

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2016-58

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, ARTICLE 4, "ZONING DISTRICTS," DIVISION 4, "PROHIBITED USES," SECTION 4-411, "PARKING IN RESIDENTIAL AREAS;" AMENDING THE PROVISIONS FOR LOADING AND UNLOADING OF COMMERCIAL VEHICLES WITHIN RESIDENTIAL DISTRICTS AND WITHIN A SPECIFIED DISTANCE OF RESIDENTIAL DISTRICTS; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Staff, at the request of the City Commission, has prepared a Zoning Code text amendment amending the provisions for loading and unloading of commercial vehicles within residential districts; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on October 19, 2016, 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: 5-0) of the text amendment; and

WHEREAS, a public hearing for First Reading was held before the City Commission on November 15, 2016, 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:

ARTICLE 4 - ZONING DISTRICTS

Division 4. Prohibited Uses

Section 4-411. Parking, loading or unloading in residential and neighboring districts.

- A. It shall be unlawful for any person to park any vehicle displaying advertising signs or any truck, trailer, commercial vehicle, or recreational vehicle, in or upon any property, public or private, in any area of the City in a residential district. This prohibition, however shall not apply in the following cases:
1. Vehicles which are entirely enclosed within the confines of an enclosed garage.
 2. Vehicles used by licensed contractors or service establishments while actually doing work in such residential areas between the hours of 7:30 AM to 6:00 PM excluding Sundays and holidays, provided, however, that such vehicles shall contain written identification on both sides of the vehicle clearly indicating the name of the contractor or service establishment. Such identification shall be in conformance with the standards set forth in Section 8A-276(b), Commercial Vehicle Identification, of the Code of Metropolitan Dade County, Florida.
 3. Vehicles carrying a sign displaying only a noncommercial message, including, but not limited to, a sign dealing with the candidacy of individuals for elected office.
 4. The loading or unloading of recreational vehicles as provided for under this Section.
 5. Mobile cranes and other heavy equipment used during building construction.
 6. One pickup truck may be parked outside of a residence if all three of the following requirements are met:
 - a. There are no items in the bed of the vehicle.
 - b. The vehicle has no commercial markings or advertising, and no commercial equipment or appendage is attached to the exterior of the vehicle.
 - c. The vehicle is unmodified and has no more than four (4) wheels.
- B. Active loading or unloading of trucks, trailers or commercial vehicles is allowed, provided that such loading or unloading shall take no more than two (2) hours, and shall not be done between the hours of 7:00 PM of one day and 7:00 AM of the next day within residential districts or within one-hundred (100) feet of residential districts. If any portion of a building or structure falls within one-hundred (100) feet of a residential district then the entire building or structure shall be subject to these provisions.
- C. The two (2) hour time limit shall not apply to residential moving trucks loading or unloading during the hours of 7:00 AM and 7:00 PM. If a residential move is to occur between 7:00 PM and 7:00 AM, the property owner shall request a special waiver for good cause from the Development Services Director.

D. If the active loading or unloading of a truck, trailer or commercial vehicle (other than a residential move) within a residential district or within one-hundred (100) feet of a residential district (as measured in accordance with subparagraph (B) above) will take more than two (2) hours, or take place between 7:00 PM and 7:00 am, the property owner shall request a special waiver for good cause from the Development Services Director.

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 passage and adoption herein.

PASSED AND ADOPTED THIS SIXTH DAY OF DECEMBER, A.D., 2016.

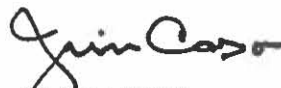
(Moved: Lago / Seconded: Quesada)

(Yeas: Slesnick, Keon, Lago, Quesada, Cason)

(Unanimous: 5-0 Vote)

(Agenda Item: E-1)

APPROVED:



JIM CASON
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



CRAIG E. LEEN
CITY ATTORNEY