



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
Application: **Zoning Code Text Amendment – Landscaped Open Spaces**
Public Hearing: Planning and Zoning Board
Date & Time: **July 12, 2017; 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, by amending 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 increase the requirements for landscaped open space and clarify what constitutes open space; providing for a repealer provision, providing for a severability clause, codification, and providing for an effective date.

2. BACKGROUND INFORMATION

At the recommendation of the City Commission, Staff has prepared Zoning Code text amendments to the provisions for Landscape Open Space. The proposed changes increase the amount of required landscaped open space and make it a requirement that the landscaped open space be provided at the ground level promoting a pedestrian friendly environment. The amendments include adding a definition of paseo and amending other definitions related to open space requirements to encourage additional green space.

A draft Ordinance with the proposed Zoning Code Text Amendments is provided as Exhibit A. A PowerPoint Presentation has also been prepared by Staff and is included as Exhibit B.

3. PROPOSED ZONING CODE TEXT AMENDMENT

The proposed Zoning Code text amendment is provided below in ~~striketrough~~/underline format.

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 building(s)</i>	<i>Overlay District</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 Number</i>	<i>Residential</i>	<i>Non-Residential</i>	<i>Mixed Use</i>	<i>Type</i>	<i>Requirements</i>

Table 1. Required standards

Reference Number	Residential	Non-Residential	Mixed Use	Type	Requirements
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 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.	a. The following zoning districts shall provide <u>ground-level</u> landscape open space as follows: 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 <u>Fifteen (105%)</u> 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 <u>Fifteen (105%)</u> 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

		<p>such toward the open space requirement up to a maximum of seventy five <u>fifty</u> (75<u>0</u>%) percent.</p> <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.~~

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.

4. FINDINGS OF FACT

In accordance with Section 3-1405 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:

- A. Promotes the public health, safety, and welfare.
- B. Does not permit uses the Comprehensive Plan prohibits in the area affected by the district boundary change or text amendment.
- C. 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.
- D. 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 the minimum requirements of the Comprehensive Plan.
- E. Does not directly conflict with an objective or policy of the Comprehensive Plan.

Staff finds that all five of these criteria are **satisfied**.

5. COMPREHENSIVE PLAN CONSISTENCY

In accordance with Section 3-1407 of the Zoning Code, the Planning and Zoning Board shall determine whether the Zoning Code text amendment is consistent with the Comprehensive Plan. Staff finds that the proposed text amendment **is consistent** with the Comprehensive Plan.

6. PUBLIC NOTIFICATION

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

Type	Date
Legal advertisement	06.29.17
Posted agenda on City web page/City Hall	07.07.17
Posted Staff report on City web page	07.07.17

7. STAFF RECOMMENDATION


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

8. ATTACHMENTS

- A. Draft Ordinance.
- B. 06.29.17 Legal advertisement published.

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,

A handwritten signature in black ink, appearing to read "R. Trias", with a stylized flourish at the end.

Ramon Trias
Director of Planning and Zoning
City of Coral Gables, Florida

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 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 INCREASE THE REQUIREMENTS FOR LANDSCAPED OPEN SPACE AND 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 an increase in the amount of required landscaped open space and clarifying that it 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, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, (approved/denied) the amendment on First Reading (vote: __-__).

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:

¹ Deletions are indicated by ~~striketrough~~. 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 building(s)</i>	<i>Overlay District</i>	<i>Type</i>	<i>Requirements</i>
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1.	✓	✓	Landscape open space.	Landscape open space requirements are satisfied pursuant to the rights of way planting requirements listed in Article 5, Division 11.

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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.

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

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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 landscape open space.</u> iii. CL District. Ten <u>Fifteen (105%)</u> 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 <u>Fifteen (105%)</u> 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 <u>fifty (750%)</u> 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</u></p>

		<u>features in a coordinated design with r.o.w. improvements.</u>
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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.

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

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

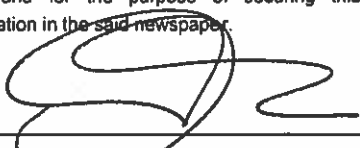
Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

NOTICE OF PUBLIC HEARING
CITY OF CORAL GABLES - LOCAL PLANNING
AGENCY/PLANNING AND ZONING BOARD - JULY 12, 2017

in the XXXX Court,
was published in said newspaper in the issues of

06/29/2017

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

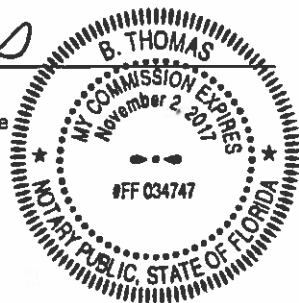


Sworn to and subscribed before me this
29 day of JUNE, A.D. 2017

B. Thomas

(SEAL)

MARIA MESA personally known to me



**CITY OF CORAL GABLES, FLORIDA
NOTICE OF PUBLIC HEARING**

City Public Hearing
Dates/Times

Local Planning Agency / Planning and
Zoning Board Wednesday, July 12, 2017,
8:00 - 9:00 p.m.

Location

City Commission Chambers, City Hall, 405
Biltmore Way, Coral Gables, Florida, 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 Hearings on the following:

1. An Ordinance of the City Commission of Coral Gables requesting vacation of a public alleyway pursuant to Zoning Code Article 3, Division 12, "Abandonment and Vacations" and City Code Chapter 62, Article 8, "Vacation, Abandonment and Closure of Streets, Easements and Alleys by Private Owners and the City; Application Process," providing for the vacation of the twenty (20) foot wide alley which is three-hundred (300) feet in length lying between Tracts A and B, Block 199, Riviera Section Part 14, Coral Gables, Florida; providing for an effective date.
2. 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 4, "Zoning Districts," Division 3, "Nonresidential Districts," Section 4-301, "Commercial Limited District" requiring conditional use review for medical clinics located within a Commercial Limited zoning district; providing for repealer provision, severability clause, codification, and providing for an effective date.
3. 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 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 increase the requirements for landscaped open space and clarify what constitutes open space; providing for a repealer provision, providing for a severability clause, codification, and providing for an effective date.

All interested parties are invited to attend and participate. Upon recommendation by the Board, the applications will be scheduled for City Commission consideration. Please visit the City webpage at www.coralgables.com to view information concerning the applications. The complete applications are on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134. Questions and written comments can be directed to the Planning and Zoning Division at planning@coralgables.com (FAX: 305.460.5327) or 305.460.5211.

Ramon Trias
Director of Planning and Zoning
Planning & Zoning Division
City of Coral Gables, Florida

Any person, who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2008-11, as amended, must register with the City Clerk prior to engaging in lobbying activities before City Staff, Boards, Committees or City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall. If a person decides to appeal any decision made by a Board, Committee or City Commission with respect to any matter considered at a meeting or hearing, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Any meeting may be opened and continued and, under certain circumstances, additional legal notice will not be provided. Any person requiring special accommodations in order to attend or participate in the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta (Email: relejabarrieta@coralgables.com), Telephone: 305-722-8686, TTY/TDD: 305-442-1600, at least three (3) working days prior to the meeting. All meetings are telecast live on Coral Gables TV Channel 77.

17-78/D000237107M

8/29