



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
Application: Zoning Code Text Amendments – Conservation TDRs
Public Hearing: Planning and Zoning Board
Date & Time: **November 19, 2025; 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 providing for text amendments to the City of Coral Gables Official Zoning Code, amending Section 14-204, "Transfer of Development Rights (TDRs)," and Article 16, "Definitions," of the City's Zoning Code to establish a Conservation TDR Program and appraisal framework; providing for definitions, procedures, appraisal standards, and conservation easement requirements; providing for a 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 of Coral Gables is requesting review and consideration of a text amendment to the Zoning Code, amending Section 14-204, "Transfer of Development Rights (TDRs)," and Article 16, "Definitions," to establish a Conservation Transfer of Development Rights (TDR) Program. The program incentivizes the permanent preservation of native and natural habitats, including mature tree canopy and ecologically significant features, by allowing property owners to voluntarily transfer development rights from designated "sending sites" to approved "receiving sites." The text amendment proposes that property owners who permanently protect environmentally sensitive lands through a Grant of Conservation Easement Agreement (GOCEA) may receive transferable development rights, providing both conservation benefits and an economic incentive. Eligible sending sites are evaluated based on habitat quality, tree canopy coverage, and overall conservation value. Sites demonstrating exceptional ecological value may qualify for Ecological Bonuses, verified by qualified environmental professionals, arborists, or ecologists.

The text amendment also establishes a standardized appraisal framework, requiring a minimum of two (2) independent Uniform Standards of Professional Appraisal Practice (USPAP) compliant appraisals prepared by qualified appraisers who are members of the Appraisal Institute. Each appraisal will determine the fair market value under existing zoning and land use conditions, and the TDR unit value will be calculated from comparable recent sales or transfers within the City. Finally, the amendment provides for review by the Landscape Beautification Advisory Board, final

approval by the City Commission, and recording of restrictive covenants and GOCEAs to ensure perpetual protection of conserved areas. This framework supports environmental stewardship while providing certainty for both property owners and the City, aligning with the City's Comprehensive Plan goals for sustainability, open space preservation, and natural resource protection.

The City Commission reviewed and approved the proposed text amendment on First Reading at their October 14, 2025, meeting.

3. PROPOSED ZONING CODE TEXT AMENDMENT

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

ARTICLE 14. PROCESS.

SECTION 14-204. Transfer of Development Rights

SECTION 14-204.2. Purpose and applicability.

The purpose of these provisions is to allow the transfer/sending of unused development rights of:

1. Local historic landmarks to other properties within the approved sending areas of the city to encourage historic preservation and to provide an economic incentive to property owners to designate, protect, enhance and preserve historic properties.
2. Parcels designated for open space conveyed to the City to encourage more open space in the city.
3. Native and natural habitats on land conveyed to the City to incentivize the permanent preservation of native habitats, mature tree canopy, and natural ecosystems within the City.

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Section 14-204.4. Transfer/sending of TDRs and issuance of a Certificate of TDRs.

A. Transfer/Sending of TDRs. The TDRs rights eligible to be transferred from the property shall be calculated as follows: the difference between the existing gross floor area on the property and the maximum floor area permitted on the property by the applicable zoning district, including any available development bonuses.

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

1. The sending site has been designated as a local historic landmark or a contributing property within a local historic district pursuant to Article 8.
2. The sending site is (i) located within the boundaries of the CBD and designated commercial zoning or (ii) located north of Navarre Avenue, east of LeJeune Road, west of Douglas Road, and south of SW 8th Street, is zoned Commercial, MF2, or MF3.

3. The Development Services Department has calculated the unused development rights or TDRs eligible to be transferred from the property per Section 14-204.4.A.
4. The property owner(s) have provided a maintenance/preservation plan prepared by a certified architect or engineer of the State of Florida, which sets forth a maintenance schedule and/or rehabilitation treatment if applicable for those architectural elements that contribute the historic integrity of the property or restoration of original features. Those features are identified by the "Review Guide," a section of the local designation report produced by the Historical Resources Department.
5. Inspection of the property may be completed by the Historic Resources Department to determine compliance with the above criteria.
6. Historic Preservation Board review and approval of the maintenance/preservation plan to determine compliance with Article 8
7. A property must not be subject to any Code Enforcement violations, City-imposed liens, unpaid fines, or overdue assessments or fees. The City Attorney, in consultation with City staff, may waive this requirement through a stipulation providing for correction of the Code Enforcement violation under appropriate conditions and settlement of the amounts due.

The approval to transfer/send shall be via the issuance of a Certificate of TDRs. The Historic Preservation Officer may recommend conditions of approval that are necessary to ensure compliance with the standards set out herein.

C. Transfer/Sending of TDRs to create a city park. The Parks and Recreation Advisory Board shall review all requests to transfer/send TDRs if all of the following are satisfied:

1. The sending site is identified as a future city park as part of the acquisition of the subject property.
2. The Development Services Department has calculated the TDRs eligible to be transferred per Section 14-204.4.A.
3. The public benefit is demonstrated for the sending site and the potential impacts of the receiver site(s) are studied.
4. Ownership of the sending site is transferred to the City of Coral Gables as part of the application to transfer development rights to the receiver site.

The City Commission shall consider to transfer/send TDRs via Resolution upon the positive recommendation from the Parks and Recreation Advisory Board. The Resolution may include conditions of approval that are necessary to ensure compliance with the standards set out herein.

D. Transfer/Sending of TDRs for the Conservation of Native and Natural Habitats.

1. The Landscape Beautification Advisory Board shall review all requests to transfer/send TDRs for conservation purposes if all of the following are satisfied:

- a. A property survey shall illustrate that the majority of the sending site consists of mature native habitats or other natural habitats, with a minimum of forty percent (40%) tree canopy. Supporting

environmental or ecological assessments confirming native or natural habitat significance shall be reviewed and confirmed by the Greenspace Management Division.

- b. A Grant of Conservation Easement Agreement (GOCEA) shall be required in a form approved by the City Attorney to prohibit future development on all designated natural habitat areas of the property, preserve existing native vegetation, and ensure perpetual conservation.
- c. The TDRs eligible to be transferred shall be calculated by dividing the average fair market value by the average TDR unit rate, or cost per square-foot of TDR to be transferred in the private market.
 - i. A minimum of two (2) independent Uniform Standards of Professional Appraisal Practice (USPAP) compliant appraisals by qualified appraisers who are members of the Appraisal Institute. Each appraisal shall determine the fair market value of the property under existing zoning and applicable land use conditions. The average of these appraisals shall establish the fair market value of the property.
 - ii. The TDR unit value shall be determined from the average of two (2) or more recent sales or transfers within the city limits, prepared by qualified appraisers who are members of the Appraisal Institute. The resulting average value shall represent the dollar amount assigned to each TDR.
 - iii. The total number of transferable development rights shall be calculated as:

Number of TDRs = (Average Fair Market Value) ÷ TDR Unit Value (\$ per TDR)

- d. Ecological Bonus: Additional TDRs may be granted for sending sites that demonstrate exceptional habitat quality, tree canopy coverage, or other measurable conservation value beyond the minimum eligibility criteria. Verification of such ecological value shall be provided through documentation prepared and certified by a qualified environmental professional, arborist, or ecologist, as applicable. The Landscape Beautification Advisory Board shall review the verified documentation and site conditions and recommend the number of bonus TDRs, not to exceed fifteen percent (15%) of the base TDRs, with final approval by the City Commission.
- e. Documentation: All appraisal assumptions, data sources, comparable sales, and valuation methodologies shall be fully documented in the appraisal reports to substantiate valuation conclusions and ensure transparency in the determination of the TDR Unit Value.

2. The City Commission shall consider to transfer/send TDRs via Resolution upon the positive recommendation from the Landscape Beautification Advisory Board. The City Commission may consider allowing the transfer of certain conservation TDRs to additional MX zoning districts outside of the specified receiving sites contained with Section 14-204.5. The resolution may include conditions necessary to ensure compliance with the standards set out herein.

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Section 14-204.7. Approvals and restrictions.

A Restrictive Covenant shall be required on both the sending and receiving properties outlining any/all applicable conditions of approval pursuant to these provisions. For Conservation TDRs, the Restrictive Covenant shall be recorded in conjunction with the Grant of Conservation Easement Agreement (GOCEA) and shall ensure perpetual preservation of the designated natural habitat areas. The All Restrictive Covenant(s) and GOCEAs shall require review and approval by the City Attorney prior to recordation. The applicants shall be responsible for all costs associated herein

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Section 14-204.9. Expiration of approvals.

Approvals for use of TDRs on receiver sites, shall be valid for up to two (2) years from the date of issuance, in accordance with Section 1-111, Time limitation of approvals. Certificates of TDR, regardless of the date of issuance, shall have no expiration date. Conservation TDRs shall remain valid contingent upon the perpetual enforcement of the recorded Grant of Conservation Easement Agreement (GOCEA) and any associated Restrictive Covenants.

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ARTICLE 16. DEFINITIONS

Conservation TDR means a transferable development right derived from environmentally sensitive lands that are permanently preserved under a Grant of Conservation Easement Agreement (GOCEA), whose number and value are determined based on qualified fair market value appraisals in accordance with the City's adopted appraisal methodology, and eligible for transfer to designated receiving sites.

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Ecological Bonus means additional TDRs granted by the City for sending sites that demonstrate exceptional habitat quality, tree canopy coverage, or other conservation value beyond the minimum eligibility criteria. Such ecological value shall be verified through documentation prepared and certified by a qualified environmental professional, arborist, or ecologist, as applicable.

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Grant of Conservation Easement Agreement (GOCEA) means a legally recorded agreement that permanently restricts development on designated conservation areas of a property, ensuring preservation of native habitats, mature tree canopy, and natural ecosystems.

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Transfer of development right (TDR) Unit Value (\$ per TDR) means the dollar value assigned to a single conservation transferable development right (TDR), based on the average fair market value appraisals and adjusted periodically to reflect current market conditions. This value is used to calculate the number of TDRs generated from a sending site in accordance with Section 14-204.4(D)(1).

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	11.19.25
City Commission – 1 st Reading	10.14.25
City Commission – 2 nd Reading	TBD

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

PUBLIC NOTICE	DATE
Legal advertisement	11.07.25
Posted agenda and Staff report on City web page/City Hall	11.14.25

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
a. Promotes the public health, safety, and welfare.	The proposed amendment encourages permanent preservation of native habitats and mature tree canopy, providing environmental and public benefits. All transfers and related development are subject to review for safety, circulation, and ecological impacts.
b. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed amendment does not introduce prohibited uses. TDRs are voluntary incentives that align with the City's land use policies.
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 amendment does not alter allowable densities, floor area ratios, or building heights.
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 amendment will not reduce levels of service for public infrastructure below Comprehensive Plan standards.

minimum requirements of the Comprehensive Plan.

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| e. Does not directly conflict with any objective or policy of the Comprehensive Plan. | The proposed amendment supports sustainability, open space preservation, and natural resource protection goals. Enhances tree canopy, conserves habitats, and aligns with waterway management policies. |
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Staff finds that all five of these criteria are **satisfied**.

6. STAFF RECOMMENDATION

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

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
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for Planning and Zoning
City of Coral Gables, Florida