesday, January 9, 2007.

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 (see Attachment E)	Completed on 10.26.06
Email notification sent to interested individuals	Completed on 11.01.06
Posted agenda on City web page/City Hall	Completed on 11.03.06
Posted Staff report on City web page	Completed on 11.03.06

An updated synopsis of public comments received since October 16, 2006 is provided as Attachment C. The Ordinance is attached as Attachment D. A copy of the published newspaper notification is provided as Attachment E.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Zoning Code Rewrite
November 8, 2006
Page 4 of 4

Attachments:

- A. Zoning Code Amendment Table (11.08.06).
- B. Discovery Worksheets.
- C. Updated synopsis of public comments received since October 16, 2006.
- D. Ordinance
- E. Published newspaper notification (advertisement).

I:\Zoning Code Rewrite\Staff Reports\2006\11 08 06 PZB Staff report.doc