



**City of Coral Gables
CITY COMMISSION MEETING
February 25, 2014**

E-1

ITEM TITLE:

Ordinance on Second Reading. Zoning Code Text Amendment. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, Article 5, "Development Standards", Division 19, "Signs", Section 5-1911, "Encroachments over public rights-of-way", by eliminating the requirement for a restrictive covenant for signs which encroach nine (9) inches or less into the public right-of-way; providing for severability, repealer, codification, and an effective date.

DEPARTMENT HEAD RECOMMENDATION:

Approval.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board at their 01.08.14 meeting recommended approval (vote: 5-1).

BRIEF HISTORY:

On 02.11.14, the City Commission unanimously approved the proposed Zoning Code amendments regarding the encroachment of signs on first reading (vote: 5-0).

City Staff is requesting a Zoning Code text amendment to eliminate the requirement for a restrictive covenant for signs which encroach nine (9) inches or less into the public right-of-way. Presently, all signs which encroach into the public right-of-way are required to execute a restrictive covenant prepared by the City Attorney.

The proposed amendment is designed to provide better service to the community by streamlining the permit review process for signs located on a building wall, when the wall is not setback from the property line. In such a case, a typical sign attached to the surface of the building wall would encroach a few inches into the right of way. This minimal encroachment does not create any unusual architectural conditions or safety concerns.

The draft Ordinance is provided as Exhibit A.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
02.11.14	Ordinance	Unanimous approval (vote: 5-0) on First Reading.

OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
01.08.14	Planning and Zoning Board	Recommended approval (vote: 5-1).

PUBLIC NOTIFICATION(S):

Date	Form of Notification
12.27.13	Legal advertisement.
12.27.13	Posted agenda at City Hall.
01.03.14	Posted agenda, staff report, legal notice and all attachments on City web page.
02.14.14	Advertisement of Ordinance heading.

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager
 RT Dr		cc 

EXHIBIT(S):

A. Draft Ordinance

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, ARTICLE 5, "DEVELOPMENT STANDARDS", DIVISION 19, "SIGNS", SECTION 5-1911, "ENCROACHMENTS OVER PUBLIC RIGHTS-OF-WAY", BY ELIMINATING THE REQUIREMENT FOR A RESTRICTIVE COVENANT FOR SIGNS WHICH ENCROACH NINE (9) INCHES OR LESS INTO THE PUBLIC RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, City Staff is requesting a Zoning Code text amendment to eliminate the requirement for a restrictive covenant for signs which encroach nine (9) inches or less into the public right-of-way; and,

WHEREAS, presently all signs which encroach into the public right-of-way are required to execute a restrictive covenant prepared by the City Attorney; and,

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on January 8, 2014, 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, recommended approval (vote: 5-1) of the text amendment; and,

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on February 12, 2014, 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).

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 as follows (changes in ~~strike-through~~ / underline format):