

**City of Coral Gables
Planning Department Staff Report**

To: Planning and Zoning Board Members

From: Planning Department / Building and Zoning Department

Date: November 4, 2009

Subject: **Zoning Code Text Amendment – Article 5, Division 16, “Roofs”.** An Ordinance of the City of Coral Gables amending Zoning Code Article 5, “Development Standards”, Division 16, entitled “Roofs”, to allow for flat roof and roof top terraces in structures built on flood zone properties; and providing for severability, repealer, codification, and an effective date.

Recommendation

The Planning Department in association with the Building and Zoning Department recommends approval of the amendment to Zoning Code Article 5, “Development Standards”, Division 16, entitled “Roofs”.

Background

Attached is a proposed Zoning Code text amendment requested by the Building and Zoning Department to allow for flat roof and roof top terraces in structures built on flood zone properties. The Building and Zoning Department has provided a completed Zoning Code Text Amendment Request form (see Attachment A) for the Planning and Zoning Board’s review and information. A draft Ordinance containing specific language in ~~strike~~underline format has been prepared for the proposed Zoning Code text amendment (see Attachment B).

The Building and Zoning Department will present the proposed amendment to the Board at the meeting and will secure input and testimony from the Board and public.

Public Hearing Timeline

This Zoning Code text amendment is under the purview of the Planning and Zoning Board and City Commission since it requires public hearing review. Upon recommendation from the Planning and Zoning Board, the proposed text amendment is tentatively scheduled to proceed forward for public hearing before the City Commission as follows:

City Commission, 1st Reading – November 17, 2009, 9:00 a.m.
City Commission, 2nd Reading – December 15, 2009, 9:00 a.m.

The above dates and times are subject to change.

Zoning Code Text Amendment – Flat roofs

November 4, 2009

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Public Notification

The Planning and Zoning Board meeting agenda has been advertised and posted on the City web page. The staff report and attachments are also posted on the City web page.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Martha Salazar-Blanco
Zoning Official

Attachments:

- A. Zoning Code Text Amendment Request form.
- B. Draft Ordinance.

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Proposed Text Amendment for:
(New language is underlined, language to be deleted is stricken)

ARTICLE 5 – DEVELOPMENT STANDARDS

Section 5-1602. Flat roofs without a parapet.

- G. Above two (2) story areas of a two (2) story building, or as a balcony, tower or other feature used to enhance the architecture of a building (as with the Colonial or Mediterranean style), provided that if located on an elevation visible to the street, the flat roof portions visible to the street shall not constitute more than twenty (20%) percent of the building's total roof area and that said flat roof shall not exceed the maximum allowable height above established grade.

Section 5-1603. Flat roofs with a parapet.

Except on Lots 1 through 18, inclusive, Block 89, Lots 20 through 36, inclusive, Block 91, Riviera Section Part Three, and Lots 1,2,3 and Lots 5 though 12, inclusive, Block 4 and Lots 11 through 16, Block 6, French Village, flat roofs with a parapet (minimum eight (8) inches thick) shall be permitted upon single-family residences and accessory buildings and structures subject to restrictions noted hereinafter:

- A. The residence has a flat roof with a parapet and with a pitched roof area that is lesser in size and proportion to the flat roof area. The roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed twenty four (24) feet above established grade and the top of the parapet shall not exceed twenty six (26) feet and six (6) inches above established grade. For residences in flood hazard districts with a maximum height of thirty nine (39) feet above established grade, the roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed thirty four (34) feet above established grade and the top of the parapet shall not exceed thirty six (36) feet and six (6) inches above established grade. The roof shall be pitched in accordance with the provisions of the Florida Building Code.
- B. The residence has a flat roof with a parapet and with a pitched roof area that is greater in size and proportion to the flat roof area. The roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed twenty four (24) feet above established grade and the top of the parapet shall not exceed twenty six (26) feet and six (6) inches above established grade. For residences in flood hazard districts with a maximum height of thirty nine (39) feet above established grade, the roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed thirty four (34) feet above established grade and the top of the parapet shall not exceed thirty six (36) feet and six (6) inches above established grade. The roof shall be pitched in accordance with the provisions of the Florida Building Code.

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, “DEVELOPMENT STANDARDS”, DIVISION 16, ENTITLED “ROOFS”, TO ALLOW FOR FLAT ROOF AND ROOF TOP TERRACES IN STRUCTURES BUILT ON FLOOD ZONE PROPERTIES; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Building and Zoning Department has requested an amendment to the text of the Zoning Code to allow for flat roof and roof top terraces in structures built on flood zone properties; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on November 4, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code, and after due consideration, recommended _____ (vote: _-_) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on November 17, 2009 at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, _____ the amendment on First Reading (vote: _-); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on December 15, 2009 at which hearing all interested parties were afforded the opportunity to be heard.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Zoning Code of the City of Coral Gables is hereby amended as follows (changes in ~~striketrough~~/underline format):

Article 5. Development Standards

Division 16. Roofs

Section 5-1602. Flat roofs without a parapet.

G. Above two (2) story areas of a two (2) story building, or as a balcony, tower or other feature used to enhance the architecture of a building (as with the Colonial or Mediterranean style), provided that if located on an elevation visible to the street, the flat roof portions visible to the street shall not constitute more than twenty (20%) percent of the building's total roof area and that said flat roof shall not exceed the maximum allowable height above established grade.

Section 5-1603. Flat roofs with a parapet.

- A. *The residence has a flat roof with a parapet and with a pitched roof area that is lesser in size and proportion to the flat roof area. The roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed twenty four (24) feet above established grade and the top of the parapet shall not exceed twenty six (26) feet and six (6) inches above established grade. For residences in flood hazard districts with a maximum height of thirty nine (39) feet above established grade, the roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed thirty four (34) feet above established grade and the top of the parapet shall not exceed thirty six (36) feet and six (6) inches above established grade. The roof shall be pitched in accordance with the provisions of the Florida Building Code.*
- B. *The residence has a flat roof with a parapet with and a pitched roof area that is greater in size and proportion to the flat roof area. The roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed twenty four (24) feet above established grade and the top of the parapet shall not exceed twenty six (26) feet and six (6) inches above established grade. For residences in flood hazard districts with a maximum height of thirty nine (39) feet above established grade, the roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed thirty four (34) feet above established grade and the top of the parapet shall not exceed thirty six (36) feet and six (6) inches above established grade. The roof shall be pitched in accordance with the provisions of the Florida Building Code.*

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the "Zoning Code" of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 6. This ordinance shall become effective upon the date of its adoption

herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2009.

(Moved: _____ / Seconded: _____)

(_____, _____, _____, _____, _____)

(Vote: ____ - ____)

(Agenda Item ____)

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

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