



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
Application: Zoning Code Text Amendment – Play Structures
Public Hearing: Planning and Zoning Board
Date & Time: January 8, 2020; 6:00 – 9:00 p.m.
Location: City Commission Chambers, City Hall,
405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code, by amending Article 5, "Development Standards," Section 5-107, "Playhouse", and Section 109, "Recreational Equipment", clarifying provisions for play structures and recreational equipment; providing for severability clause, codification, and an effective date.

2. BACKGROUND INFORMATION

As directed by the City Commission, Staff has prepared a Zoning Code text amendment to clarify provisions for play structures and recreational equipment.

The Planning and Zoning Board discussed the proposed text amendment at the May 8, 2019, meeting and provided feedback.

On December 10, 2019, the City Commission directed Staff to incorporate the following into the proposed Zoning Code text amendment: (1) No fee zoning permit; (2) Screen only at ground level; and (3) Landscape screening from a public street.

3. PROPOSED ZONING CODE TEXT AMENDMENT

The revised Zoning Code text amendment that incorporate the changes requested by the City Commission is provided in Attachment A in ~~striketrough~~/underline format.

4. FINDINGS OF FACT

In accordance with Section 3-1405 of the Zoning Code, the Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to these land Zoning Code unless the text amendment:

- A. Promotes the public health, safety, and welfare.
- B. Does not permit uses the Comprehensive Plan prohibits in the area affected by the district boundary change or text amendment.
- C. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.

- D. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less the minimum requirements of the Comprehensive Plan.
- E. Does not directly conflict with an objective or policy of the Comprehensive Plan.

Staff finds that all five of these criteria are **satisfied**.

5. COMPREHENSIVE PLAN CONSISTENCY

In accordance with Section 3-1407 of the Zoning Code, the Planning and Zoning Board shall determine whether the Zoning Code text amendment is consistent with the Comprehensive Plan. Staff finds that the proposed text amendment **is consistent** with the Comprehensive Plan.

6. PUBLIC NOTIFICATION

The following has been completed to provide notice of the request:

Type	Date
Legal advertisement – May PZB	04.26.19
Posted PZB May agenda on City web page/City Hall	04.26.19
Posted May Staff report on City web page	05.03.19
Posted City Commission agenda on City web page / City Hall	12.06.19
Legal advertisement – January PZB	12.27.19
Posted PZB January agenda on City Hall	12.27.19
Posted January Staff report on City web page	01.03.20

7. STAFF RECOMMENDATION

The Planning and Zoning Division recommends **approval**.

Please visit the City’s webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

8. ATTACHMENTS

- A. Draft Ordinance with proposed text amendments.

Respectfully submitted,



Ramon Trias
Assistant Director of Development Services
for Planning and Zoning
City of Coral Gables, Florida

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

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 5, “DEVELOPMENT STANDARDS,” DIVISION 1, “ACCESSORY USES,” SECTION 5-107, “PLAYHOUSE,” AND SECTION 5-109, “RECREATIONAL EQUIPMENT,” 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;

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;

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

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;

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).

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board (“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: –).

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 follows¹:

ARTICLE 5 – DEVELOPMENT STANDARDS

Division 1. Accessory Uses.

Section 5-107. ~~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), subject to ~~the~~ The following conditions and restrictions shall apply:

- A. ~~Such playhouse shall be of concrete block stucco construction with tile roof~~ A zoning permit without fee.
- B. ~~The ground dimensions thereof shall not exceed twelve (12) six (6) feet by twelve (12) six (6) one hundred twenty (120) square feet.~~ Not exceed twelve (12) six (6) feet by twelve (12) six (6) one hundred twenty (120) square feet.
- C. ~~The headroom therein shall not exceed five (5) feet~~ May include swing sets, jungle gyms, and sport and exercise equipment.
- D. ~~No plumbing facilities or fixtures shall be installed therein.~~
- E. ~~Such playhouse shall be s~~Screened by shrubbery landscape or wall to obscure the view of such playhouse at ground level from neighboring properties.
- F. ~~Shall be l~~Located in the rear yard and side yard if screened from view from adjacent property.
- G. No permanent foundations.
- H. Not visible from a public street with landscape screening.
- I. Designed and constructed to playground standards.

Section 5-109. ~~Recreational equipment.~~

~~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.~~

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict

¹ Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

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 _____, 2020.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2020.

APPROVED:

RAUL VALDES-FAULI
MAYOR

ATTEST:

BILLY URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY