

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2023-___

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 2, "ZONING DISTRICTS," SECTION 2-402, "ZAIN/FRIEDMAN MIRACLE MILE DOWNTOWN DISTRICT OVERLAY" TO STRENGTHEN THE DESIGN INTENT AND AMEND THE PROPERTY SIZE REQUIREMENTS THAT REQUIRE CONDITIONAL USE REVIEW AND APPROVAL FOR PROPERTIES FACING MIRACLE MILE; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, at the request of the City Commission, Staff has drafted a Zoning Code text amendment to require all development of properties ten-thousand (10,000) square feet or more to be reviewed and approved by the City Commission as a Conditional Use; and

WHEREAS, the Commission adopted the Downtown Overlay District via Ordinance 3527 on September 25, 2001 (later renamed as the "Zain/Friedman Miracle Mile Overlay District" via Resolution No. 2005-07), to provide standards for the continuance and enhancement of the historic Downtown area; and

WHEREAS, an objective in the district is to maintain the aesthetic, physical, historic and environmental character of Downtown Coral Gables; and

WHEREAS, Miracle Mile is an unique thoroughfare in Coral Gables and should require additional consideration in regards to design, architecture, compliance with the American with Disabilities Act (ADA), and other site planning elements; and

WHEREAS, previously the former North and South Industrial Mixed-Use Districts required Conditional Use review and approval for properties with a minimum site area of ten-thousand (10,000) square feet via Ordinance No. 2007-18 to allow the Commission to review smaller mixed-use buildings; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on November 1, 2022, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Planning and Zoning Board was presented with the proposed text amendment, and after due consideration, recommended denial (vote: 5 to 0) of the text amendment from concerns of requiring additional review processes and procedures for smaller development parcels; and

WHEREAS, the proposed text amendment was clarified that Conditional Use requests would be considered concurrently and travel together through the public review process to address the concerns expressed by the Planning & Zoning Board; and

WHEREAS, on February 14, 2023 the City Commission was presented on first reading the revised proposed text amendment; and

WHEREAS, the City Commission was presented with a final text amendment on Second reading.

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 to read as follows¹.

Article 2. Zoning Districts

Section 2-402. Zain/Friedman Miracle Mile Downtown District Overlay (DO).

A. Purpose and applicability.

1. The purpose of the Zain/Friedman Miracle Mile Downtown District Overlay (DO) is to promote the goals, objectives, and policies of the City’s Comprehensive Plan in accordance with a set of comprehensive standards to be approved within the Miracle Mile area. These standards are provided for the continuance and enhancement of the historic downtown area as the functional and symbolic center of the City.
2. The district is established in order to maintain the following objectives:
 - a. Maintain the aesthetic, physical, historic and environmental character of Downtown Coral Gables.
 - b. Provide continued protection for residential neighborhoods from incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.
 - c. Promote and encourage pedestrian activities in Downtown Coral Gables by promoting the concepts of mixed use development and pedestrian-friendly design alternatives.

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

- d. Limit building height, bulk, mass and intensity on Miracle Mile of large scale developments to promote compatibility with the existing low-rise scale of development in Downtown Coral Gables as it presently exists.
- e. Generate pride and confidence in the Downtown area.
- f. Protect property values through quality control.
- g. Promote the design of buildings compatible with the massing and scale permitted by the DO District.

3. Applicability. The District applies to the area bounded by the following streets: Douglas Road (SW 37 Avenue) on the East, LeJeune Road (SW 42 Avenue) on the West, Aragon Avenue and Merrick Way on the North, and Andalusia Avenue on the South.

Unless otherwise provided in this section, all provisions of the MX2 District affecting individual property in this district shall control use and development.

B. Regulations.

1. The building height of the development of the properties shall be limited to not more than four (4) stories or fifty (50) feet of building height, whichever is less, measured from finished floor to the tie-beam on the top floor for properties from Miracle Mile to the centerline of the alley to the north or south of Miracle Mile. Additional height or stories available from architectural incentives shall not apply on Miracle Mile.
2. A minimum of ninety (90%) percent of the lot front facing Miracle Mile, at ground level, shall be storefronts limited to retail, restaurant, art galleries, personal services, courtyards and building entries. Minimum ground floor height shall be fifteen (15) feet to create high-quality shopfronts.
3. Except for pedestrian building entrances and pedestrian courtyards there shall be a mandatory zero (0) foot setback along the Miracle Mile frontage and there shall be no side setbacks along Miracle Mile to ensure a continuous pedestrian scale façade up to the third floor, with the maximum allowable setback possible that does not impede the property owner's use of allowable FAR, above the third floor. Where possible, a ten (10) foot minimum setback above the third floor, shall be required if it does not impede the property owner's use of allowable FAR.
4. Required parking is prohibited on properties facing Miracle Mile and shall be provided remotely per Section 10-109.
5. Use of Transfer Development Rights (TDRs) as receiver sites are prohibited on properties facing Miracle Mile.
6. Alterations, expansions, renovations, and similar improvements of existing structures shall, to the extent feasible, conform to the requirements of this section and other applicable provisions of these regulations.

7. Within the DO District, abutting or adjacent property owners fronting ~~having more than two hundred (200) feet of frontage~~ on Miracle Mile, ~~and~~ containing more than ~~twenty ten-~~ thousand (~~20,000~~ 10,000) square feet of combined lot area, shall require submission to the Planning and Zoning Board for conditional use site plan review and City Commission approval pursuant to Section 14-203. The site plan shall be reviewed and considered concurrently with any other requests requiring City Commission approval. The subject properties shall be considered as if they were a single building site for all purposes under these regulations and the requirement of site plan review shall not deprive the subject property from realizing the maximum floor area permitted by this Code.
8. Where the designated site or project is subject to multiple ownership, as part of the application for site plan review, the Owners of the property may submit a Covenant in Lieu of Unity of Title in accordance with the provisions of Section 14-205.

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

MIRIAM SOLER RAMOS
CITY ATTORNEY