



City of Coral Gables
CITY COMMISSION MEETING
January 25, 2022

ITEM TITLE:

Ordinance on Second Reading. Zoning Code Text Amendment.

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 3-206, "Home Office," to provide additional requirements and allowances for a Home Office consistent with the requirements of Chapter 2021-202, Laws of Florida; providing for severability, repealer codification, and an effective date.

DEPARTMENT HEAD RECOMMENDATION:

Approval.

PLANNING AND ZONING BOARD RECOMMENDATION:

The Planning and Zoning Board at their 12.09.21 meeting recommended denial of the proposed zoning code text amendment, (vote: 7 yes – 0 no).

BRIEF HISTORY:

No changes have been made to the proposed Zoning Code text amendment.

A home office has been permitted in single-family residences for the past several years under City Attorney opinions CAO 2013-016, CAO 2013-025, and CAO 2016-086.

In 2017, Zoning Code text amendments were adopted related to the conservation of the North Ponce area which included 'home office' as a permitted use within the district's multi-family zoning. The Home Office definition closely resembled the former City Attorney opinions to be consistent with what was currently being allowed in single-family.

During the 3-year Zoning Code Update process, relevant City Attorney opinions were incorporated into the Zoning Code. Therefore, the Home Office regulations were expanded to apply to all residential districts.

However, during the 2021 legislative session, the State Legislature enacted Chapter 2021-202, which imposes certain requirements and allowances on home-based businesses throughout the state. Therefore, Staff is now proposing to amend Section 3-206 "Home Office" of the Zoning Code to incorporate additional requirements and allowances to a home office in order to comply with the Chapter 2021-202. The additional requirements and allowances that are proposed include:

- Maximum of 2 staff members
- Subject to applicable Business Taxes

- Allow office to exceed 25% of the gross floor area of home
- Not restrict the type of business, except short-term rentals, boarding houses, hotels, motels, or bed and breakfasts
- Clarify that commercial signage is not allowed
- Prohibit parking in swales
- Clarify that the Home Office shall not create a nuisance as stated in Article VI or XI in the City Code
- Allow receiving of clients/customers
- Clarify the requirement for a no fee Certificate of Use

Planning & Zoning Board

At the December 8, 2021, Planning & Zoning Board meeting, the Board members had strong concerns about the impact of the imposed requirements and allowances by the State Legislature to the single-family neighborhoods of Coral Gables. As such, the Board unanimously recommended denial of the proposed text amendments.

The draft Ordinance of the Zoning Code text amendments is provided as Exhibit A.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments


OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)

PUBLIC NOTIFICATION(S):

Date	Form of Notification
10.29.21	Planning and Zoning Board legal advertisement. (November PZB)
11.04.21	Planning and Zoning Board staff report, legal notice and all attachments posted on City web page. (November PZB)
11.24.21	Planning and Zoning Board legal advertisement. (December PZB)
12.03.21	Planning and Zoning Board staff report, legal notice and all attachments posted on City web page. (December PZB)
01.04.22	City Commission meeting agenda posted on City webpage.
01.14.22	City Commission legal advertisement.
01.18.22	City Commission meeting agenda posted on City webpage.

APPROVED BY:

Asst. Director of Development Services for Planning and Zoning


EXHIBIT(S):

- A. Draft Ordinance.