

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

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 5, "DEVELOPMENT STANDARDS," AMENDING SECTION 5-2601, "BED AND BREAKFAST ESTABLISHMENTS" TO MODIFY THE EXISTING BED AND BREAKFAST ESTABLISHMENTS STANDARDS AND CRITERIA TO ALLOW FOR VIABLE BED AND BREAKFAST ESTABLISHMENTS; PROVIDING FOR A REPEALER PROVISION, PROVIDING FOR A SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Coral Gables currently allows Bed and Breakfast establishments on property zoned MF2 within the district bounded by Southwest Eighth Street to the north, Navarre Avenue to the south, Douglas Road to the east, and LeJeune Road to the west; and,

WHEREAS, the current Bed and Breakfast regulations include provisions that hinder the opening of a Bed and Breakfast establishment in eligible existing buildings, including off-street parking requirements for each bedroom; and,

WHEREAS, the current Bed and Breakfast regulations include provisions that create uncertainty for the Bed and Breakfast owner/operator, including an imprecise annual revocation provision that provides little protection for the owner/operator; and,

WHEREAS, the current Bed and Breakfast regulations were adopted in 1993 by Ordinance 3023, and since that time, a Bed and Breakfast has not been opened or operated in the City of Coral Gables in accordance with those regulations; and,

WHEREAS, the City Commission and the Coral Gables community has expressed a strong interest in the conservation and enhancement of the North Ponce area, which includes the area in which Bed and Breakfast establishments are permitted and desired; and,

WHEREAS, encouraging the preservation and rehabilitation of historic buildings in the North Ponce area is an important goal expressed by the Coral Gables community during the 2015 North Ponce Community Visioning Workshop and the 2016 North Ponce Community Planning Meeting; and,

WHEREAS, encouraging reinvestment in the North Ponce area through uses such as Bed and Breakfast establishments is an important goal expressed by the Coral Gables

community during the 2015 North Ponce Community Visioning Workshop and the 2016 North Ponce Community Planning Meeting; and,

WHEREAS, providing clear and attainable guidelines for Bed and Breakfast Establishments in the North Ponce area will allow these establishments to be operated in an area of the City where this type of use is desired; and,

WHEREAS, Zoning Code text amendments are necessary in order to allow Bed and Breakfast Establishments to be opened and operated in the North Ponce area in a manner consistent with the community vision, including but not limited to: clear guidance on eligible properties, attainable parking requirements, and greater assurance for the owner / operator that their approval cannot be revoked annually based on any neighborhood complaint; and,

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on July 13, 2016, at which hearing all interested parties were afforded the opportunity to be heard; and,

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

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on September 27, 2016, 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, (____) the amendment on First Reading (vote: __-__).

WHEREAS, after notice duly published, a public hearing for Second Reading was held before the City Commission on ____, 2016, 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, (____) 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. Section 5-2601 of the Official Zoning Code of the City of Coral Gables is hereby amended to read as set forth in “Exhibit A” to this ordinance.

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 _____, 2016.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2016.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY

“Exhibit A”

Division 26. Bed and Breakfast Establishments
Section 5-2601. Bed and breakfast establishments.

Bed and Breakfast (B & B) establishments may be permitted as a Conditional Use subject to the following restrictions:

A. B & B establishments may be operated on property zoned MF2 within the district bounded by Southwest Eighth Street (Tamiami Trail) to the north, Navarre Avenue to the south, Douglas to the east, and LeJeune Road to the west.

B. Structures shall be a locally designated historic building in order to be eligible for operation as a B&B.

C. In accordance with Article 3, Division 11: Historic Preservation, a Certificate of Appropriateness shall be required for any exterior alterations to the historically-designated B&B property.

~~B. Only structures fifty (50) years or older shall be eligible for operation as a B & B.~~

~~C. The number of B & B sleeping rooms shall not exceed the number of living units of the existing apartment structure.~~

D. The following design requirements shall be incorporated to minimize the impact on surrounding residential areas:

1. Appearance of structure shall remain residential;
- ~~2. Structure shall be retained in a manner to allow conversion back to apartment use;~~
3. Outdoor activity areas for B & B residents use shall be visually buffered from adjacent residential uses;
4. Vehicle ingress and on-site parking shall be screened from adjacent residential properties.

E. One wall-mounted sign shall be permitted designating the property as a B & B, and shall not exceed one-hundred sixty (160) square inches in size.

F. Property owner or manager must reside on property and be available on a daily basis.

*Amendments to the City Code are indicated with deletions indicated by ~~striketrough~~, and insertions by underline.

G. The sale of alcohol shall not be permitted on premises.

H. Food service shall be limited to B & B residents. ~~and shall be limited to breakfast only with no lunch or dinner service.~~

I. ~~No receptions, private parties or activities other than lodging of guests shall be permitted.~~

J. ~~Operation of the B & B shall be restricted to the principal building on site, and accessory buildings may not be converted to living units, kitchens or dining areas.~~

K. Owner/Operator must comply with the following operational requirements:

1. No weekly rates shall be offered;
2. ~~Ten (10) day maximum (cumulative) B & B resident stay within any sixty (60) day period;~~
3. ~~No food preparation or equipment allowed in any B & B sleeping room;~~
4. The owner/manager shall maintain a current guest register.

L. All B & B requests shall be required to submit the following floor and site plans for Administrative Approval:

1. Floor plans.
2. Parking plan.
3. Landscaping plan.
4. Lighting and signage plan.
5. Building elevations.
6. Survey.

M. ~~Off street parking shall be provided as follows:~~

1. ~~One (1) space per guest room; and~~
2. ~~One (1) space for the owner/manager.~~

M. For those buildings constructed prior to 1964, no additional on-site parking will be required beyond that which exists prior to the Bed and Breakfast Certificate of Use application. A parking management plan for guests and the owner/manager shall be submitted to the Planning and Zoning Director and the Parking Director for review and approval. The parking management plan may include a combination of remote parking, valet parking, and leasing of public parking spaces and will be reviewed based on proximity to transit, number of guest rooms, number of staff, availability of public parking and on-street parking, and other relevant factors.

*Amendments to the City Code are indicated with deletions indicated by ~~striketrough~~, and insertions by underline.

N. Parking credit may be granted by the ~~Building~~Planning and Zoning Director for parallel parking spaces in the roadway immediately in front of the subject property where such parking will not be hazardous or obstruct access.

~~O. Conditional Use approval shall be non-transferable.~~

~~P. Each B & B shall be reviewed on a yearly basis to confirm compliance with Code requirements established herein. Approval may be revoked if a determination of non-compliance is made or if the facility generates neighborhood complaints.~~

P. Each B&B shall be subject to code enforcement measures in the same manner as any other business or residence in the City of Coral Gables.

*Amendments to the City Code are indicated with deletions indicated by ~~striketrough~~, and insertions by underline.