

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2016-54

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 1, "RESIDENTIAL DISTRICTS;" SECTION 4-101, "SINGLE-FAMILY RESIDENTIAL DISTRICT;" SECTION 4-102, "MULTI-FAMILY 1 DUPLEX DISTRICT;" SECTION 4-103, "MULTI-FAMILY 2 DISTRICT;" SECTION 4-104, "MULTI-FAMILY SPECIAL AREA DISTRICT;" SECTION 4-204, "SPECIAL USE DISTRICT;" SECTION 4-301, "COMMERCIAL LIMITED DISTRICT;" SECTION 4-302, "COMMERCIAL DISTRICT;" AND SECTION 4-303, "INDUSTRIAL DISTRICT;" ADDING CITY PARKS AS A PERMITTED PRINCIPAL USE FOR PROPERTIES WITH SINGLE-FAMILY, MULTI-FAMILY, SPECIAL USE, COMMERCIAL AND INDUSTRIAL ZONING DESIGNATIONS; PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City Staff is requesting a Zoning Code text amendment to add city parks as a permitted principal use for properties with single-family, multi-family, special use, commercial and industrial zoning designations; and

WHEREAS, the City Attorney has opined that the City is not subject to the Zoning Code as a matter of law, and the City wishes to amend its Zoning Code to reflect its policy to allow City parks in various zoning districts, even though such amendment is not legally required; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on August 10, 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 September 28, 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); and

WHEREAS, after notice was duly published, a public hearing for Second Reading was held before the City Commission on October 25, 2016, at which hearing all interested parties were afforded the opportunity to be heard;

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 4 - ZONING DISTRICTS

Division 1. Residential Districts

Section 4-101. Single-Family Residential (SFR) District.

B. Permitted principal uses and structures. The following uses are permitted:

1. Accessory dwelling.
2. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
3. Family day care as required and defined pursuant to Florida Statutes.
4. Parks, City.
5. Single-family dwellings.
6. Utility infrastructure facilities.

Section 4-102. Multi-Family 1 Duplex (MF1) District.

B. Permitted principal uses and structures. The following uses are permitted in the MF1 district:

1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
2. Duplex dwellings.
3. Family day care as required and defined pursuant to Florida Statutes.
4. Parks, City.
5. Single-family dwellings that conform to the standards for single-family residences in an SFR District.
6. Utility infrastructure facilities.

Section 4-103. Multi-Family 2 (MF2) District.

B. Permitted principal uses and structures. The following uses are permitted:

1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
2. Duplex dwellings that conform to the performance standards for duplex buildings in an MF1 District.
3. Family day care as required and defined pursuant to Florida Statutes.
4. Multi-family dwellings.
5. Parks, City.
6. Single-family dwellings that conform to the standards for single-family residences in an SFR District.
7. Townhouse/row house dwellings. Minimum building/parcel width of twenty-two (22) feet.
8. Utility infrastructure facilities.

Section 4-104. Multi-Family Special Area (MFSA) District.

B. Permitted principal uses and structures. The following uses are permitted:

1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
2. Duplex dwellings that conform to the performance standards for duplex buildings in an MF1 District.
3. Family day care as required and defined pursuant to Florida Statutes.
4. Multi-family dwellings.
5. Parks, City.
6. Single-family dwellings that conform to the standards for single-family residences in an SFR District.
7. Townhouse/row house dwellings.
8. Utility infrastructure facilities.

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

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

1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
2. Canopies, including permanent freestanding shelter canopy structure(s) or structure(s) attached to a building.
3. Botanical gardens with previously approved master plan. Allow for the placement of the following uses to solely serve the patrons of the botanical gardens:
 - a. Offices.
 - b. Research and technology.
 - c. Retail sales and services.
 - d. Restaurant.
 - e. Educational facility.
 - f. Nighttime uses.

- g. Outdoor recreation/entertainment.
 - h. Camps.
 - i. Other such uses as are customary for botanical gardens.
- 4. Parks, City.
 - 5. Utility/infrastructure facilities.
 - 6. Temporary uses, in accordance with the provisions of Article 5, Division 21.

Section 4-301. Commercial Limited (CL) District.

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

- 1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
- 2. Alcohol sales as an accessory use.
- 3. Camps.
- 4. Congregate care.
- 5. Educational facilities of no more than fifty (50) student seats.
- 6. Indoor recreation/entertainment.
- 7. Live work.
- 8. Medical clinic. Except that medical clinics shall not exceed ten-thousand-five-hundred (10,500) square feet of floor area when adjacent to an SFR, MF1, MF2, or MFSA district.
- 9. Municipal facilities.
- 10. Nursing homes.
- 11. Offices.
- 12. Overnight accommodations. Maximum of (8) rooms when adjacent to an SFR or MF1 district.

13. Parks, City.
14. Restaurants.
15. Retail, sales and services.
16. Swimming pools as an accessory use.
17. Temporary uses, in accordance with the provisions of Article 5, Division 21.
18. Utility/infrastructure facilities.

Section 4-302. Commercial District (C).

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

1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
2. Alcoholic beverage sales.
3. Animal grooming and boarding.
4. Automobile service station.
5. Camps.
6. Community center.
7. Congregate care.
8. Day care.
9. Drive through facilities not abutting or adjacent to SFR, MF1, MF2, and MFSA zoning districts.
10. Educational facilities.
11. Funeral home.
12. Government uses.
13. Indoor recreation/entertainment.
14. Medical clinic.

15. Municipal facilities.
16. Museum.
17. Nighttime uses.
18. Nursing homes.
19. Offices.
20. Overnight accommodations.
21. Parking garages.
22. Parking lots.
23. Parks, City.
24. Public transportation facility.
25. Restaurants.
26. Restaurants, fast food.
27. Retail sales and services.
28. Swimming pools as an accessory use.
29. Temporary uses.
30. TV/radio studios.
31. Utility/infrastructure facilities.
32. Vehicle sales/displays.
33. Vehicle service, major.
34. Veterinary offices.

Section 4-303. Industrial District (I).

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

1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2.
Accessory uses, buildings or structures customarily associated with permitted uses

within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.

2. Alcoholic beverage sales, including wine shops and similar uses.
3. Animal grooming or boarding.
4. Automobile service stations.
5. Camps.
6. Commercial laundry.
7. Community center.
8. Day care.
9. Governmental uses.
10. Indoor recreation/entertainment.
11. Manufacturing.
12. Medical clinic.
13. Municipal facilities.
14. Museum.
15. Offices.
16. Outdoor recreation/entertainment.
17. Outdoor retail sales, display and/or storage.
18. Overnight accommodations.
19. Parking garages.
20. Parking lots.
21. Parks, City.
22. Public transportation facility.
23. Research and technology uses.
24. Restaurants.
25. Restaurants, fast food.

26. Retail, sales and service.
27. Self-storage warehouses.
28. Swimming pools as an accessory use.
29. Temporary uses.
30. TV/radio studios.
31. Utility/infrastructure facilities.
32. Utility substations.
33. Vehicle sales/displays.
34. Vehicles sales/displays, major.
35. Vehicle service, major.
36. Veterinary offices.
37. Wholesale/distribution/warehouse facility.

SECTION 3. As the City is not subject to the Zoning Code as a matter of law, these provisions are being added merely to reflect City policy of allowing City parks in various zoning districts, which serves the public interest.

SECTION 4. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 5. 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 6. 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 7. 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 8. This ordinance shall become effective upon passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FIFTH DAY OF OCTOBER, A.D.,

2016.

(Moved: Quesada / Seconded: Lago)
(Yeas: Keon, Lago, Quesada, Slesnick, Cason)
(Unanimous: 5-0 Vote)
(Agenda Item: E-4)

APPROVED:



JIM CASON
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



CRAIG E. LEEN
CITY ATTORNEY