

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2023-17

AN ORDINANCE OF THE CITY COMMISSION PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 10, "PARKING AND ACCESS," SECTION 10-110, "AMOUNT OF REQUIRED PARKING," ADDING PARKING EXEMPTION FOR NEWLY ENCLOSED ROOF DECK ON EXISTING OFFICE BUILDINGS BUILT AS OF FEBRUARY 9, 2021, AND PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, office buildings who request to enclose their amenity space at the roof are required to provide additional parking, even if the use and impact of the amenity space remains the same; and

WHEREAS, a goal in the Comprehensive Plan is to provide efficient use of parking for office buildings within the City; and

WHEREAS, Staff has drafted a Zoning Code text amendment to grant authority to waive parking requirements for enclosing an existing office amenity on the roof; and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on March 8th, 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, recommended approval (vote: 4 to 0) of the text amendment; and

WHEREAS, after notice was duly published, a public hearing was held before the City Commission for First Reading on March 28th, 2023, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, based on direction from the City Commission, the proposed text was amended to include additional enforcement provisions; and

WHEREAS, after notice was duly published, a public hearing was held before the City Commission for Second Reading on May 9th, 2023, 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 10. PARKING AND ACCESS

Section 10-110. Amount of required parking.

A. The following are exempt from parking.

1. Central Business District Overlay:

- a. Ground floor retail, residential, and restaurants that are located within the Central Business District Overlay shall be exempt from the parking requirements.
- b. Buildings that are located within the Central Business District Overlay (CBD) that have a floor-area-ratio of 1.25 or less (1.45 or less if Mediterranean bonus is used) are not required to provide off-street parking for any uses except residential units.

2. MX-1 fronting Giralda Plaza:

- a. Buildings that have a maximum lot width of one-hundred (100) feet and of a maximum height of forty-five (45) feet and three (3) stories, off-street parking shall not be required.
- b. Parking requirements may be fulfilled by shared or remote parking, or by payment in lieu, as per Section 10-109, or by shared parking as per Section 10-111.

3. MX2 Design & Innovation District Overlay:

- a. First-floor showrooms and art galleries shall be exempt from the parking requirements.
- b. Buildings of four (4) stories or less, off-street parking shall not be required.

4. Building Alterations.

- a. Any single-family residence or duplex building or structure which existed as of March 11, 1964, may be altered -- including renovations, remodels, repairs, changes of building types. and changes in use -- without providing off-street parking facilities or additional off-street parking facilities if there is no more than a twenty-five (25%) percent total increase in floor area, based on conditions as of March 10, 1964, and if there is no change in zoning to a zoning district requiring more off-street parking than the existing zoning district.
- b. Any building or structure, other than single-family residences or duplexes, which is increased in size more than twenty-five (25%)

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

percent of the gross floor area as it existed as of March 11, 1964, shall provide off-street parking for the added portion as outlined hereinafter but will not be required to provide additional parking facilities for the presently existing portion unless required by a change of zoning.

- c. Any building or structure, which has an existing occupied roof deck that is used as an amenity to an office use and permitted as of February 9, 2021, may enclose the occupied roof deck without providing additional off-street parking. The newly enclosed space shall be used solely as an amenity to the existing office use.
 - i. A restrictive covenant shall be required and shall authorize the City of Coral Gables to inspect the enclosed roof deck at any time while in use to ensure compliance.
 - ii. If the enclosed roof deck is not complying with any of these limitations, it will be deemed in violation of this subsection and therefore will be required to provide the additional off-street parking. Failure to provide any of the additional required parking may result in Code Enforcement proceedings and revocation of Certificate of Use.

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.

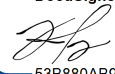
SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the “Zoning Code” of the City of Coral Gables, Florida; and that the sections of this “Ordinance” may be changed to “section”, “article”, or such 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 NINTH DAY MAY, A.D., 2023.
(Moved: Anderson / Seconded: Menendez)
(Yeas: Anderson, Castro, Fernandez, Menendez, Lago)
(Unanimous: 5-o Vote)
(Agenda ItemL F-1)

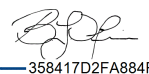
APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

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BILLY Y. URQUIA
CITY CLERK

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CRISTINA M. SUÁREZ
CITY ATTORNEY