

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. \_\_\_\_\_**

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 10, "TRANSFER OF DEVELOPMENT RIGHTS" TO MODIFY CRITERIA FOR SENDING SITES NORTH OF NAVARRE AVENUE, AND TO ALLOW FOR COMMERCIAL ZONED PROPERTIES WITH THE "NORTH PONCE DE LEON BOULEVARD MIXED USE DISTRICT" OVERLAY TO BE RECEIVING SITES SUBJECT TO CERTAIN CRITERIA; PROVIDING FOR A REPEALER PROVISION, PROVIDING FOR A SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, City Staff has proposed a Zoning Code text amendment creating the North Ponce Mixed-Use District to shape beautiful streets and public spaces and to improve the transition from large-scale commercial and mixed-use development on Ponce de Leon Boulevard to the mid-rise Neighborhood Conservation District to the east and west;

**WHEREAS**, the proposed Overlay District has been developed through neighborhood involvement and feedback, including the North Ponce Community Visioning Workshop in June 2015 and the North Ponce Community Planning Meeting in May 2016;

**WHEREAS**, after notice was duly published, a public hearing was held before the Planning and Zoning Board on December 14, 2016, at which hearing all interested parties were afforded the opportunity to be heard;

**WHEREAS**, the Board was presented with the text amendment to the Official Zoning Code, and after due consideration, recommended approval (vote: 5-0) of the text amendment;

**WHEREAS**, a public hearing for First Reading was held before the City Commission on January 24, 2017, 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 follows<sup>1</sup>:

### **ARTICLE 3 - DEVELOPMENT REVIEW**

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#### **Division 10. Transfer of Development Rights**

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#### **Section 3-1004. Transfer/sending of TDRs and issuance of a Certificate of TDRs.**

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B. Transfer/sending of TDRs from a sending site. The Historic Preservation Officer shall have the authority to grant approval to transfer/send TDRs if all of the following are satisfied:

1. The sending site has been designated as a local historic landmark or a contributing property within a local historic district pursuant to Article 3, Division 11.
2. The sending site is (i) located within the boundaries of the CBD and designated commercial zoning or (ii) located north of Navarre Avenue, east of LeJeune Road, west of Douglas Road, and south of SW 8th Street, and is zoned Commercial or MF2, and is developed with one of the following MF2 permitted land uses: duplex dwelling, multi-family dwelling, or bed and breakfast establishment.

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#### **Section 3-1005. Use of TDRs on receiver sites.**

A. Use of TDRs on receiver sites. The receiving sites shall be (i) located within the boundaries of the CBD and designated Commercial zoning, or (ii) located within the boundaries of the North Ponce de Leon Boulevard Mixed Use District and designated Commercial zoning.

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**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.

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<sup>1</sup> Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

**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 \_\_\_\_\_, 2017.

PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D. 2017.

APPROVED:

RAUL VALDES-FAULI  
MAYOR

ATTEST:

WALTER FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN  
CITY ATTORNEY