

CITY OF CORAL GABLES, FLORIDA**ORDINANCE NO. _____**

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 5, DIVISION 8, SECTION 5-805, ENTITLED "DAVITS, WATERCRAFT LIFTS AND FLOATING WATERCRAFT LIFTS", TO AMEND THE NUMBER OF DAVITS PERMITTING ON A PROPERTY; AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Board of Adjustment requested a Zoning Code text amendment to provide for an additional set of davits on residential properties; and,

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on December 10, 2008, 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 providing for an additional set of davits on residential properties, and after due consideration, recommended approval (vote: 4-0) of the amendment; and

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on January 13, 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 the amendment on First Reading (vote ____); and

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on February 10, 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 the amendment on Second 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 Zoning Code of the City of Coral Gables is hereby amended as follows (changes in ~~strikethrough~~ / underline format):

Article 5. Development Standards

Division 8. Docks, Wharves, Mooring Piles and Watercraft Moorings

Section 5-805. Davits, watercraft lifts and floating watercraft lifts.

Davits, watercraft lifts and floating watercraft lifts shall be permitted as an accessory use to property in a residential district, subject to the following conditions and restrictions, except as further provided for specific properties and the Mahi Canal in Appendix A:

~~*D. That only one (1) set of davits, watercraft lift, or floating watercraft lift shall be permitted for each single family dwelling and duplex. Multi family buildings may have at least one (1) set of davits or floating watercraft lift, but may not have more than one (1) set of davits, watercraft lift or floating watercraft lift per ten (10) dwelling units.*~~

D. Permitted number of davits, watercraft lift or floating watercraft lift:

- 1. One (1) set of davits, watercraft lift or floating watercraft lift may be permitted for each single-family dwelling or duplex.*
- 2. On properties with two hundred (200) feet or more of waterfront lot width one (1) additional set of davits may be permitted for each single-family dwelling or duplex.*
- 3. Multi-family buildings may have at least one (1) set of davits, watercraft lift or floating watercraft lift, but may not have more than one (1) set of davits, watercraft lift or floating watercraft lift per ten (10) residential dwelling units.*

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. This ordinance shall become effective upon the date of its adoption herein.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D., 2009.
(Moved: _____ / Seconded: _____)
(_____, _____, _____, _____, _____)
(Vote: _____ - _____)
(Agenda Item _____)

DONALD D. SLESNICK II
MAYOR

ATTEST:

WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

ELIZABETH M. HERNANDEZ
CITY ATTORNEY

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