

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2019-21

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 3, "DEVELOPMENT REVIEW," DIVISION 5, "PLANNED AREA DEVELOPMENT" SECTION 3-502, "STANDARDS AND CRITERIA;" ARTICLE 4, "ZONING DISTRICTS," SECTION, 4-201, "MIXED USE DISTRICT (MXD);" ARTICLE 5, "DEVELOPMENT STANDARDS," SECTION 5-604, "CORAL GABLES MEDITERRANEAN STYLE DESIGN STANDARDS," AND SECTION 5-1105, "LANDSCAPE REQUIREMENTS;" AND ARTICLE 8, "DEFINITIONS," TO CLARIFY WHAT CONSTITUTES OPEN SPACE; PROVIDING FOR A REPEALER PROVISION, PROVIDING FOR A SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at the recommendation of the City Commission, City Staff is proposing Zoning Code text amendments to the provisions for landscaped open space requirements. In particular, Staff is proposing to clarify that open space must be provided at the ground level. Proposed amendments also include a new definition for Paseo and revisions to other definitions related to open space requirements;

WHEREAS, a public hearing for First Reading was held before the City Commission on June 13, 2017, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on July 12, 2017, at which hearing all interested parties were afforded the opportunity to be heard;

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on August 9, 2017, at which hearing all interested parties were afforded the opportunity to be heard;

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on October 11, 2017, at which hearing all interested parties were afforded the opportunity to be heard;

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on November 8, 2017, at which hearing all interested parties were afforded the opportunity to be heard;

WHEREAS, the Planning and Zoning Board was presented with text

amendments to the Official Zoning Code, and after due consideration, recommended (continuance) (vote: 7 to 0) of the text amendment until further review; and

WHEREAS, the City Commission discussed the proposed text amendments regarding landscaped open space on March 26, 2019; and,

WHEREAS, a public hearing for First Reading was held before the City Commission on May 14, 2019, 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, approved the amendment on First Reading (vote: 5 - 0).

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

ARTICLE 3 – DEVELOPMENT REVIEW

Division 5. Planned Area Development

Section 3-502. Standards and criteria.

C. Minimum development standards. Any parcel of land for which a PAD is proposed must conform to the following minimum standards:

6. Landscaped open space. The minimum landscaped open space required for a PAD shall be not less than twenty (20%) percent of the PAD site. ~~Landscaped or urban open space which is located on elevated portions of the site may count toward this requirement.~~

¹ Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

ARTICLE 4 - ZONING DISTRICTS

Division 2. Overlay and Special Purpose Districts

Section 4-201. Mixed Use District (MXD).

<i>Table 1.</i>				
<i>Reference</i>	<i>Individual</i>	<i>Overlay</i>	<i>Type</i>	<i>Requirements</i>
G. Landscaping.				
1.	✓	✓	Landscape open space.	Landscape open space requirements are satisfied pursuant to the rights of way planting requirements listed in Article 5, Division 11.

ARTICLE 5 - DEVELOPMENT STANDARDS

Division 6. Design Review Standards

Section 5-604. Coral Gables Mediterranean Style Design Standards.

B. Development bonus standards.

1. Required standards. Applications shall be required to satisfy all of the requirements in Table 1, “Required Standards” in order to secure bonuses based upon the applicable residential, nonresidential and MXD district designations.

<i>Table 1. Required standards</i>					
<i>Reference</i>	<i>Residential</i>	<i>Non-</i>	<i>Mixed Use</i>	<i>Type</i>	<i>Requirements</i>
8.	✓	✓	✓	Landscape open space area.	Each property shall provide the following minimum <u>ground-level</u> landscape open area (percentage based upon total lot area): a. Five (5%) percent for nonresidential properties; b. Ten (10%) percent for mixed use properties; and c. Twenty-five (25%) percent for residential properties. The total area shall be based upon the total lot area. This landscape area can be provided at street level, within the public

Table 1. Required standards

Reference	Residential	Non-	Mixed Use	Type	Requirements
					right-of-way, elevated areas , planter boxes, planters, etc.

Division 11. Landscaping.

Section 5-1105. Landscape requirements.

C. Other properties. Properties within MF1, MF2, MFSA, MXD, CL, ~~and C and I~~ zoning districts exceeding the applicability thresholds as defined in Section 5-1102(B) shall be subject to the following:

	Type	Minimum requirements
1.	Landscape open space.	<p>a. The following zoning districts shall provide <u>ground-level</u> landscape open space as follows:</p> <ul style="list-style-type: none"> i. MF1 District. Forty (40%) percent of the total area. At least twenty (20%) percent of the required landscape open space shall be located in the front yard area. ii. MF2 and MFSA Districts. Twenty-five (25%) percent of the total area <u>of the building site shall be provided as ground-level</u> landscape open space. iii. CL District. Ten (10%) percent of the <u>total area</u> of the building site <u>shall be provided as ground-level landscape open space</u>. Such landscaped area shall not be less in width or depth than five (5) feet. iv. <u>C, I and MXD</u> Districts. Ten (10%) percent of the <u>total area</u> of the building site shall be provided <u>as ground-level landscape open space</u>. Such landscaped area shall not be less in width or depth than ten (10) feet. Plazas, courtyards, arcades and loggias paved with a pervious material may be considered open space and counted as such toward the open space requirement up to a maximum of seventy-five (75%) percent. <p>b. Townhouses as permitted in applicable districts. At least twenty-five (25%) percent of the parcel shall be maintained as landscaped or urban open space, or courtyards, elevated decks, and other amenities which are open to the sky.</p> <p>c. With the exception of Commercial District properties, the landscaped open space required by this Section shall consist of pervious landscaped area and shall not consist of any paved or otherwise impervious areas.</p> <p>d. <u>Required landscaped open space shall be provided at the ground level, shall be accessible and visible to the public, and shall integrate pedestrian features in a coordinated design with r.o.w. improvements.</u></p>

2.	Planting requirements.	<p>a. Large shade trees. A minimum of twenty-eight (28) large shade trees per acre of lot area or fraction thereof shall be located onsite.</p> <p>b. Shrubs. A minimum of two-hundred-and-twenty-four (224) shrubs per acre or fraction thereof shall be located onsite.</p>
3.	Mixed use district alley planting requirements.	<p>If vegetation can be installed within an alley, the below listed vegetation shall be installed along alleyways (rights-of-way) whenever practicable.</p> <p>a. One (1) palm or medium shade tree per thirty-five (35) feet linear feet or fraction thereof of alley abutting the property. A maximum of twenty- five (25%) percent of the total may be palm varieties.</p> <p>b. One (1) shrub per three (3) linear feet or fraction thereof of the alley abutting the property.</p> <p>The requirements provided herein and any potential conflicts shall be subject to review and approval by the Public Works Department and Public Service Department.</p>

ARTICLE 8 - DEFINITIONS

Accessory deck is that area within the first twenty (20) feet above grade, designed for the purpose of accommodating recreational activities and/or off-street parking below its surface ~~and/or usable open space on its upper level,~~ none of which may be used for living purposes.

Landscaped open space means a ground-level outdoor area, which is open and unobstructed from its lowest level to the sky, except for a roof and building overhang not in excess of five (5) feet. Arcades, corridors, parking and other service areas shall not be used in computing the landscaped open space.

Open space, public means any ground-level land or area for the use of the public, which is designed and intended for common use or enjoyment of the public which includes plazas, squares, arcades/loggias, pedestrian pass-throughs, courtyards, etc. Atriums and fully enclosed spaces are not considered public open space.

Paseo means a publicly accessible space located on the ground level that enhances pedestrian activity and provides pedestrian oriented amenities. A paseo shall not count towards landscape open space requirements unless the paseo is open to the sky.

Pedestrian pass-through means a ground-level publicly accessible area, sidewalk, paseos and/or passageway that is commonly shared or used intended to provide a through block connection for pedestrian circulation that connects or serves between two (2) or more properties between rights-of-way. A pedestrian pass-through shall not count towards landscape open space requirements unless it is open to the sky.

Plaza or square means a ground-level public open space area ~~for the gathering of the public for recreational purposes, limited public assembly and social interaction which is designed and intended for the~~ common use or and enjoyment of the public which includes pedestrian amenities.

Urban open space means an ground-level area which is open ~~from the land to the sky~~ predominantly ~~improved with and~~ paved with bricks, pavers or other similar material (not including concrete or asphalt) for pedestrian use and ~~an area where no free of~~ structures or buildings other than landscape features, fountains, benches, arcades and objects of art ~~are located~~.

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.

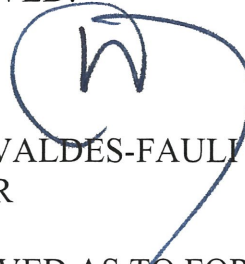
SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the “Zoning Code” of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance 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 upon the date of its passage and adoption herein, any submittals which have not received final Board of Architects approval must comply with the text amendments under this Ordinance.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF MAY, A.D., 2019.
(Moved: Lago / Seconded: Keon)
(Yeas: Lago, Mena, Fors, Keon, Valdes-Fauli)
(Majority: (5-0) Vote)
(Agenda Item: F-1)

APPROVED:

A large, stylized handwritten signature in blue ink, appearing to be 'Raul Valdes-Fauli', written over the printed name.

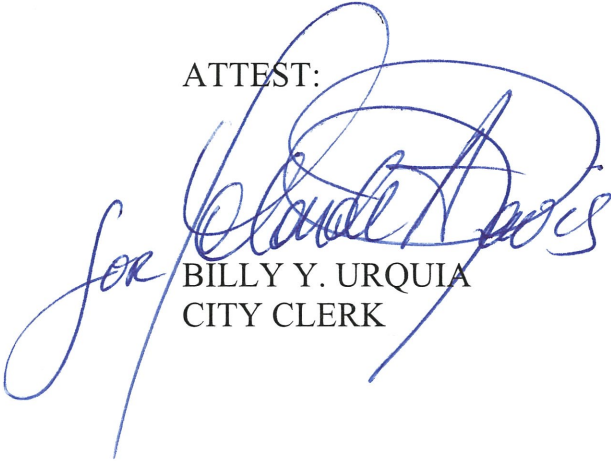
RAUL VALDES-FAULI
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to be 'Miriam Soler Ramos', written over the printed name.

MIRIAM SOLER RAMOS
CITY ATTORNEY

A large, stylized handwritten signature in blue ink, appearing to be 'Billy Y. Urquia', written over the printed name.

BILLY Y. URQUIA
CITY CLERK