



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
Application: **Zoning Code Text Amendments – Central Business District (CBD)
Open Space Incentive Program**
Public Hearing: Planning and Zoning Board
Date & Time: **November 8, 2023; 6:00 – 9:00 p.m.**
Location: City Commission Chambers, City Hall,
405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," to create an open space incentive program within the Central Business District (CBD) to incentivize additional landscaped open space by allowing a maximum building height of one hundred and twenty-four feet, providing for repealer provision, severability clause, codification, and providing for an effective date.

The request requires three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

2. BACKGROUND INFORMATION

The City values and prioritizes open spaces and lush landscape within urban areas of Coral Gables. Open spaces at the street level enhance pedestrian experiences, promote walkability, and improve the vitality of downtown. The City seeks to incentivize the development of more landscape open spaces and encourage walkability in the Central Business District (CBD).

At the request of a Commissioner, Staff has prepared a Zoning Code text amendment to create an open space incentive program within the Central Business District (CBD) of Coral Gables. The CBD is the area bounded by Navarre St to the north, Douglas Rd to the east, Almeria St to the south, and Le Jeune Rd to the west. As proposed, the City Commission would review the proposed additional landscaped open space on a MX2 zoned property and consider granting additional building height to a maximum of 124 feet in exchange for additional ground floor publicly accessible landscaped open space on private property.

Section 2-401 of the Zoning Code provides that all provisions of the Mixed-Use districts affecting individual properties in the CBD control use and development. Regulations for Mixed-Use districts currently limit the height of buildings to 97 feet. The maximum building height is both in the Comprehensive Plan and the Zoning Code. The current height limitation and parking requirements limit the amount of ground floor open space can be provided.

Thus, the Commission desires to incentivize open space to be available to the public and provide immediate public benefit in exchange for additional maximum building height. The information below summarizes the proposed text

amendment:

1. *Limited to MX2 zoning within the Central Business District (CBD)*
2. *Incentivize additional 5% increments of landscaped open space at the ground level for a maximum height of 124'-0"*
3. *Prohibited within 200' of Single-Family Residential (SFR) zoning*
4. *Limited to share a property line with only MX2 or MX3 zoning*
5. *Prohibited on Miracle Mile within the Zain/Friedman Downtown Overlay District, Giralda Plaza Overlay District, and other overlay districts*
6. *Require Mediterranean Style Bonus*
7. *20% maximum hardscape within the landscaped open space (e.g. pathways, fountains, plazas)*
8. *Additional height to be located along the alley, when present*
9. *Landscaped rooftop and only maximum of 25% enclosed with 10-foot setback and density of proposed building 100 units per acre maximum*

Background

This program proposes solutions that address the feedback received from similar legislation that was recently reviewed by the Planning and Zoning Board and interested community members. At the July 12, 2023 Planning & Zoning Board meeting, the similar proposed text amendment was discussed amongst the Board members. Some board members expressed concerns regarding what part of the City the proposed zoning district would be implemented, and even suggested that it may only be appropriate within the Central Business District (CBD). The Board agreed that additional height should not be allowed near single-family residences and should only occur between MX2 and MX3 zoning, as the maximum height is between the heights of those mixed-use zoning districts. The draft Ordinance was revised after the Planning & Zoning Board to address the concerns raised by the community and the Board, as exhibited above.

The City Commission discussed the proposed legislation on October 10, 2023. Insightful feedback was given and incorporated into the proposed legislation, including the requirement of Mediterranean Style Bonus and expanding the distance from single-family zoning.

Thereafter, a community informational meeting was held on October 23, 2023, to discuss the revised legislation of lowering the maximum height; requiring Mediterranean Style Bonus; and expanding the distance from single-family. Community members expressed concerns about the minimal amount of open space required for the additional height, and requested another community meeting. As such, the legislation was revised to require more landscaped open space with the same maximum height, and another community information meeting was scheduled for November 29, 2023.

The proposed legislation has since included the removal of outdoor seating and clarifying that the park may be conveyed to the City of Coral Gables.

Therefore, Planning Staff has drafted a Zoning Code text amendment that incorporates all the feedback gathered to date that incentivizes lush landscaped open spaces by providing for additional building height of up to 124 feet.

3. PROPOSED COMPREHENSIVE PLAN AND ZONING CODE TEXT AMENDMENTS

The proposed Zoning Code text amendments are provided below in ~~strikethrough~~/underline format.

Article 2. Zoning Districts

Section 2-400. District Overlays.

Section 2-401. Central Business District (CBD).

A. Purpose and applicability

1. The purpose of the Central Business District is intended 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 CBD. These standards are provided for the continuance and enhancement of the downtown as the functional and symbolic center of the City.
2. The district is established in order to maintain the aesthetic and urban character of Downtown Coral Gables, to promote pedestrian activities through appropriate densities of mixed uses as per Section 2-201.D.2, and to protect property values through quality control.
3. Applicability. The District applies to the area bounded by Navarre Street on the north, Douglas Road on the east, and Almeria St. on the south, and Lejeune Road on the west. Unless otherwise provided in this Code, all provisions of the MX districts affecting individual property in this district shall control use and development.

B. Regulations

1. There shall be no density limitation in the CBD.

C. Central Business District Open Space Incentive Program

The Central Business District Open Space Incentive Program incentivizes additional landscaped open space that is publicly-accessible by allowing for additional building height. The Open Space incentive is limited to MX2-zoned parcels within the Central Business District (CBD), and shall not apply to properties facing Miracle Mile within the Miracle Mile Zain/Friedman Downtown Overlay District, the Giralda Plaza Overlay District, or other overlay districts within the Central Business District.

Each additional five (5%) percent of landscaped open space provided as on-site publicly accessible landscaped open space may allow an additional thirteen feet and six inches (13.5) of building height to be granted by the City Commission, subject to the following standards:

1. The construction and maintenance of the landscaped open space shall be owned privately and reserved for perpetual public use. Alternatively, ownership of the built and completed park may be conveyed to the City of Coral Gables.
2. The landscaped open space shall be publicly accessible, contiguous, and in a prominent location at the ground level. A minimum of fifty (50%) percent of the landscaped open space shall provide shade with tree canopy and a maximum of twenty (20%) of the landscaped open space may contain hardscape materials.
3. The landscaped open space design shall be subject to site plan review and incorporate pedestrian amenities such as benches, pathways, and other park features.
4. The maximum width-to-depth ratio of the landscaped open space shall be 1:3, with the wider side on the street.

5. The landscaped open space shall be consistent with the Parks and Recreation Goals, Objectives, and Policies of the Comprehensive Plan.
6. Both sides of all abutting rights-of-way shall be improved to encourage pedestrian accessibility. Additional streetscape enhancements may be required per the site plan review and approval by the City Commission to encourage pedestrian accessibility to the landscaped open space (e.g. street trees, crosswalks, undergrounding of overhead utilities, drainage improvements, and other enhancements).
7. Additional public benefits may be required to lessen the potential impact within the CBD as a result of the additional height and development, upon the City Commission approval.
8. The maximum building height shall not exceed one-hundred and twenty-four feet (124). The maximum building height shall be located at the rear property line when an alley is present and no rear setback is required.
9. The building site shall not share a property line with any zoning district except MX2 or MX3 properties and shall be no closer than two-hundred (200) feet of adjacent, abutting, or contiguous SFR properties with single-family residences.
10. Section 5-202 Coral Gables Mediterranean Architecture is mandatory with the CBD Landscaped Open Space Incentive program.
11. A landscaped rooftop shall be provided to further the intent of additional landscape within the Central Business District (CBD). An enclosed rooftop space of a maximum height of thirteen feet and six inches (13.5) that is used solely as a building amenity may be allowed with an additional ten (10) foot setback and a combined area not exceeding twenty-five (25%) percent of the total rooftop floor area. The overall building density shall be limited to one hundred (100) units per acre.

4. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline. The submitted application has undergone the following City meeting to solicit input and reviews:

MEETINGS, REVIEW COMMITTEES, AND BOARDS	DATE
City Commission Discussion and Feedback	10.10.23
Neighborhood Information Meeting #1	10.23.23
Planning and Zoning Board	11.08.23
Neighborhood Information Meeting #2	11.29.23
City Commission – First Reading	TBD
City Commission – Second Reading	TBD

The following has been completed to provide notice of the Application:

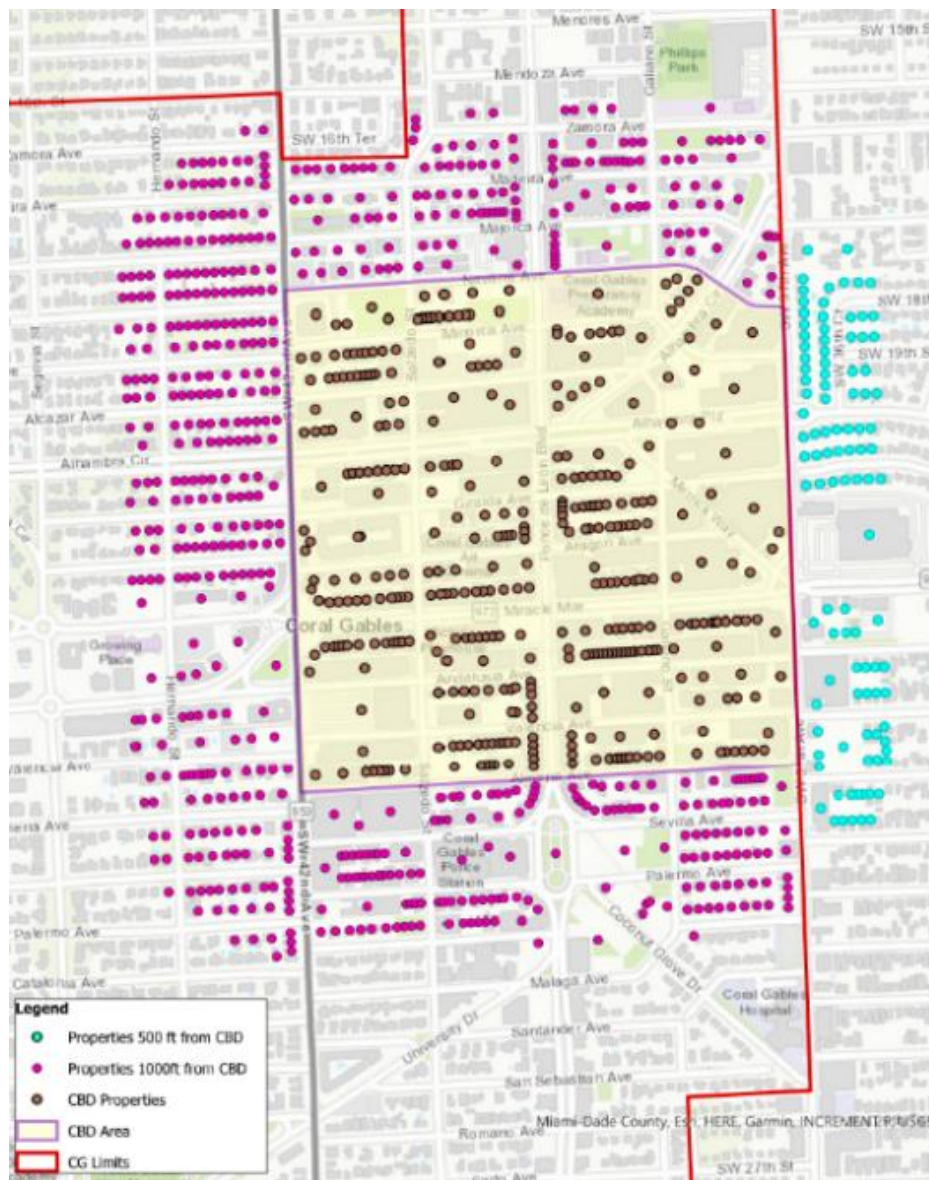
PUBLIC NOTICE	DATE
Mailed Notification for Community Information Meeting	10.18.23
Mailed Notification for PZB	10.26.23
Legal Advertisement	10.27.23
Posted agenda and Staff report on City web page/City Hall	11.03.23

Public Notification and Comments

The City of Coral Gables (the “Applicant”) held a neighborhood meeting on October 23rd, 2023 with notification to all properties within 1,000 feet of the property. A copy of the mailed notice is on file with the Planning Division.

Article 15, “Notices,” Section 15-100 of the Zoning Code requires notification be provided to all property owners within 1,000 feet of the property. The notification was sent on October 26th, 2023. The notice indicates the following: applications filed; public hearing dates/time/location; where the application files can be reviewed; and provides for an opportunity to submit comments. There were approximately 2,500 notices mailed out. A copy of the legal advertisement and notice are provided as Attachment C. A map of the notice radius is provided below.

Notification Radius Map



5. FINDINGS OF FACT

In accordance with Section 14-212.5 of the Zoning Code, the Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to these land Zoning Code unless the text amendment:

Standard	Staff Evaluation
1. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to encourage the development of additional open space and lush landscaping within the Central Business District. This incentive directly promotes the public health, safety, and welfare of residents. Landscaped open spaces provide opportunities for physical activity, mental health, placemaking, social cohesion, and air quality. Studies have substantiated that open spaces foster walkability and bikeability, reduce stress and cortisol levels, lower depression and rates. Additionally, green spaces with ample lighting, visibility and planting design improve perceptions of safety. Therefore, open spaces, such as parks, benefit the wellbeing of residents and can enhance the aesthetic, physical, and environmental character of the Central Business District.
2. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed amendment does not affect the mix of uses permitted in the Comprehensive Plan.
3. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.	The proposed text amendment allows the additional height within the Central Business District if utilizing the open space incentive described above. The maximum Floor Area Ratio (FAR) would still apply and are not affected by the proposed text amendment.
4. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Plan.	The proposed text amendment will not affect the level of service for public infrastructure. Each proposed development will be reviewed by Staff to meet the concurrency requirements.
5. Does not directly conflict with any objective or policy of the Comprehensive Plan.	The proposed amendment does not directly conflict with any goal, objective or policy of the Comprehensive Plan. The proposed amendment meets Goal FLU-1., Policy DES-1.1.5., Policy DES-1.2.1., Policy COM-6.1.1., Policy HOU-1.5.6., Policy REC-1.1.1., Goal REC-1., Objective REC-1.3., and Objective REC-1.4.

Staff comments: Staff finds that all five of these criteria are satisfied.

Consistency Evaluation of the Comprehensive Plan (CP) Goals, Objectives and Policies

The Planning and Zoning Division has reviewed the CP and finds the following CP Goals, Objectives and Policies are applicable. Consistent CP Goals & Objectives and Policies are as follows:

Ref. No.	CP Goal, Objective and Policy	Basis for Consistency
1.	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.	Complies
2.	Policy DES-1.1.5. Promote the development of property that achieves unified civic design and proper relationship between the uses of land both within zoning districts and surrounding districts, by regulating, limiting and determining the location, height, density, bulk and massing, access to light and air, area of yards, open space, vegetation and use of buildings, signs and other structures.	Complies
3.	Policy DES-1.2.1. Continue the award of development bonuses and/or other incentives to promote Coral Gables Mediterranean design character providing for but not limited to the following: creative use of architecture to promote public realm improvements and pedestrian amenities; provide a visual linkage between contemporary architecture and the existing and new architectural fabric; encourage landmark opportunities; and creation of public open spaces.	Complies
4.	Policy COM-6.1.1. Encourage improved groundwater recharge by requiring all new construction projects to consider providing: <ul style="list-style-type: none"> • Greater pervious open and green space. • Pervious pavements. • French drains, slabcovered trenches or drainage wells, and limit overflows. • Allow direct overland flow discharge to surface waters (canals or bay) only when no other practical or effective method of storm water discharge is possible. • Allow positive drainage discharges to surface waters only when other methods are impractical or impossible, and only when adequate pollution control (grit and grease) is provided. 	Complies
5.	Policy HOU-1.5.6. The City's Zoning Code shall continue to promote/permit development of housing alternatives specially designed for the elderly, including but not limited to adult care living facilities. Sites for housing for the elderly shall be approved if such sites have access to the following facilities, services and/or activity centers:	Complies
	<ul style="list-style-type: none"> • Accessible to public transit. • Close proximity or readily accessible to employment centers, medical services, retail centers, social services, and/or governmental services. • Accessible to public parks, recreation areas, and/or open space systems. 	

Ref. No.	CP Goal, Objective and Policy	Basis for Consistency
6.	Goal REC-1. The City of Coral Gables recreation system will serve the residents with neighborhood parks and open spaces that offer both passive and active recreation activities and facilities; that are linked together with a network of sidewalks, pathways and bike lanes; and provide public/open spaces that serve as gathering places in the downtown area.	Complies
7.	Policy REC-1.1.1. Maintain the existing level of services (LOS) provided by recreation programs and activities to meet the continuing needs of all residents. The minimum acceptable LOS standards for recreation and open space facilities will be measured by the following radius standards.	Complies
8.	Objective REC-1.3. The City shall continue to maintain a high standard of aesthetic quality and improve the appearance of municipal recreation areas and public open spaces.	Complies
9.	Objective REC-1.4. Promote convenient public and private recreation and open space resources and opportunities for the optimum use of residents by providing facilities within a 10 minute walk for every resident within the City.	Complies

The proposed text amendment to Section 2-401. “Central Business District Overlay” provides an incentive for developers to deliver additional ground floor open spaces in exchange for a greater building height of a maximum of 124 feet within the Central Business District. The proposed granted authority to incentivize more open, green spaces as amenities to developments fulfills the goals, objectives, and policies of the Coral Gables Comprehensive Plan, such as Goal FLU-1., Policy DES-1.1.5., Policy DES-1.2.1., Policy COM-6.1.1., Policy HOU-1.5.6., Goal REC-1., Policy REC-1.1.1., Objective REC-1.3., and Objective REC-1.4. In particular, Goal FLU-1. will be met since open spaces enhance the variety of uses that exist in the Central Business District and will foster social, physical, environmental, and aesthetic benefits to residents living in the area.

6. STAFF RECOMMENDATION

The Planning and Zoning Division recommends **approval**.

7. ATTACHMENTS

- A. Legal Ad and Mailed Public Notice.

Please visit the City’s webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,



Jennifer Garcia, AICP, CNU-A
 City Planner
 City of Coral Gables, Florida

MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, of Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

CITY OF CORAL GABLES - PUBLIC HEARING - LOCAL PLANNING AGENCY / PLANNING AND ZONING BOARD - NOV . 8, 2023

in the XXXX Court, was published in a newspaper by print in the issues of Miami Daily Business Review f/k/a Miami Review on

10/27/2023

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

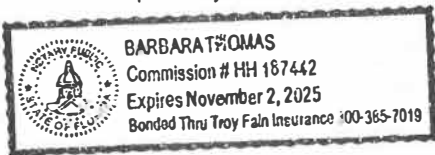
Guillermo Garcia

Sworn to and subscribed before me this 27 day of OCTOBER, A.D. 2023

Barbara Thomas

(SEAL)

GUILLERMO GARCIA personally known to me



CITY OF CORAL GABLES, FLORIDA
NOTICE OF PUBLIC HEARING
HYBRID MEETING ON ZOOM PLATFORM

City Public Hearing Dates/Times Local Planning Agency / Planning and Zoning Board
Wednesday, November 8, 2023, 6:00 p.m.

Location City Commission Chamber, City Hall
405 Biltmore Way, Coral Gables, FL 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/ Planning and Zoning Board (PZB) will conduct Public Hearing on the following:

1. An Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," to create carbon concrete requirements, a review procedure, and an appeal process that reduce greenhouse gas emissions, providing for repealer provision, severability clause, codification, and providing for an effective date.
2. A Resolution of the City Commission of Coral Gables, Florida approving Conditional Use Review of a Site Plan pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Publix grocery store and liquor store on the property legally described as Lots 1 through 48, Block 8, Coral Gables Crafts Section (2551 Le Jeune Rd), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.
3. An Ordinance of the City Commission of Coral Gables, Florida approving a Planned Area Development (PAD) pursuant to Zoning Code Article 14, "Process," Section 14-206, "General Procedures for Planned Area Development" for a proposed Publix grocery store and liquor store on the property legally described as Lots 1 through 48, Block 8, Coral Gables Crafts Section (2551 Le Jeune Rd), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.
4. An Ordinance of the City Commission of Coral Gables, Florida, amending St. Philip's School site plan approved under Ordinance No. 3576 to replace an existing building with a new pre-K building located at 1109 Andalusia Avenue, Coral Gables, Florida; all other conditions of approval contained in Ordinance No. 3576 shall remain in effect; and providing an effective date.

CITY OF CORAL GABLES.

5. An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," to create an open space incentive program within the Central Business District (CBD) to incentivize additional landscaped open space by allowing a maximum building height of one hundred and twenty-four feet, providing for repealer provision, severability clause, codification, and providing for an effective date.

Presentation by Staff of Live Local Act.

6. An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code (Zoning Code), amending Article 10, "Parking and Access," Section 10-112 "Miscellaneous Parking Standards," creating provisions for considering reduction of parking requirements for affordable housing located near a major transit stop as required by the Live Local Act, Ch. 2023-17, Laws of Florida; providing for repealer provision, severability clause, codification, and providing for an effective date.


The Planning and Zoning Board will be holding its board meeting on Wednesday, November 8, 2023, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. However, the City Commission has established the ability for the public to virtually provide sworn testimony or public comments (non-sworn and without evidentiary value). Any individual who wishes to provide sworn testimony virtually must have their video on and must be sworn in.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/83788709513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (<https://coralgables.granicusideas.com/meetings>) once the meeting's agenda is published, or by sending an email to planning@coralgables.com prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cctv) as well as Channel 77 on Comcast.

Sincerely,
City of Coral Gables, Florida
10/27

23-65/0000691280M

	<h2>City of Coral Gables Notice of Public Hearing</h2>	
Applicant:	City of Coral Gables	
Application:	Zoning Code Text Amendment: Central Business District (CBD) Open Space Incentive program	
Property:	All properties within the Central Business District (CBD)	
Public Hearing - Date/Time/ Location:	Planning & Zoning Board Wednesday, November 8, 2023, 6:00 p.m. City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida, 33134 e-comments: www.CoralGables.GranicusIdeas.com/meetings	

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Planning & Zoning Board (Local Planning Agency) will conduct a Public Hearing on **Wednesday, November 8, 2023**, for text amendments to the Coral Gables Zoning Code to incentivize additional open space within the Central Business District (CBD) of Coral Gables, bounded by Navarre Avenue, Douglas Road, Almeria Avenue, and Le Jeune Road. The Commission desires to incorporate additional open space adjacent to future development to beautify the area and enhance the pedestrian experience. Below summarizes the proposed open space incentive program:

1. Limit to MX2 zoning within the Central Business District (CBD)
2. Incentivize additional landscaped open space of 5% increments to allow a building height of 124'
3. Prohibit within 200' of Single-Family Residential (SFR) zoning
4. Limit to share a property line with only MX2 or MX3 zoning
5. Prohibit to face Miracle Mile Zain/Friedman Downtown Overlay District
6. Require to meet the Coral Gables Mediterranean Style bonus Levels 1 and 2
7. Limit hardscape materials (pavers, paths, plazas) to 20% maximum within the landscaped open space; and
8. Require a landscaped rooftop with a maximum of 25% enclosed with 10-foot stepback and density of proposed building 100 units per acre maximum

The request requires three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission. The below will be considered by the Planning and Zoning Board:

An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," to create an open space incentive program within the Central Business District (CBD) to incentivize additional landscaped open space by allowing a maximum building height of one hundred and twenty-four feet, providing for repealer provision, severability clause, codification, and providing for an effective date.

Additional information may be found at www.coralgables.com. Please forward to other interested parties.

The meeting will also be via Zoom at www.zoom.us/j/83788709513. A dedicated phone line will also be available by dialing: (305) 461-6769, Meeting ID: 837 8870 9513.

The public may also comment on an item on the agenda by sending an email to planning@coralgables.com prior to the day before the scheduled meeting.

Sincerely,

City of Coral Gables, Florida