

City of Coral Gables Planning Department Staff Report

To: Planning and Zoning Board Members

From: Planning Department

Date: November 4, 2009

Subject: **Zoning Code Text Amendment – Article 5, Division 20, “Telecommunications”.** An Ordinance of the City Commission of the City of Coral Gables, Florida amending Article 5, Division 20, Telecommunications of the City Zoning Code, amending the previous “Amateur radio antennas” provisions to be renamed “Personal radio services antenna support structures” and amending Article 8, Definitions, providing for definitions; providing for severability, repealer, codification, and an effective date.

Recommendation

The Planning Department recommends approval of an Ordinance of the City Commission of the City of Coral Gables, Florida amending Article 5, Division 20, Telecommunications of the City Zoning Code, amending the previous “Amateur radio antennas” provisions to be renamed “Personal radio services antenna support structures” and amending Article 8, Definitions, providing for definitions; providing for severability, repealer, codification, and an effective date.

Background

On 07.08.09, Zoning Code text amendments for the installation of amateur radio antennas were reviewed and recommended for approval by the Planning and Zoning Board. The recommended amendments were considered and approved by the City Commission on first reading on 07.29.09, and adopted by the Commission on 08.25.09. Since then, additional input and comments have been received from the American Radio Relay League, Inc. (ARRL). A copy of the 09.02.09 ARRL letter is provided as Attachment A.

The Zoning Code text amendments incorporating the revisions suggested by the ARRL are now being brought forward for consideration. The revised amendments have been reviewed by City Staff, and are presented in the draft Ordinance in ~~strike-thru~~ / underline format and also in a clean version (see Attachments B and C).

Public Hearing Timeline

Reconsideration of these Zoning Code amendments is under the purview of the Planning and Zoning Board and City Commission since it requires public hearing review. Upon recommendation from the Planning and Zoning Board, the revised text amendments are tentatively scheduled to proceed forward for public hearing before the City Commission as follows:

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City Commission, 1st Reading – November 17, 2009, 9:00 a.m.

City Commission, 2nd Reading – December 15, 2009, 9:00 a.m.

The above dates and times are subject to change.

Public Notification

The Planning and Zoning Board meeting agenda, Staff report and draft Ordinance are posted on the City web page.

Respectfully submitted,



Eric Riel, Jr.
Planning Director

Attachments:

- A. 09.02.09 ARRL letter.
- B. Revised Ordinance in ~~strike thru~~ / underline format.
- C. Revised Ordinance (clean copy).

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September 2, 2009

The Honorable Donald Slesnick II
Mayor, City of Coral Gables
City Hall
405 Biltmore Way
Coral Gables, FL 33134

Reference Ordinance: "TELECOMMUNICATIONS"

Dear Mayor Slesnick:

We are in agreement of the present ordinance with the following changes:

1. Antennas are not load bearing therefore the ordinance should cover the support structure for antennas. Suggested name: "amateur radio support structures for antennas".
2. Limiting the number of antennas would hinder communication. Different kinds of antennas are required for long-range and short-range communications.
3. We agree that there should be only one preeminent support structures (tower) for antennas.
4. Towers should be defined as permanent structures affixed to a foundation. Poles and masts should be defined as non-permanent structures. Poles and masts are not permanent or have foundations as they are movable for better communication depending on atmospheric conditions and types of radio transmissions.
5. For safety, the antenna tower shall be cranked down to its nested position and/or tilted over in case of an impending hurricane or other natural disaster. The pole and mast should be dismantled.
6. Instead of using the phrase "citizens band operations" we suggest using "personal radio services in which license documents are neither needed nor issued by the FCC." This would cover the ten-plus services that are licensed free at this time or in the future.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Felipe L. Calderon".

Felipe L. Calderon
American Radio Relay League, Inc. (ARRL)
Emergency Coordinator
Miami-Dade County
1430 Mendavia Avenue
Coral Gables, FL 33146

CC: Elizabeth M. Hernandez
City Attorney