

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2023-35

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 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, a neighborhood sunshine meeting was held on June 2, 2022, at which all interested persons were afforded the opportunity to be heard; and

WHEREAS, after notice was duly published and notifications of all property owners of record within one-thousand (1,000) feet from the subject property, a public hearing was held before the Planning and Zoning Board on July 12, 2023, 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, and made no recommendation (vote: 3 to 2) for the proposed the text amendment; and

WHEREAS, after notifications of all property owners of record within one-thousand (1,000) feet from the subject property, 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 approved on first reading (vote: 3 to 2); and

WHEREAS, after notifications of all property owners of record within one-thousand (1,000) feet from the subject property, a neighborhood sunshine meeting was held before City Commission and Staff of the City of Coral Gables on October 5, 2023, at which all interested persons were afforded the opportunity to be heard; and

WHEREAS, after notice was duly published and notifications of all property owners of record within one-thousand (1,000) feet from the subject property, 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.

¹ Deletions are indicated by ~~strike through~~. Insertions are indicated by underline.

- 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 park shall be designed in conjunction with the City of Coral Gables and constructed by the Applicant.
 - ii. The park shall be 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. Prior to the issuance of the first Certificate of Occupancy or Temporary Certificate of Occupancy Applicant shall convey the park to the City of Coral Gables in fee simple. The park will be maintained by the City of Coral Gables following conveyance.
 - 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, undergrounding 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.
 - ix. A landscaped rooftop shall be provided to further the intent of additional landscape in the Design & Innovation District. An enclosed rooftop space that is used solely as a building amenity within the permitted height of the rooftop architectural elements may be allowed with an additional ten (10) foot stepback 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 and twenty-five (125) units per acre.
- 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 passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OCTOBER, A.D., 2023.

(Moved: Anderson / Seconded: Lago)
(Yeas: Menendez, Anderson, Lago)
(Nays: Castro, Fernandez)
(Majority: (3-2) Vote)
(Agenda Item: E-3)


APPROVED:


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VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

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BILLY Y. URQUIA
CITY CLERK

DocuSigned by:

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CRISTINA M. SUAREZ
CITY ATTORNEY