

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2009-28**

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 4, SECTION 4-204, "SPECIAL USE (S) DISTRICT" AND ARTICLE 8, "DEFINITIONS", PROVIDING FOR A "COUNTRY CLUB" USE CLASSIFICATION AND DEFINITION THEREOF, PROVIDING SEVERABILITY, PROVIDING FOR CODIFICATION THEREOF, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the Zoning Code does not include a specific use classification or definition for "country club", and the Zoning Code provisions for other uses which are zoned "S", Special Use such as schools, churches, hospitals and municipal facilities; and

**WHEREAS**, after notice duly published, a public hearing was held before the Planning and Zoning Board on May 13, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the Board was presented with text amendments to the Zoning Code providing specific use classification and definition for "country club", and after due consideration, recommended approval (vote: 6-0) of the amendment; and

**WHEREAS**, after notice duly published, a public hearing for First Reading was held before the City Commission on May 26, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the City Commission was presented with the text amendments to the Zoning Code, and after due consideration and discussion, approved the amendments on First Reading (Vote: Majority (4-0);

**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 underline format):

**Section 4-204. Special Use (S) District.**

*A. Purpose and applicability. The purpose of the Special Use (S) District is to provide a zoning classification which accommodates uses which have the potential of adversely impacting adjacent uses but which enhance the quality of life of the citizens of City.*

*B. Permitted uses. The following uses are permitted in the S District subject to the standards in this Section and other applicable regulations in Article 5:*

*1. Accessory uses, buildings or structures as follows:*

- a. Emergency preparedness shelter.*
- b. Fountains.*
- c. Flagpoles.*
- d. Planters.*
- e. Recreational equipment.*
- f. Screen enclosure.*
- g. Swimming pool.*

*2. Botanical gardens with previously approved master plan.*

*3. Utility/infrastructure facilities.*

*4. Temporary uses, in accordance with the provisions of Article 5, Division 21.*

*C. Conditional Uses. The following uses are permitted in the S District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:*

*1. Botanical gardens master plan.*

*2. Camps.*

*3. Cemeteries.*

*4. Country clubs.*

*5. Golf course.*

*6. Government uses.*

*7. Heliport and helistop.*

*8. Hospital and uses accessory to, and customarily associated with, a hospital, as follows:*

- a. Convenience facilities for hospital users such as: snack bar, gift shop, chapel and florist.*
- b. Diagnostic facility.*
- c. Health/fitness facilities.*
- d. Intermediate care facility.*
- e. Laboratory and research facilities.*
- f. Medical clinic and/or office.*
- g. Medical educational facilities.*
- h. Municipal facilities.*
- i. Pharmacy.*
- j. Rehabilitation facilities.*
- k. Support facilities such as: cafeteria, laundry, dietary services, childcare, administrative offices, data processing and printing.*

*9. Marina facilities.*

*10. Municipal facilities.*

*11. Open space areas.*

12. Private club.
13. Public transportation facilities.
14. Religious institutions.
15. Schools.
16. Tennis courts.

#### **Article 8 – Definitions**

**Country club** shall mean buildings and facilities, which may privately or publicly, owned and operated for social, educational, and/or recreational purposes to which membership is required for participation. Access and use by non-members to accessory uses customarily associated with a country club such as the restaurant, lounge and associated facilities may be permitted. Facility events may include social events, banquets, weddings, meetings and seminars, trade conferences and other similar functions. Night clubs and casinos are prohibited uses.

**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 ten (10) days after final reading and adoption thereof.

PASSED AND ADOPTED THIS SECOND DAY OF JUNE, A.D., 2009.

(Moved: Anderson / Seconded: Kerdyk)

(Yea: Kerdyk, Withers, Anderson, Cabrera, Slesnick)

(Unanimous: 5-0 Vote)

(Agenda Item: E-2)

APPROVED:

  
DONALD D. SLESNICK II  
MAYOR

ATTEST:

  
WALTER L. JOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
ELIZABETH M. HERNANDEZ  
CITY ATTORNEY