

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2024-10

AN ORDINANCE OF THE CITY COMMISSION GRANTING APPROVAL OF PROPOSED AMENDMENTS TO THE TEXT OF THE CITY OF CORAL GABLES COMPREHENSIVE PLAN FUTURE LAND USE ELEMENT, PURSUANT TO EXPEDITED STATE REVIEW PROCEDURES (S.163.3184, FLORIDA STATUTES) AND ZONING CODE ARTICLE 14, "PROCESS," SECTION 14-213, "COMPREHENSIVE PLAN TEXT AND MAP AMENDMENTS;" TO PROVIDE FOR ADDITIONAL BUILDING HEIGHT UP TO ONE HUNDRED AND THIRTY-SEVEN FEET AND SIX INCHES WITH PARKS INCENTIVES IF DEVELOPED PURSUANT TO THE DESIGN & INNOVATION DISTRICT REGULATIONS: AND CLARIFYING THE DESIGN & INNOVATION DISTRICT AS A TRANSFER OF DEVELOPMENT RIGHTS RECEIVING AREA; PROVIDING FOR A REPEALER PROVISION, PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission continues to value and encourage additional green space and lush landscape within the urban areas of the city; and

WHEREAS, multiple policies in the Coral Gables Comprehensive Plan state that the Zoning Code shall continue to promote development of housing that is accessible to parks, recreational areas, and open space; and

WHEREAS, the City Commission desires to allow taller buildings within the redeveloping area of the Design & Innovation District in exchange for additional open space on private property to further encourage urban parks; and

WHEREAS, the City Commission requested both the Coral Gables Comprehensive Plan and the Official Zoning Code to be amended to create a Parks Incentive program within the Design & Innovation District to allow more building height when providing additional ground floor open space that is open to the public; and

WHEREAS, the Commercial Mid-Rise Intensity and Industrial Land Use designations currently limit the height of buildings to one-hundred and twenty feet if developed pursuant to the Design & Innovation District regulations which requires the City Commission approval; and

WHEREAS, the Comprehensive Plan should be amended to provide for the additional building height with parks incentives is developed pursuant to the Design & Innovation District to incentivize beautiful streets and public spaces; and

WHEREAS, the Official Zoning Code designates the Design & Innovation District as a Transfer of Development Rights (TDRs) receiving area but the Comprehensive Plan only includes the Commercial Intensity Land Use designations as TDR receiving sites and therefore requires an update to the Industrial Land Use designation which is also included within the Design and Innovation District; and

WHEREAS, the City of Coral Gables, pursuant to Florida Statutes and the City of Coral Gables Zoning Code, has designated the Planning and Zoning Board as the Local Planning Agency; and

WHEREAS, to promote public outreach and participation in the public hearing process, the City has provided the following notice: 1) required advertising per State Statutes and Department of Economic Opportunity guidelines; 2) City webpage posting of the public hearing agendas; and 3) electronic mailing to interested parties; and

WHEREAS, the application, legal description, ordinances, mapping, legal advertising, public comments and all other supporting documentation were available for inspection and review at the City of Coral Gables Planning Department and City Clerk's office; and

WHEREAS, in advance of public hearing consideration, the City's staff analysis and recommendation are available for inspection at City of Coral Gables Planning Department and City Clerk's office and available on the City's Web page at www.coralgables.com for easy retrieval; and

WHEREAS, Comprehensive Plan Text Amendment is proposed in 'Exhibit A;' and

WHEREAS, after notice of public hearing duly published and notifications of all property owners of record within one-thousand (1,000) feet from the subject property, a public hearing was held before the Local Planning Agency (Planning and Zoning Board) of the City of Coral Gables on July 12, 2023, at which hearing all interested persons were afforded the opportunity to be heard; and

WHEREAS, at a public hearing held on July 12, 2023, the Local Planning Agency (Planning and Zoning Board) recommended denial (vote: 3 to 2), as the motion for approval did not obtain four affirmative votes to amend the Comprehensive Plan; and

WHEREAS, after notifications of all property owners of record within one-thousand (1,000) feet from the subject property, the City Commission held a public hearing on August 22, 2023 at which hearing all interested persons were afforded an opportunity to be heard, and the item was denied on first reading (vote: 3 to 2); and

WHEREAS, amendments to the Comprehensive Plan Text are subject to Expedited State Review and are required to be transmitted to the Florida Department of Commerce, South Florida Regional Planning Council and other review agencies for review prior to consideration by the City Commission on second reading; and

WHEREAS, after notifications of all property owners of record within one-thousand (1,000) feet from the subject property, a neighborhood sunshine meeting was held before City Commission and Staff of the City of Coral Gables on October 5, 2023, at which all interested persons were afforded the opportunity to be heard; and

WHEREAS, after notice was duly published and notifications of all property owners of record within one-thousand (1,000) feet from the subject property, a public hearing for Second Reading was held before the City Commission on October 24, 2023, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, after the Florida Department of Commerce did not process the adopted legislation because the amendment was not received within the 10-day timeframe, the City of Coral Gables was advised to rescind, readopt, and resubmit the Comprehensive Plan 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 ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing “**WHEREAS**” clauses are hereby ratified and confirmed as being true and correct and hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The requested amendments to the City of Coral Gables Comprehensive Plan as provided in Exhibit “A” are hereby approved.

SECTION 3. The City Commission, pursuant to First Reading approval of the Ordinance authorizes transmittal of the request, as required by State Statutes, to the Department of Economic Opportunity, South Florida Regional Planning Council and other review agencies for review prior to consideration by the City Commission on second reading.

SECTION 4. All Ordinances or parts of Ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

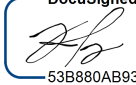
SECTION 5. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 6. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Comprehensive Plan of the City of Coral Gables, Florida, as amended.

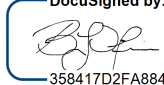
SECTION 7. This Ordinance shall become effective 31 days after the Department of Economic Opportunity determines the amendment submittal package is complete and no petition is filed by an affected party. If the Department of Economic Opportunity requests a hearing by the Division of Administrative Hearings, this Ordinance shall become effective upon the issuance of a final order by the Division of Administrative Hearings determining the amendment is in compliance.

PASSED AND ADOPTED THIS TWELFTH DAY OF MARCH, A.D., 2024.
(Moved: Anderson / Seconded: Menendez)
(Yeas: Anderson, Castro, Fernandez, Menendez, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: E-1)

APPROVED:

DocuSigned by:

53B880AB93824A5...
VINCE LAGO
MAYOR

ATTEST:

DocuSigned by:

358417D2FA884FF...
BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


DocuSigned by:

34D2D88BEA354B6...
CRISTINA M. SUÀREZ
CITY ATTORNEY

Exhibit “A”

City of Coral Gables Comprehensive Plan – Future Land Use Element¹

Goal FLU-1. Protect, strengthen, and enhance the City of Coral Gables as a vibrant community ensuring that its neighborhoods, business opportunities, shopping, employment centers, cultural activities, historic value, desirable housing, open spaces, and natural resources make the City a very desirable place to work, live and play.

Objective FLU-1.1. Preserve Coral Gables as a “placemaker” where the balance of existing and future uses is maintained to achieve a high quality living environment by encouraging compatible land uses, restoring and protecting the natural environment, and providing facilities and services which meet or exceed the minimum Level of Service (LOS) standards and meet the social and economic needs of the community through the Comprehensive Plan and Future Land Use Classifications and Map (see FLU-1: Future Land Use Map).

Policy FLU-1.1.1. The City’s Future Land Use Classifications and Map shall describe, assign, and depict the future land uses found to be in the public interest and to be the basis for regulations, programs, actions and rules of the City and other affected agencies.

Policy FLU-1.1.3. Commercial land use classifications are as follows (Land use descriptions provided herein are general descriptions, refer to underlying/assigned Zoning Classification for the list of permitted uses):

Table FLU-2. Commercial Land Uses. Commercial land use classifications are as follows (Land use descriptions provided herein are general descriptions, refer to underlying/assigned Zoning Classification for the list of permitted uses):

Commercial Mid-Rise Intensity.	This category is oriented to medium intensity pedestrian and neighborhood commercial uses, including residential, retail, services, office, and mixed use.	<p>Maximum F.A.R. of 3.0, or 3.5 with architectural incentives. Up to an additional 25% F.A.R. may be granted for properties qualifying as receiving sites for Transfer of Development Rights (TDRs).</p> <p>Residential use shall only be permitted as part of a mixed-use development as provided herein with maximum of 125 units/acre. Density shall be unlimited for properties within the Central Business District (CBD) and the Design & Innovation District.</p> <p>Within a Mediterranean Village development: 1. residential use shall be permitted, and</p>	<p>Up to 70’ maximum (no limitation on floors), or up to 97’ maximum (with a maximum 2 additional floors) with architectural incentives per the Zoning Code.</p> <p>If developed pursuant to Design & Innovation District regulations: Up to 120’ maximum (limitation of 10 floors) with architectural incentives <u>and up to 137.5’ maximum with parks incentives</u> per the Zoning Code.</p>
--------------------------------	--	--	--

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

		2. the intensity of the project shall be regulated by a maximum F.A.R. of four (4.0), and shall be controlled by an approved Mediterranean Village PAD Plan	
--	--	---	--

Policy FLU-1.1.4. Industrial land use classification is as follows (Land use descriptions provided herein are general descriptions, refer to underlying/assigned Zoning Classification for the list of permitted uses):

Table FLU-3. Industrial Land Uses.

Industrial.	This category is oriented to industrial uses, including automotive services, wholesale, light industry, manufacturing, and all uses allowed in the Commercial land use categories.	<p>Maximum F.A.R. of 3.0, or 3.5 with architectural incentives. <u>Up to an additional 25% F.A.R. may be granted for properties qualifying as receiving sites for Transfer of Development Rights (TDRs).</u></p> <p>Residential use shall only be permitted as part of a mixed-use development as provided herein. Density shall be unlimited if developed pursuant to the Design & Innovation District.</p>	<p>Up to 70' maximum (no limitation on floors), or up to 97' maximum (with a maximum 2 additional floors) with architectural incentives per the Zoning Code.</p> <p>If developed pursuant to Design & Innovation District regulations: Up to 120' maximum (limitation of 10 floors) with architectural incentives <u>and up to 137.5' maximum with parks incentives</u> per the Zoning Code.</p>
-------------	--	--	--