

**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 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;

**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 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 as follows<sup>1</sup>:

### 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 fully 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.

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

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~~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.~~

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<sup>1</sup> Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

**ARTICLE 16 – DEFINITIONS**

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

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**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 \_\_\_\_\_, 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