

City of Coral Gables Zoning Code – 12.12.06

City Commission request for further review

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Page number	Line number	Summary	Planning Department Recommendation/Justification	11.08.06 Planning and Zoning Board Final Recommendation (Approval 6–0 vote unless noted otherwise below)
Article 1 General Provisions				
1-3 3-44	23 10	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.	Approved staff recommendation.
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).	Approved staff recommendation.
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.	Approved staff recommendation.
3-29 4-34	43 6	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 9-10, excluding 9-7) and update of references in UMCAD provisions	Approved staff recommendation.
Article 4 Zoning Districts				
4-3 4-8 4-11 4-15 4-47 5-10	25 38 12 31 19 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.	Approved staff recommendation.
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.	Recommended approval of revised language: The gross floor area calculations of any garage and/or garage storage areas is as follows: <ul style="list-style-type: none"> Unless otherwise provided below, the area shall be computed in its entirety. One story detached garages located in the rear yard area, and not exceeding sixteen (16) feet in height and three hundred and fifty (350) square feet in floor area, shall be counted as three quarters (3/4) of the total allowable floor area. For lots with fifty (50) feet of lot frontage or less, one story detached garages located in the rear yard area, and not exceeding sixteen (16) feet in height and three hundred and fifty (350) square feet in floor area, shall be counted as one half (1/2) of the total allowable floor area. The previous language is as follows: <ul style="list-style-type: none"> The floor space in any garage or garage and storage area except that the floor area shall be computed counted at three-quarters (3/4) of floor area for one story detached garages located in the rear yard area with a height that does not exceed sixteen feet above established grade and a floor area that does not exceed three-hundred-and-fifty (350) square feet.
4-8 5-13 8-5	21 16 32	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.	Approved staff recommendation.
4-10	35	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.	Recommend the following language: Height of duplex and single-family residence buildings. No duplex or single-family building shall be constructed that is more than two (2) stories in height. No subordinate or accessory building permitted by this code as an accessory	Approved staff recommendation.

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			use shall exceed in height the maximum height of the principal building on the building site. Said two (2) stories shall not exceed a height of twenty-nine (29) feet above established grade (see definition of established grade) including ridgeline, domes, steeples, towers, cupolas, decorative features and such other similar structures, and excluding chimneys having a maximum height of three (3) feet above the ridgeline and a maximum area of seventeen (17) square feet.	
4-14 4-18 4-53 4-57	31 13 24 7	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.	<p>Recommend the applicability of the height limitation be increased from 50 to 100 feet with the exception of MFSA which is consistent with the previously approved MFSA language (Moratorium area). The revised language is as follows:</p> <p>MF2 properties shall have a height limitation of three (3) floors or forty-five (45) feet, which ever is less, within 100 feet of an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 properties.</p> <p>MFSA properties shall have a height limitation of (35) feet within 50 feet an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 property. MFSA properties shall have a height limitation of three (3) floors or forty-five (45) feet, whichever is less, on the remaining portions adjacent, abutting or contiguous (including streets, waterways, or alleys) to a SFR and/or MF1 property.</p> <p>CL properties shall have a height limitation of three (3) floors or forty-five (45) feet, which ever is less, within 100 feet of an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 property.</p> <p>C properties shall have a height limitation of three (3) floors or forty-five (45) feet, which ever is less, within 100 feet of an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 property.</p>	Approved staff recommendation.
4-16 4-17 8-36	43 4 29	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.	<p>Recommended approval of staff recommendation with the following modifications:</p> <ul style="list-style-type: none"> • 16 foot minimum width. • Townhouse units on a street shall be designed in a rowhouse building typology that is oriented towards the street with the front door facing the street. Corner units on two streets shall front the primary street.
4-22	39	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.	Approved staff recommendation.
4-47	19	"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.	Approved staff recommendation.
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.	Approved staff recommendation.
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.	Approved staff recommendation.

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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 the following: <ul style="list-style-type: none"> Overnight accommodations is permitted use in CL Districts with a maximum of (8) rooms when adjacent to an SFR or MF1 district Overnight accommodations adjacent to SFR and MF1 and exceed eight (8) rooms shall be a conditional use. 	Approved staff recommendation.
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.	Approved staff recommendation.
4-52	39	Reduction in the minimum development standards for development for the CL and C zoning districts. 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 and C zoning districts 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.	Recommend that the City Commission request the Planning Department complete a study, within 120 days or other time frame as determined by the Planning Department to reduce the current limitation of 200 foot minimum frontage and 20,000 square feet minimum lot area to a 100 foot minimum frontage and 10,000 square feet minimum lot area for all commercial properties. This is a separate agenda item for City Commission consideration. Final vote (5 -1).
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.	Approved staff recommendation.
5-73	48	Allowance of metal roofs.	Provisions are under consideration at the 12.12.06 City Commission meeting for first reading. If approved, provisions will be inserted into Zoning Code rewrite at Second reading. If deferred beyond second reading of Zoning Code rewrite, provisions will be added at a later date.	
5-138	21	Permanently installed stand-by generators	Provisions inserted into new Zoning Code as adopted by the City Commission on 11.15.06.	
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.	Approved staff recommendation.
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.	Approved staff recommendation.
Others				
N/A		Townhouse required to face public street.	Planning Staff will complete a future study of townhouses pursuant to City Commission direction. This study will be completed in association with the completion of the North Ponce de Leon Neighborhood study. Recommendations then will be drafted for possible citywide implementation.	N/A

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N/A		Inclusion of Riviera 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.	N/A
		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 all direction and input received from interested parties, public, City staff, Planning and Zoning Board, other City Boards and Committees and City Commission. Staff has indicated within the Discovery Worksheet the completion of each request.	
		Evaluation of accomplishments from City of Coral Gables 2002 Charrette.	Planning Staff throughout the process has referred back to the 2002 Charrette and evaluated every recommendation and as a part of the entire Zoning doe rewrite process has solicited input and directions on each recommendation and excluded or included pursuant to the rewrite process.	