

**City of Coral Gables
Planning Department Staff Report**

To: Planning and Zoning Board Members

From: Planning Department

Date: December 10, 2008 (previously scheduled for November 12, 2008)

Subject: **Zoning Code Text Amendment – Article 5, Division 16, “Roofs”, and Article 8, “Definitions”.** An Ordinance of the City of Coral Gables amending the text of the Official Zoning Code, Article 5, Division 16, providing for clarification of the permitted roofing material of copper roofs, and Article 8, providing for a definition of “copper,” providing for repeal, providing severability, providing for codification thereof, and providing for an effective date.

Recommendation

The Planning Department recommends approval of the proposed text amendment to the Zoning Code, Article 5, Division 16, providing for clarification of the permitted roofing material of copper roofs, and Article 8, providing for a definition of “copper,” as provided further below (see also Attachment A).

Background

At its meeting of October 14, 2008, the City Commission requested that Zoning Code regulations allowing copper as a permitted roofing material be updated to clarify that copper roofs shall only be allowed as a roofing material in its natural state. This item was scheduled for the Board's consideration on November 12th; however it was not reviewed by the Board and therefore this item has been readvertised and rescheduled. The proposed amendment would clarify the language as follows (changes in ~~strike through~~ / underline format):

*Article 5 – Development Standards.
Division 16. Roofs*

“Section 5-1601. Roofs: general.

Except as provided for in this Division, all roofs for single-family residences, townhouses, duplexes, overnight accommodations and uses in a Special Use District shall be constructed of tile, coral rock slabs, slate or copper in its natural state and allowed to oxidize and patina.”

“Section 5-1605. Pitched roofs, material.

J. Copper in its natural state and allowed to oxidize and patina may be used as a roofing material for ~~residences~~ residential uses subject to approval of design, manner of installation, and conformity with the architectural design, style and composition of the proposed residential structure as shall be approved by the Board of Architects. An approved copper

roof must remain in its natural state as a metal, thereby prohibiting painting, coating, surface application, or any other fabrication or manufacturing process that alters its natural metallic state.

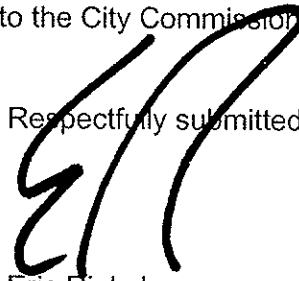
~~K. (Reserved for metal roof provisions)~~

Article 8 – Definitions.

“Copper, as a roofing material, is intended to mean copper in its natural state and allowed to oxidize and patina.”

Upon passage by the Board, this item will proceed to the City Commission for action on January 13 and February 10, 2009.

Respectfully submitted,

A large, stylized handwritten signature in black ink, appearing to read 'Eric Riel, Jr.'.

Eric Riel, Jr.
Planning Director

Attachments:

A. Proposed Ordinance.

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF CORAL GABLES AMENDING THE TEXT OF THE OFFICIAL ZONING CODE, ARTICLE 5, DIVISION 16, PROVIDING FOR CLARIFICATION OF THE PERMITTED ROOFING MATERIAL OF COPPER ROOFS, AND ARTICLE 8, PROVIDING FOR A DEFINITION OF "COPPER," PROVIDING FOR REPEAL, PROVIDING SEVERABILITY, PROVIDING FOR CODIFICATION THEREOF, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at its meeting of October 14, 2008, the City Commission requested that Zoning Code regulations allowing copper as a permitted roofing material be updated to clarify that copper roofs shall only be allowed as a roofing material in its natural state; and,

WHEREAS, after notice duly published for the November 12, 2008 Planning and Zoning Board hearing, this item was not considered by the Board, therefore was rescheduled and readvertised for the December 10, 2008 meeting; 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 clarifying that copper roofs shall only be allowed as a roofing material in its natural state, 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 January 13, 2008 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 clarifying that copper roofs shall only be allowed as a roofing material in its natural state, 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 clarifying that copper roofs shall only be allowed as a roofing material in its natural state, 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 to clarify that copper roofs shall only be allowed as a roofing material in its natural state, as follows (changes in ~~striketrough~~ / underline format):

*Article 5 – Development Standards.
Division 16. Roofs*

Section 5-1601. Roofs: general.

Except as provided for in this Division, all roofs for single-family residences, townhouses, duplexes, overnight accommodations and uses in a Special Use District shall be constructed of tile, coral rock slabs, slate or copper in its natural state and allowed to oxidize and patina.

Section 5-1605. Pitched roofs, material.

J. Copper in its natural state and allowed to oxidize and patina may be used as a roofing material for residences residential uses subject to approval of design, manner of installation, and conformity with the architectural design, style and composition of the proposed residential structure as shall be approved by the Board of Architects. An approved copper roof must remain in its natural state as a metal, thereby prohibiting painting, coating, surface application, or any other fabrication or manufacturing process that alters its natural metallic state.

K. ~~(Reserved for metal roof provisions)~~

Article 8 – Definitions.

Copper, as a roofing material, is intended to mean copper in its natural state and allowed to oxidize and patina.

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

N:\Ordinances\Zoning\12 10 08 proposed copper roofs ordinance.doc