

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2020-33

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 3, "USES," SECTION 3-307, "PLAYHOUSE," SECTION 3-309, "RECREATIONAL EQUIPMENT," AND ARTICLE 16, "DEFINITIONS," CLARIFYING PROVISIONS FOR PLAY STRUCTURES AND RECREATIONAL EQUIPMENT; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, at the direction of the City Commission, City Staff has proposed a Zoning Code text amendment clarifying provisions for play structures; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on May 8, 2019, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with the text amendment to the Official Zoning Code, and discussed the proposed text amendment; and

WHEREAS, a public hearing for First Reading was held before the City Commission on December 10, 2019, 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, approved the amendment on First Reading (vote: 5-0); and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on January 8, 2020, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with the text amendment to the Official Zoning Code, and after due consideration and discussion, recommended approval (vote: 6-0); and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code on Second Reading;

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 Official Zoning Code of the City of Coral Gables is hereby amended

SECTION 2. The Official Zoning Code of the City of Coral Gables is hereby amended as follows¹:

ARTICLE 3 – USES

Section 3-307. ~~Playhouse~~ Play structures and recreational equipment.

~~A playhouse~~ Play structures and recreational equipment shall be permitted as an accessory use to any ~~residential use~~ Single-Family Residential District (SFR) in the rear yard or side yard, and may include swing sets, jungle gyms, and sport and exercise equipment.

Play structures shall be subject to the following conditions and restrictions:

- A. ~~Such playhouse shall be of concrete block stucco construction with tile roof~~ Shall require a no fee zoning permit and shall be designed and constructed to playground standards.
- B. ~~Shall not exceed The ground dimensions thereof shall not exceed twelve (12) six (6) feet by twelve (12) six (6) sixty (60) square feet.~~
- C. ~~The headroom therein shall not exceed five (5) feet~~ Shall not require permanent foundations.
- D. ~~Shall not include No plumbing, mechanical, electrical, or other systems that require a Building Permit per the Florida Building Code facilities or fixtures shall be installed therein.~~
- E. ~~Such playhouse s~~Shall be screened by shrubbery landscape or wall to obscure the view of such playhouse from the street neighboring properties.
- F. ~~Shall be located in~~ be in the rear yard or side yard, and shall maintain the minimum setback of auxiliary structures except as follows:
 - a. If screened from neighboring properties, the setback may be reduced to two (2) feet six (6) inches.
- G. Shall not be plainly visible from any public street or public right of way.
- H. Shall not interfere with any overhead utilities and shall comply with FPL standards.

~~Section 3-309. Recreational equipment.~~

¹ Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

~~Non-movable recreational equipment including swing sets, jungle gyms, basketball poles, etc., are permitted to be placed, kept or maintained in any interior side or rear yard only.~~

ARTICLE 16 – DEFINITIONS

Playhouse structure means a freestanding accessory structure designed exclusively for the use of children.

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.

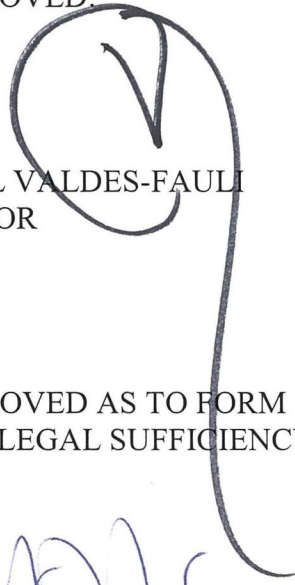
SECTION 6. If the Official Zoning Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective upon the date of its passage and adoption herein.

2020. PASSED AND ADOPTED THIS EIGHTH DAY OF DECEMBER, A.D.

(Moved: Lago / Seconded: Mena)
(Yeas: Fors, Jr., Lago Mena, Valdes-Fauli)
(Nays: Keon)
(Majority (4-1) Vote)
(Agenda Item: F-1)

APPROVED:

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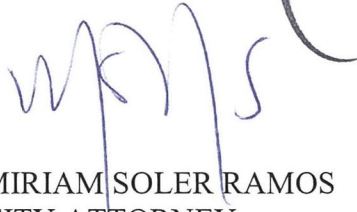
RAUL VALDES-FAULI
MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to be 'BY Urquia'.

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to be 'MRS'.

MIRIAM SOLER RAMOS
CITY ATTORNEY