

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2023-__

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, PROVIDING FOR TEXT AMENDMENTS TO ARTICLE 2, “ZONING DISTRICTS,” SECTION 2-201, “MIXED USE 1, 2 AND 3 (MX1, MX2 AND MX3) DISTRICTS” AND ARTICLE 3, “USES,” SECTION 3-209, “LIVE WORK MINIMUM REQUIREMENTS,” OF THE CITY OF CORAL GABLES OFFICIAL ZONING CODE TO ALLOW A REDUCTION OF STOREFRONT TRANSPARENCY ON FRONTAGES FACING SINGLE-FAMILY AND MULTI-FAMILY USES, PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Staff has prepared a Zoning Code text amendment that allows a reduction of storefront transparency for Live/Work units and a storefront windowsill facing residential; and,

WHEREAS, the City Commission held a public hearing on December 12, 2023 at which hearing all interested persons were afforded an opportunity to be heard, and the item was approved on first reading; and,

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on (month) (day), 2023, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Planning and Zoning Board was presented with the text amendments to the Official Zoning Code, and after due consideration, the Board recommended approval/denial (vote: _ to _) for the proposed the text amendment; and

WHEREAS, after notice was duly published, a public hearing for Second Reading was held before the City Commission, at which hearing all interested parties were afforded the opportunity to be heard.

NOW THEREFORE BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES THAT:

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 Official Zoning Code of the City of Coral Gables is hereby amended as follows¹.

ARTICLE 2. ZONING DISTRICTS

Section 2-201. Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts.

D. Performance Standards.

9. Architecture. Building architecture shall be as per Article 5, Architecture.

- g. Transparency. A minimum of sixty (60%) percent and a maximum of ninety (90%) percent of the ground floor shall be transparent, with a minimum of eighty-eight (88%) percent light transmission to allow maximum visibility into the interior of the ground-level space from the public right-of-way and pedestrian areas. Tinting, reflective glass, curtains, blinds, paper, merchandise or displays, or other materials that obstruct visibility into the interior of the ground level space shall not be permitted. A windowsill between eighteen (18”) and twenty-four (24”) inches in height shall be required on frontages facing ground level single-family and multi-family uses.
- h. A shopfront may occur at the street-facing edge of the building or it may be set back under or inside an arcade, courtyard, or overhang. If set back, the shopfront windows and doors shall remain publicly accessible and visible from the sidewalk edge. Facing Miracle Mile, Giralda Plaza and Ponce de Leon Boulevard, a minimum of ninety (90%) percent of the linear ground floor of each building shall be a shopfront.
- i. Minimum ground floor height shall be fifteen (15) feet to create high-quality shopfronts. The windowsill height for a fixed shopfront shall be a maximum of two (2) feet above the sidewalk elevation.

ARTICLE 3. USES

Section 3-209. Live work minimum requirements.

- A. Live work units shall not count towards density and shall satisfy all applicable building code and fire and life safety code requirements at time of completion.

¹ Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

- B. Each live work unit, including the garage (if applicable), shall be separated by walls from other live work units or other uses in the building, and shall have the ability to construct separate entrances to each use in the future.
- C. The nonresidential space of a live work unit shall be located at the ground level and accessed from a public street. It may be expanded to include the nonresidential space of an abutting live work unit if the applicant meets all applicable building codes.
- D. Changes in use to allow for nonresidential uses shall be required to pay impact and water fees, meet the applicable building codes, and the parking requirements.
- E. Operation of live work unit.
 - 1. Prior to the issuance of an ~~Occupational License~~ Certificate of Use for a nonresidential use, the applicant shall apply for a change in use permit if the unit was previously designated as a live work unit as part of a development approval.
 - 2. Deliveries for nonresidential uses in the live work unit shall be limited to the hours of 8:00 AM to 8:00 PM.
 - 3. Live work units shall not be used for storage of flammable liquids, or toxic hazardous materials which means any and all materials, substances, waste or chemicals classified under applicable governmental laws, rules or regulations as hazardous or toxic substances, materials, waste or chemicals.
 - 4. The living space and the work space shall be occupied by a common owner or tenant.
- F. Design requirements.
 - 1. Ground level frontage shall be visible to pedestrian and vehicular traffic, ~~and shall be designed as a~~ A storefront shall be designed with no less than sixty (60) percent transparency when facing non-residential properties. The Board of Architects may review and consider less ground floor transparency to a minimum of forty (40%) percent on frontages facing ground level single-family and multi-family uses.
 - 2. Site design and landscape shall encourage pedestrian access.

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 Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the “Zoning Code” of the City of Coral Gables, Florida; and that the sections of this “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

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 upon the date of its adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, A.D., 2023.
(Moved: / Seconded:)
(Yeas:)
(; Vote)

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

BILLY Y. URQUIA
CITY CLERK

CRISTINA SUAREZ
CITY ATTORNEY