

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2009-57

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA AMENDING ARTICLE 5, "DEVELOPMENT STANDARDS", DIVISION 16, ENTITLED "ROOFS", TO ALLOW FOR FLAT ROOF AND ROOF TOP TERRACES IN STRUCTURES BUILT ON FLOOD ZONE PROPERTIES; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Building and Zoning Department has requested an amendment to the text of the Zoning Code to allow for flat roof and roof top terraces in structures built on flood zone properties; and

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on November 4, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Board was presented with a text amendment to the Zoning Code, and after due consideration, unanimously recommended approval (vote: 7-0) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on November 17, 2009 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 (vote: 5-0) the amendment on First Reading; and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on December 15, 2009 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 Zoning Code of the City of Coral Gables is hereby amended as follows:

Article 5. Development Standards

Division 16. Roofs

Section 5-1602. Flat roofs without a parapet.

- G. Above two (2) story areas of a two (2) story building, or as a balcony, tower or other feature used to enhance the architecture of a building (as with the Colonial or Mediterranean style), provided that if located on an elevation visible to the street, the flat roof portions visible to the street shall not constitute more than twenty (20%) percent of the building's total roof area and that said flat roof shall not exceed the maximum allowable height above established grade.*

Section 5-1603. Flat roofs with a parapet.

- A. The residence has a flat roof with a parapet and with a pitched roof area that is lesser in size and proportion to the flat roof area. The roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed twenty four (24) feet above established grade and the top of the parapet shall not exceed twenty six (26) feet and six (6) inches above established grade. For residences in flood hazard districts with a maximum height of thirty nine (39) feet above established grade, the roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed thirty four (34) feet above established grade and the top of the parapet shall not exceed thirty six (36) feet and six (6) inches above established grade. The roof shall be pitched in accordance with the provisions of the Florida Building Code.*
- B. The residence has a flat roof with a parapet with and a pitched roof area that is greater in size and proportion to the flat roof area. The roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed twenty four (24) feet above established grade and the top of the parapet shall not exceed twenty six (26) feet and six (6) inches above established grade. For residences in flood hazard districts with a maximum height of thirty nine (39) feet above established grade, the roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed thirty four (34) feet above established grade and the top of the parapet shall not exceed thirty six (36) feet and six (6) inches above established grade. The roof shall be pitched in accordance with the provisions of the Florida Building Code.*

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. That this ordinance shall become effective ten (10) days following the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FIFTEENTH DAY OF DECEMBER, A.D., 2009.

(Moved: Cabrera / Seconded: Withers)

(Yeas: Cabrera, Withers, Anderson, Slesnick)

(Majority: (4-0) Vote)

(Absent: Kerdyk)

(Agenda Item: E-4)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY