



# City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables  
Application: **Zoning Code Text Amendment - Medical Clinics**  
Public Hearing: Planning and Zoning Board  
Date & Time: **July 12, 2017; 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 a text amendment to the City of Coral Gables Official Zoning Code by amending Article 4, "Zoning Districts," Division 3, "Nonresidential Districts," Section 4-301, "Commercial Limited District" requiring conditional use review for medical clinics located within a Commercial Limited zoning district; providing for repealer provision, severability clause, codification, and providing for an effective date.*

## 2. BACKGROUND INFORMATION

City Staff is proposing a Zoning Code text amendment that will require all medical clinics within a Commercial Limited zoning district to be reviewed via the conditional use approval process.

Currently, medical clinics are a permitted use on property zoned Commercial Limited District, except for medical clinics with more than 10,500 square feet of floor area when adjacent to an SFR, MF1, MF2, or MFSA district. Medical clinics with more than 10,500 square feet of floor area when adjacent to an SFR, MF1, MF2, or MFSA district are a conditional use on property zoned Commercial Limited District and require public hearing review and approval.

The proposed amendment will make all medical clinics on property zoned Commercial Limited District a conditional use regardless of size or location. Conditional use review is necessary due to impacts on traffic and parking near single-family residences. Typically properties zoned Commercial Limited District are located adjacent to Single-Family Residential Districts. If approved all future applications for a medical clinic will be required to be reviewed by the Planning and Zoning Board and receive approval by the City Commission.

### 3. PROPOSED ZONING CODE TEXT AMENDMENT

The proposed Zoning Code text amendment is provided below in ~~striketrough~~/underline format.

#### Article 4 - Zoning Districts

#### Division 3. Nonresidential Districts

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

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

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~~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.~~

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- C. Conditional uses. The following uses are permitted in the CL District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:

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~~6. Medical clinic greater than ten thousand five hundred (10,500) square feet of floor area when adjacent to an SFR, MF1, MF2, or MFSA district.~~

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**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	06.29.17
Posted agenda on City web page/City Hall	07.07.17
Posted Staff report on City web page	07.07.17

**7. STAFF RECOMMENDATION**

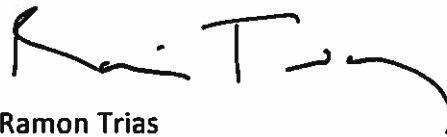
The Planning and Zoning Division recommends **approval**.

**8. ATTACHMENTS**

- A. Draft Ordinance.
- B. 06.29.17 Legal advertisement published.

Please visit the City's webpage at [www.coralgables.com](http://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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R. Trias", with a long horizontal flourish extending to the right.

Ramon Trias  
Director of 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 4, "ZONING DISTRICTS," DIVISION 3, "NONRESIDENTIAL DISTRICTS," SECTION 4-301, "COMMERCIAL LIMITED DISTRICT" REQUIRING CONDITIONAL USE REVIEW FOR MEDICAL CLINICS LOCATED WITHIN A COMMERCIAL LIMITED ZONING DISTRICT; PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, City Staff has proposed a Zoning Code text amendment requiring all medical clinics located on property zoned Commercial Limited District to be reviewed via the conditional use approval process;

**WHEREAS**, after notice was duly published, a public hearing was held before the Planning and Zoning Board on July 12, 2017, 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 after due consideration, recommended (approval/denial) (vote: \_\_-\_\_) of the text amendment;

**WHEREAS**, a public hearing for First Reading was held before the City Commission on (month) (date), 2017, 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/denied) the amendment on First Reading (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 follows<sup>1</sup>:

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

**ARTICLE 4 - ZONING DISTRICTS**

**Division 3. Nonresidential Districts**

**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:

\*\*\*

~~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.~~

\*\*\*

C. Conditional uses. The following uses are permitted as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:

\*\*\*

~~6. Medical clinic greater than ten thousand five hundred (10,500) square feet of floor area when adjacent to an SFR, MF1, MF2, or MFSA district.~~

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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 \_\_\_\_\_, 2017.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2017.

APPROVED:

RAUL VALDES-FAULI  
MAYOR

ATTEST:

WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN  
CITY ATTORNEY

**MIAMI DAILY BUSINESS REVIEW**

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

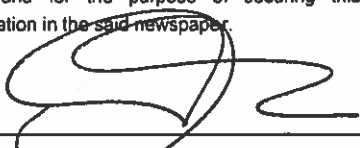
Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

NOTICE OF PUBLIC HEARING  
CITY OF CORAL GABLES - LOCAL PLANNING  
AGENCY/PLANNING AND ZONING BOARD - JULY 12, 2017

in the XXXX Court,  
was published in said newspaper in the issues of

06/29/2017

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

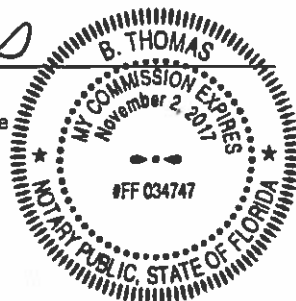


Sworn to and subscribed before me this  
29 day of JUNE, A.D. 2017

*B. Thomas*

(SEAL)

MARIA MESA personally known to me



**CITY OF CORAL GABLES, FLORIDA  
NOTICE OF PUBLIC HEARING**

City Public Hearing  
Dates/Times

Local Planning Agency / Planning and  
Zoning Board Wednesday, July 12, 2017,  
8:00 - 9:00 p.m.

Location

City Commission Chambers, City Hall, 405  
Biltmore Way, Coral Gables, Florida, 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/ Planning and Zoning Board (PZB) will conduct Public Hearings on the following:

1. An Ordinance of the City Commission of Coral Gables requesting vacation of a public alleyway pursuant to Zoning Code Article 3, Division 12, "Abandonment and Vacations" and City Code Chapter 62, Article 8, "Vacation, Abandonment and Closure of Streets, Easements and Alleys by Private Owners and the City; Application Process," providing for the vacation of the twenty (20) foot wide alley which is three-hundred (300) feet in length lying between Tracts A and B, Block 199, Riviera Section Part 14, Coral Gables, Florida; providing for an effective date.
2. 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 4, "Zoning Districts," Division 3, "Nonresidential Districts," Section 4-301, "Commercial Limited District" requiring conditional use review for medical clinics located within a Commercial Limited zoning district; providing for repealer provision, severability clause, codification, and providing for an effective date.
3. 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 4, "Zoning Districts," Section 4-201, "Mixed Use District (MXD);" Article 5, "Development Standards," Section 5-604, "Coral Gables Mediterranean Style Design Standards," and Section 5-1105, "Landscape Requirements;" and Article 8, "Definitions," to increase the requirements for landscaped open space and clarify what constitutes open space; providing for a repealer provision, providing for a severability clause, codification, and providing for an effective date.



All interested parties are invited to attend and participate. Upon recommendation by the Board, the applications will be scheduled for City Commission consideration. Please visit the City webpage at [www.coralgables.com](http://www.coralgables.com) to view information concerning the applications. The complete applications are on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134. Questions and written comments can be directed to the Planning and Zoning Division at [planning@coralgables.com](mailto:planning@coralgables.com) (FAX: 305.460.5327) or 305.460.5211.

Ramon Trias  
Director of Planning and Zoning  
Planning & Zoning Division  
City of Coral Gables, Florida

Any person, who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2008-11, as amended, must register with the City Clerk prior to engaging in lobbying activities before City Staff, Boards, Committees or City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall. If a person decides to appeal any decision made by a Board, Committee or City Commission with respect to any matter considered at a meeting or hearing, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Any meeting may be opened and continued and, under certain circumstances, additional legal notice will not be provided. Any person requiring special accommodations in order to attend or participate in the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta (Email: [relejabarrieta@coralgables.com](mailto:relejabarrieta@coralgables.com)), Telephone: 305-722-8686, TTY/TDD: 305-442-1600, at least three (3) working days prior to the meeting. All meetings are telecast live on Coral Gables TV Channel 77.

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