



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables

Application: **Comprehensive Plan and Zoning Code Text Amendments – Park Incentive Program**

Public Hearing: Planning and Zoning Board

Date & Time: July 12, 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:

1. *An Ordinance of the City Commission of Coral Gables, Florida 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.*
2. *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 incentive program within the Design & Innovation District to allow a maximum building height of one hundred and thirty-seven feet and six inches when providing a park open to the public, providing for repealer provision, severability clause, codification, and providing for an effective date.*

The requests require 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 green spaces and lush landscape within urban areas of Coral Gables. The City’s Comprehensive Plan encourages housing to be accessible to parks, recreational areas, and open spaces. To incentivize the development of more urban parks in Coral Gables, the City Commission will allow taller buildings to be built in the Design and Innovation District in return for additional open spaces on private property.

As requested by the Commission, Planning Staff has prepared a Zoning Code text amendment to create a parks incentive program within the Design & Innovation District. The District is the area surrounding the

Shops of Merrick Park, bounded by Bird Road, SW 39th Avenue, Ruiz Avenue/Ponce de Leon Boulevard, and Le Jeune Road.

Regulations for the Design & Innovation District currently limit the height of buildings to 97 feet, or 120 feet with City Commission approval. This maximum building height is both in the Comprehensive Plan and the Zoning Code. This current height limitation and parking requirements limit the amount of ground floor open space can be provided. Therefore, the Commission desires to allow additional maximum building height to incentivize park space to be available to the public.

Furthermore, the Zoning Code designates the Design & Innovation District as a Transfer of Development Rights (TDRs) receiving site. However, the Comprehensive Plan only includes the Commercial Intensity Land Use designations as TDR receiving sites. As such, an update to the Industrial Land Use Designation is necessary to reflect this.

Therefore, Planning Staff has drafted Comprehensive Plan and Zoning Code text amendments to provide for additional building height of up to one hundred and thirty-seven feet and 6 inches (137.5 feet) with parks incentives to create more beautiful streets and open public spaces. Additionally, a separate text amendment to the Comprehensive Plan to update the Industrial Land Use Designation to allow as TDR receiving sites to be consistent with the Zoning Code provisions.

3. PROPOSED COMPREHENSIVE PLAN AND ZONING CODE TEXT AMENDMENTS

The proposed Comprehensive Plan and Zoning Code text amendments are provided in Attachments A and B in ~~strikethrough~~/underline format.

4. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline

The submitted applications have undergone the following City reviews:

REVIEW COMMITTEES AND BOARDS	DATE
Planning and Zoning Board	07.12.23
City Commission – 1 st and 2 nd Readings	TBD

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

PUBLIC NOTICE	DATE
Legal advertisement	06.30.23
Posted agenda and Staff report on City web page/City Hall	07.07.23

5. FINDINGS OF FACT

Comprehensive Plan Text Amendment

Zoning Code Section 14-213.7 provides review standards for Comprehensive Plan amendments:

Standard	Staff Evaluation
1. Whether it specifically advances any objective or policy of the Comprehensive Land Use Plan.	<p>The proposed text amendment to incentivize park space next to significant development advances multiple goals, objectives and policies of the Comprehensive Plan to encourage more available park space, 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. Developing additional open spaces in urban areas of the City offers residents opportunities for social, recreational, and physical activities. The incentive is also a strategy to beautify urban areas within the City that may lack pockets of lush vegetation and/or open spaces.</p> <p>Additionally, the expansion of the TDR receiving sites specifically advances Policy HIS-5.1.2 that promote historic and cultural preservation by expanding or creating other TDR districts.</p>
2. Whether it is internally consistent with the Comprehensive Land Use Plan.	<p>Incentivizing available park space is consistent with the Comprehensive Plan to enhance the variety of uses that exist and are planned within the Design & Innovation District. Additional open spaces will improve the aesthetic and environmental quality of urban areas by balancing the built and natural environment, which fulfills sustainability goals and constitutes for an appealing urban fabric.</p> <p>Additionally, the expansion of the TDR receiving sites within the Industrial Land Use Designation is internally consistent with the other land use designations in the Design & Innovation District.</p>
3. Its effect on the level of service of public infrastructure.	<p>The proposed text amendment to incentivize park space does not increase the development impact and effect on the level of service of public infrastructure.</p> <p>Additionally, the proposed TDR expansion is within an urbanized and developed area of the City. Any utilization of TDRs will be reviewed to the proposed building's effect on the level of service.</p>
4. Its effect on environmental resources.	<p>The proposed text amendment to allow additional height in exchange for open space has no negative effect on environmental resources and may increase the availability to natural environments. Planting and increasing tree canopy may help mitigate heat island effects of urban areas within the City. Shade can make outside surroundings a more comfortable place to walk and sit. Furthermore, open spaces with permeable surfaces may decrease stormwater runoff, which can improve water and air quality, conserve water, support the natural function and process of water, and reduce erosion. Open spaces, such as parks, also allow natural habitats like birds, butterflies, plants, and other wildlife a place to breed, grow, rest, and eat. All in all, additional open spaces contribute to the sustainability and resilience of the City. Additionally, the expansion of the TDR program to the Industrial Land Use designation promotes historic preservation which allows conservation of existing buildings and reduce the need for new construction which potentially effects the environment.</p>
5. Its effect on the availability of housing that is affordable to people who live or work in the	<p>The proposed text amendment to allow additional height has no effect on the availability of affordable housing.</p> <p>The expansion of the TDR receiving sites allow more square footage to a</p>

City of Coral Gables.	building which may allow additional space to develop housing that is affordable.
6. Any other effect that the City determines is relevant to the City Commission’s decision on the application.	This Comprehensive Plan Text Amendment to allow additional height to incentivize additional park space is at the request of the City Commission. Additionally, the City Commission adopted policies to expand the TDR program to the Design & Innovation District. However, only the Commercial Intensities land use designations currently allow the receipt of TDRs. Therefore, the proposed text amendment further provides consistency.

The standards identified in Section 14-213 for the proposed Comprehensive Plan Text Amendment are **satisfied**.

Zoning Code Text Amendment

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
a. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to encourage the development of additional green spaces and lush landscaping within the Design & Innovation District. This incentive directly promotes the public health, safety, and welfare of residents. Green spaces provide opportunities for physical activity, mental health, placemaking, social cohesion, and air quality. Studies have substantiated that green 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 green spaces, such as parks, benefit the well-being of residents and can enhance the aesthetic, physical, and environmental character of the Design & Innovation District.
b. 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.
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.	The proposed text amendment is accompanied with a Comprehensive Plan text amendment to allow the additional height within the Design & Innovation District if utilizing the parks incentive as described in the Zoning Code. The maximum Floor Area Ratio (FAR) would still apply and are not affected by the proposed text amendment.
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 than the	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.

minimum requirements of the Comprehensive Plan.	
e. 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.

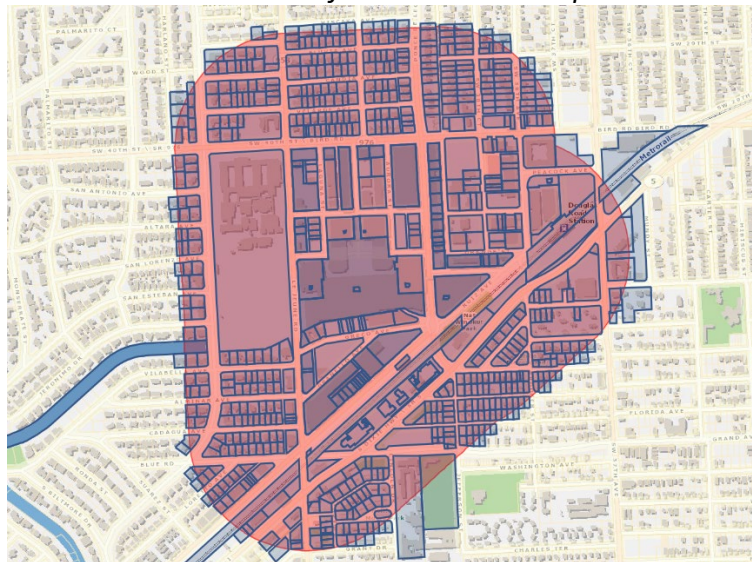
Staff comments: Staff finds that all five of these criteria are satisfied.

The proposed text amendment to Section 2-406. “Design & Innovation 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 137.5 feet within the Design and Innovation District. The proposed granted authority to allure 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., Policy REC-1.1.1., Goal REC-1., Objective REC-1.3., and Objective REC-1.4. In particular, Goal FLU-1. will be met since park spaces enhance the variety of uses that exist in the Design and Innovation District and will foster social, physical, environmental, and aesthetic benefits to residents living in the area.

6. PUBLIC NOTIFICATION

The Zoning Code requires that a mailed notification be provided for a Zoning Code text amendment if it affects a limited number of property owners and serves a public benefit to notify affected property owners within 1,000 feet of the property. The notification was sent on June 29, 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. Approximately 1,001 notices were mailed. A copy of the legal advertisement and courtesy notice are provided as Attachment B. A map of the notice radius is provided below.

Mailed Notification Radius Map



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

Public Notice

TYPE	DATE
Mailed notification	06.29.23
Legal advertisement	06.30.23
Posted Staff report on City web page	07.07.23

7. STAFF RECOMMENDATION

The Planning and Zoning Division recommends approval.

8. ATTACHMENTS

- A. Comprehensive Plan Text Amendment Draft Ordinance.
- B. Zoning Code Text Amendment Draft Ordinance.
- C. Mailed Notice and 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,



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

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA 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, recreation areas, and open space; and,

WHEREAS, the City Commission desires to allow taller buildings within the redeveloping area of 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, 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 approval/denial (vote: _ – _), finding that the proposed amendments are in furtherance of the Comprehensive Plan (CP) Goals, Objectives and Policies and the Zoning Code provisions as subject to all plans, exhibits and descriptions; and,

WHEREAS, 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 _____ on first reading (vote:); and,

WHEREAS, amendments to the Comprehensive Plan Text are subject to Expedited State Review and are required to be transmitted 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.

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 _____ DAY OF _____, A.D. 2023.

APPROVED:

VINCE LAGO
MAYOR

ATTEST:

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRISTINA SUAREZ
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:</p> <ol style="list-style-type: none"> 1. residential use shall be permitted, and 	<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>
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¹ Deletions are indicated by ~~strike through~~. 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	
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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>
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CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2023-___

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 INCENTIVE PROGRAM WITHIN THE DESIGN & INNOVATION DISTRICT TO ALLOW A MAXIMUM BUILDING HEIGHT OF ONE HUNDRED AND THIRTY-SEVEN FEET AND SIX INCHES BY PROVIDING A PARK OPEN TO THE PUBLIC, PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Coral Gables prides itself in lush and landscaped open spaces and desires to encourage additional green space 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, recreation areas, and open space; and,

WHEREAS, the City Commission desires to allow taller buildings within the redeveloping area of 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, after notice was duly published, a public hearing was held before the Planning and Zoning Board on (month) (day), 2022, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the Planning and Zoning Board was presented with text amendments to the Official Zoning Code, and after due consideration, recommended approval/denial (vote: _ to _) of the text amendment; and

WHEREAS, a public hearing was held before the City Commission on (month) (day), 2022, at which hearing all interested parties were afforded the opportunity to be heard; 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 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 as follows¹.

Article 2. Zoning Districts

Section 2-406. Design & Innovation District Overlay.

B. Regulations.

4. Height

- a. MX2 Lots in the Design & Innovation District shall be at a maximum height of ninety-seven (97) feet.
- b. Height of architectural elements may exceed the maximum height in the Design & Innovation District by a maximum of twenty-five (25) feet. Ground floor shopfronts shall have a minimum floor height of fifteen (15) feet and a maximum floor height of twenty-five (25) feet.
- c. Design & Innovation District maximum floor height of habitable space pursuant to Section 2-201 with City Commission approval to a maximum of one-hundred and twenty (120) feet and ten (10) stories, provided, that the increased residential ceiling heights enhance the aesthetics of the building and the surrounding area, and does not result in increased density or floor area.
- d. Public Parks Incentive. An additional thirteen feet and six inches (13.5) of building height may be granted by the City Commission for each additional five (5%) percent of landscaped open space provided as on-site publicly accessible open space, open to the sky, subject to the following standards:
 - i. The construction and maintenance of the park shall be owned privately and reserved for perpetual public use, with private outdoor dining areas permitted up to a maximum of thirty percent (30%) of the park area.

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

- ii. The park shall be publicly accessible, contiguous, and in a prominent location at the ground level. A minimum of fifty (50%) percent of the park shall provide shade with tree canopy.
 - iii. Park design shall be subject to site plan review and incorporate pedestrian amenities such as benches, pathways, and other park features.
 - iv. The maximum width-to-depth ratio of the park shall be 1:3, with the wider side on the street.
 - v. The park shall be consistent with the Parks and Recreation Goals, Objectives, and Policies of the Comprehensive Plan.
 - vi. 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 park (e.g. street trees, crosswalks, burial of overhead utilities, drainage improvements, and other enhancements).
 - vii. Additional public benefits may be required to lessen the potential impact on the neighborhood as a result of the additional height and development, upon the City Commission approval.
 - viii. The maximum building height shall not exceed one-hundred and thirty-seven feet and six inches (137.5), with no limitation of stories, excluding balconies, and shall enhance the aesthetics of the building and the surrounding area, and shall not result in increased floor area.
- e. Properties that are adjacent to single-family and duplex residential districts shall be limited to a maximum habitable height of forty-five (45) feet within one hundred (100) feet of the adjacent right-of-way line. Ten (10) additional feet are permitted for rooftop architectural elements that enhance the building's aesthetics and the aesthetics of the surrounding area, and such additional height will not have a negative impact on adjacent residential uses.

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

CRISTINA SUAREZ
CITY ATTORNEY

	City of Coral Gables Notice of Public Hearing	
Applicant:	City of Coral Gables	
Application:	Comprehensive Plan and Zoning Code Text Amendments	
Property:	Properties within the Design & Innovation District	
Public Hearing - Date/Time/ Location:	Planning & Zoning Board Wednesday, July 12, 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, July 12, 2023**, for text amendments to the Coral Gables Comprehensive Plan and to the Zoning Code to create a parks incentive program within the Design & Innovation District. The District is the area surrounding the Shops of Merrick Park and bounded by Bird Road, SW 39th Avenue, Ruiz Avenue/Ponce de Leon Boulevard, and Le Jeune Road. The proposed text amendments provide for additional building height within the District when providing an on-site park that is open to the public.

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

1. *An Ordinance of the City Commission of Coral Gables, Florida 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 fifty feet 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.*
2. *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 incentive program within the Design & Innovation District and allow a maximum building height of one hundred and fifty feet when providing a park open to the public, 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

MIAMI-DADE

**STATE OF FLORIDA
COUNTY OF MIAMI-DADE:**

Before the undersigned authority personally appeared ROSANA SALGADO, 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, 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 - JUL.
12, 2023

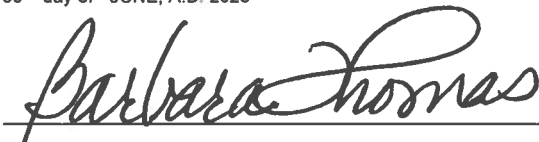
in the XXXX Court,
was published in a newspaper by print in the issues of Miami
Daily Business Review f/k/a Miami Review on

06/30/2023

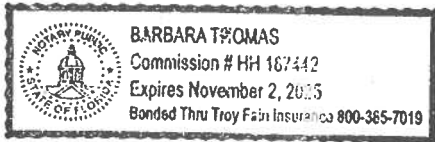
Affiant further says that the newspaper complies with all
legal requirements for publication in chapter 50, Florida
Statutes.



Sworn to and subscribed before me this
30 day of JUNE, A.D. 2023



(SEAL)
ROSANA SALGADO 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, July 12, 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 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," by amending the following provisions: (1) Article 1, "General Provisions," creating a new zoning district Mixed-Use 2.5 (MX2.5); (2) Article 2, "Zoning Districts," creating a new zoning district Mixed-Use 2.5 (MX2.5) and associated provisions; (3) Article 3, "Uses," creating a new zoning district and assigning certain uses; and (4) Article 5 "Architecture," creating a new zoning district; providing for repealer provision, severability clause, codification, and providing for an effective date.
2. An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 14, "Process," Section 14-213, "Comprehensive Plan Text and Map Amendments," and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Commercial Mid-Rise Intensity" to "Mixed-Use" for all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LPA review)

July 12, 2023

3. An Ordinance of the City Commission of Coral Gables, Florida making zoning district boundary changes pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," from Mixed-Use 2 (MX2) District to Mixed-Use 2.5 (MX2.5) District for all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street); providing for a repealer provision, severability clause, and providing for an effective date.
4. An Ordinance of the City Commission of Coral Gables, Florida granting approval of a Planned Area Development (PAD) pursuant to Zoning Code Article 14, "Process," Section 14-206, "General Procedures for Planned Area Development" for a proposed mixed-use project referred to as "33 Alhambra" on the property legally described as all of Block 15, "Coral Gables Section L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.
5. A Resolution of the City Commission of Coral Gables, Florida approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Mixed-Use project referred to as "33 Alhambra" on the property legally described as all of Block 15, "Coral Gables Section L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.
6. An Ordinance of the City Commission of Coral Gables, Florida granting Conditional Use for a Building Site Determination approval pursuant to Zoning Code Article 14, "Process", Section 14-202.6, "Building Site Determination" and Section 14-203, "Conditional Uses" to separate two (2) single-family building sites on the property zoned Single-Family Residential (SFR) District, legally described as Lots 21 and 22, Block 3, Coral Estates, Coral Gables, Florida; one (1) building site consisting of Lot 21 (east parcel), and the other (1) building site consisting of Lot 22 (west parcel); including required conditions; providing for a repealer provision, severability clause, and an effective date.
7. An Ordinance of the City Commission of Coral Gables, Florida, amending Ordinance No. 2014-05 to increase the maximum student enrollment from 140 to 195 students at the Margaux Early Childhood School at Temple Judea located at 5500 Granada Boulevard, Coral Gables, Florida; all other conditions of approval contained in Ordinance No. 2014-05 shall remain in effect; and providing an effective date.
8. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to Article 2 "Zoning Districts," Section 2-405 "Residential Infill Regulations Overlay District (RIRO)" of the City of Coral Gables Official Zoning Code to provide a maximum building length of three hundred feet for all properties seeking approval pursuant to the Residential Infill Regulations; providing for severability, repealer, codification, and an effective date.

9. An Ordinance of the City Commission of Coral Gables, Florida 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 fifty feet 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.
10. 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 incentive program within the Design & Innovation District and allow a maximum building height of one hundred and fifty feet when providing a park open to the public, providing for repealer provision, severability clause, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its regular board meeting on Wednesday, July 12, 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/cgtv) as well as Channel 77 on Comcast.

Sincerely,
City of Coral Gables, Florida
6/30

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