

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 3155

AN ORDINANCE AMENDING ORDINANCE NO. 1525, AS AMENDED AND KNOWN AS "ZONING CODE", AND IN PARTICULAR ARTICLE VI - "CONDITIONAL USES," BY ADDING SEC. 6-15, "COMMERCIAL FILMING IN RESIDENTIAL DISTRICTS," ESTABLISHING CRITERIA AND LIMITING FILMING AND PHOTOGRAPHY IN RESIDENTIAL DISTRICTS; PROVIDING EFFECTIVE DATE; AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, after notice duly published a public hearing was held before the Planning and Zoning Board on July 12, at which hearing all interested persons were afforded an opportunity to be heard, and the Board recommended that a compromise be achieved on the wording of the proposed amendment to the "Zoning Code" regulating commercial filming in residential districts; and

WHEREAS, the City Commission after due consideration at its regular meeting of August 29, 1995, approved the proposed amendment on first reading, and requested certain further conditions and restrictions to be included prior to second reading;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. That Ordinance No. 1525, as amended and known as the "Zoning Code" is hereby amended as it pertains to Article VI - CONDITIONAL USES, adding Section 6-15, "COMMERCIAL FILMING IN RESIDENTIAL DISTRICTS," establishing criteria and limiting filming and photography in residential districts, as hereinafter set forth.

ARTICLE VI - CONDITIONAL USES

SECTION 6-15. COMMERCIAL PHOTOGRAPHY IN RESIDENTIAL DISTRICTS. Commercial photography, which includes still photography, commercials and major motion picture filming or video, shall be permitted as a conditional use on the premises of private residential property zoned "R," "D" or "A," subject to the following conditions and restrictions:

- (a) No commercial photography shall be conducted in residential districts without a permit from the City Manager's Office. The owner or lessee of the property upon which the photography is being conducted or a representative of the production company, with the owner's written approval, may obtain such permit.

- (b) The permit shall be available for inspection at the site on which the photography is to occur. Upon the request of any police officer or code enforcement officer of the City, the owner, lessee or representative of the production company shall exhibit such permit.
- (c) The following limitations on the number and type of permits issued annually shall be enforced:
1. Still photography shoots that are entirely contained inside the residential structure can be conducted without a permit.
 2. Large still photograph shoots that are not entirely contained within the residential structure and commercials or corporate/industrial filming recorded on video or motion picture film shall be limited to twelve (12) permits per year for the same property, with a maximum of three (3) consecutive days allowed per permit.
 3. Major motion pictures or television programs recorded on video or motion picture film shall be limited to three (3) permits per year for the same property and only one permit shall be issued during any thirty (30) day period. Each permit shall be issued for a maximum of fourteen (14) consecutive days, with a maximum of twenty-eight (28) permitted days allowed per year for the same property.
 4. Permitted days which are canceled due to circumstances beyond the control of the production company, such as bad weather days, shall extend the number of permitted days by the number so canceled, without penalty.
- (d) It is the intention of this section to protect residential areas from undue intrusions associated with commercial photography. The City Manager may approve, disapprove, or approve with appropriate conditions, any permit applied for under this section. Conditions imposed as terms under which a permit is issued may include, but are not limited to, the following:
1. Advance notification of forty-eight (48) hours in a form approved by the City Manager to adjacent neighborhood properties for large

still photography, commercial or corporate industrial filming. Advance notification of ten (10) days in a form approved by the City Manager to a homeowner or community association, or if none exists, to adjacent neighborhood properties, for major motion pictures or television program filming;

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- 2. Hiring of off-duty police officers to supervise traffic and other matters when the public right-of-way is utilized for film purposes;
 - 3. Hiring of off-duty police officers to provide security and control of shoots on private property.
 - 4. Limitations on number and location of vehicles or trailers parked on the street or swale area or adjacent or contiguous properties used in the shoot;
 - 5. Limitations on the daily hours or specific times when commercial photography is to take place when such limitations are necessary to limit disruption to the neighborhood;
 - 6. Similar conditions or limitations which are necessary to protect the neighborhood from undue intrusions.
 - 7. Compliance with the Noise Ordinance, unless otherwise conditionally approved by the City Manager.
- (f) The following fee schedule shall be in effect for commercial photography in residential districts:
- 1. Still photography shoots that are entirely contained within the residential structure shall not require a permit.
 - 2. Large still photography shoots and commercials or corporate/industrial filming recorded on video or motion picture film: Permit per site, two hundred twenty-five dollars (\$225.00).
 - 3. Major motion pictures: Permit per site per day, two hundred twenty-five dollars (\$225.00).

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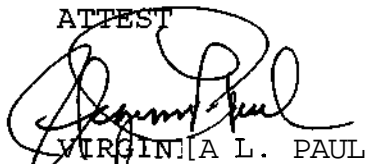
4. Future adjustments to the above fee schedule shall be made from time to time by the City Manager as appropriate, given the then current conditions.
- (g) City Code Secs. 22-188 through 22-191 shall apply for all Commercial photography on public lands or rights-of-way.
- (h) The City Manager may immediately revoke any permit for violation of any part of this section or any permit condition.
- (i) The City Manager may refuse to issue any permit applied for if there has been evidence that previous photography at the same location created a disruptive situation in the neighborhood.
- (j) The City Manager may refuse to issue any permit applied for if, on previous occasions, the commercial photography company has violated conditions or restrictions of permits issued under this section.
- (k) The City Manager may issue administrative variances to these conditions to accommodate unusual circumstances.

SECTION 3. That this ordinance shall become effective thirty (30) days from the date of its adoption.

SECTION 4. That all ordinances or parts of ordinances inconsistent or in conflict herewith shall be and they are hereby repealed insofar as there is conflict or inconsistency.

PASSED AND ADOPTED THIS SEVENTH DAY OF SEPTEMBER,
A. D., 1995.

ATTEST


VIRGINIA L. PAUL
CITY CLERK
B/K(4) (W-Absent)


RAUL J. VALDES-FAULI
MAYOR