

City of Coral Gables Planning Department Staff Report

To: Planning and Zoning Board Members

From: Planning Department

Date: May 13, 2009

Subject: **Zoning Code Text Amendment – Country Club.** An Ordinance of the City of Coral Gables amending Zoning Code Article 4, Section 4-204, "Special Use (S) District" and Article 8, "Definitions", providing for a "Country Club" use classification and definition thereof, providing severability, providing for codification thereof, and providing for an effective date.

Recommendation

The Planning Department in association with the Building and Zoning Department recommends approval of various amendments to Zoning Code Article 4, Section 4-204, "Special Use (S) District" and Article 8, "Definitions", providing for a "Country Club" use classification and definition thereof, as provided herein and in the attached Ordinance (see Attachment A).

Background

Currently, the Zoning Code does not include a specific use classification or definition for "Country Club". The Building and Zoning Department has requested that the Code be amended to include provisions for country clubs similar to other uses which are zoned "S", Special Use. Other similar uses include schools, churches, hospitals and municipal facilities. Those uses are identified and included in Section 4-204, "Special Use (S) District" of the Zoning Code.

All Zoning Code text amendments require review and recommendation by the Planning and Zoning Board and approval by the City Commission in ordinance form at two public hearings. Amendments to the existing provisions of the Zoning Code provided herein, and in the attached Ordinance (see Attachment A), are shown in strike thru / underline format.

Building and Zoning Department Staff and the City Attorney's Office will be available at the meeting to address any questions the Board may have and secure further input.

Specific Amendments

Section 4-204. Special Use (S) District.

- A. *Purpose and applicability. The purpose of the Special Use (S) District is to provide a zoning classification which accommodates uses which have the potential of adversely impacting adjacent uses but which enhance the quality of life of the citizens of City.*

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

1. Accessory uses, buildings or structures as follows:
 - a. Emergency preparedness shelter.
 - b. Fountains.
 - c. Flagpoles.
 - d. Planters.
 - e. Recreational equipment.
 - f. Screen enclosure.
 - g. Swimming pool.
2. Botanical gardens with previously approved master plan.
3. Utility/infrastructure facilities.
4. Temporary uses, in accordance with the provisions of Article 5, Division 21.

C. Conditional Uses. The following uses are permitted in the S 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:

1. Botanical gardens master plan.
2. Camps.
3. Cemeteries.
4. Country clubs.
5. Golf course.
6. Government uses.
7. Heliport and helistop.
8. Hospital and uses accessory to, and customarily associated with, a hospital, as follows:
 - a. Convenience facilities for hospital users such as: snack bar, gift shop, chapel and florist.
 - b. Diagnostic facility.
 - c. Health/fitness facilities.
 - d. Intermediate care facility.
 - e. Laboratory and research facilities.
 - f. Medical clinic and/or office.
 - g. Medical educational facilities.
 - h. Municipal facilities.
 - i. Pharmacy.
 - j. Rehabilitation facilities.
 - k. Support facilities such as: cafeteria, laundry, dietary services, childcare, administrative offices, data processing and printing.
9. Marina facilities.
10. Municipal facilities.
11. Open space areas.
12. Private club.
13. Public transportation facilities.
14. Religious institutions.
15. Schools.
16. Tennis courts.

Article 8 – Definitions

Country club shall mean buildings and facilities, which may privately or publicly, owned and operated for social, educational, and/or recreational purposes to which membership is required for participation. Access and use by non-members to accessory uses customarily associated with a country club such as the restaurant, lounge and associated facilities may be permitted. Facility events may include social events, banquets, weddings, meetings and seminars, trade conferences and other similar functions. Night clubs and casinos are prohibited uses.

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Public Hearing Timeline

Upon recommendation from the Planning and Zoning Board, the proposed text amendments will be scheduled for public hearing consideration by the City Commission as follows:

City Commission, 1st Reading - May 26, 2009, 9:00 a.m.

City Commission, 2nd Reading - June 2, 2009, 9:00 a.m.

The above dates and times are subject to change.

Public Notification

The Planning and Zoning Board meeting agenda has been advertised and posted on the City web page. The staff report and attachments are also posted on the City web page.

Respectfully submitted,


Eric Riel, Jr.
Planning Director

Attachment:

A. Draft Ordinance.

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CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING ZONING CODE ARTICLE 4, SECTION 4-204, "SPECIAL USE (S) DISTRICT" AND ARTICLE 8, "DEFINITIONS", PROVIDING FOR A "COUNTRY CLUB" USE CLASSIFICATION AND DEFINITION THEREOF, PROVIDING SEVERABILITY, PROVIDING FOR CODIFICATION THEREOF, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Zoning Code does not include a specific use classification or definition for "country club", and the Zoning Code provisions for other uses which are zoned "S", Special Use such as schools, churches, hospitals and municipal facilities; and,

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on May 13, 2009, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, the Board was presented with text amendments to the Zoning Code providing specific use classification and definition for "country club", and after due consideration, recommended approval (vote: -) of the amendment; and,

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on _____, 2009 at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, the City Commission was presented with the text amendments to the Zoning Code, and after due consideration and discussion, approved the amendments 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 Zoning Code of the City of Coral Gables is hereby amended as follows (changes in strikethrough / underline format):

Section 4-204. Special Use (S) District.

A. *Purpose and applicability. The purpose of the Special Use (S) District is to provide a zoning classification which accommodates uses which have the potential of adversely impacting adjacent uses but which enhance the quality of life of the citizens of City.*

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

1. *Accessory uses, buildings or structures as follows:*
 - a. *Emergency preparedness shelter.*
 - b. *Fountains.*
 - c. *Flagpoles.*
 - d. *Planters.*
 - e. *Recreational equipment.*
 - f. *Screen enclosure.*
 - g. *Swimming pool.*
2. *Botanical gardens with previously approved master plan.*
3. *Utility/infrastructure facilities.*
4. *Temporary uses, in accordance with the provisions of Article 5, Division 21.*

C. *Conditional Uses. The following uses are permitted in the S 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:*

1. *Botanical gardens master plan.*
2. *Camps.*
3. *Cemeteries.*
4. *Country clubs.*
5. *Golf course.*
6. *Government uses.*
7. *Heliport and helistop.*
8. *Hospital and uses accessory to, and customarily associated with, a hospital, as follows:*
 - a. *Convenience facilities for hospital users such as: snack bar, gift shop, chapel and florist.*
 - b. *Diagnostic facility.*
 - c. *Health/fitness facilities.*
 - d. *Intermediate care facility.*
 - e. *Laboratory and research facilities.*
 - f. *Medical clinic and/or office.*
 - g. *Medical educational facilities.*
 - h. *Municipal facilities.*
 - i. *Pharmacy.*
 - j. *Rehabilitation facilities.*
 - k. *Support facilities such as: cafeteria, laundry, dietary services, childcare, administrative offices, data processing and printing.*
9. *Marina facilities.*
10. *Municipal facilities.*
11. *Open space areas.*
12. *Private club.*

- 13. Public transportation facilities.
- 14. Religious institutions.
- 15. Schools.
- 16. Tennis courts.

Article 8 – Definitions

Country club shall mean buildings and facilities, which may privately or publicly, owned and operated for social, educational, and/or recreational purposes to which membership is required for participation. Access and use by non-members to accessory uses customarily associated with a country club such as the restaurant, lounge and associated facilities may be permitted. Facility events may include social events, banquets, weddings, meetings and seminars, trade conferences and other similar functions. Night clubs and casinos are prohibited uses.

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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