

**CITY OF CORAL GABLES, FLORIDA**

**ORDINANCE NO. 2011-05**

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES REQUESTING THE FOLLOWING TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE:

- 1) ARTICLE 1, "GENERAL PROVISIONS", SECTION 1-108, "TRANSITIONAL RULES";
- 2) ARTICLE 2, "DECISION MAKING AND ADMINISTRATIVE BODIES", DIVISION 1, "CITY COMMISSION", SECTION 2-101, "POWERS AND DUTIES"; AND, DIVISION 2, "PLANNING AND ZONING BOARD", SECTION 2-201, "POWERS AND DUTIES";
- 3) ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 3, "UNIFORM NOTICE AND PROCEDURES FOR PUBLIC HEARING", SECTION 3-302, "NOTICE";
- 4) ARTICLE 3, "DEVELOPMENT REVIEW", DIVISION 6, "APPEALS", SECTION 3-606, "PROCEDURES FOR APPEALS";
- 5) ARTICLE 4, "ZONING DISTRICTS", DIVISION 2, "OVERLAY AND SPECIAL PURPOSE DISTRICTS", SECTION 4-201, "MIXED USE DISTRICT (MXD)";
- 6) ARTICLE 4, "ZONING DISTRICTS", DIVISION 4, "PROHIBITED USES", SECTION 4-413, "BOATS AND BOAT TRAILERS";
- 7) ARTICLE 5, "DEVELOPMENT STANDARDS", DIVISION 1, "ACCESSORY USES", SECTION 5-115, "DRIVE-THROUGHS, WALK-UP WINDOWS, AND AUTOMATED TELLER MACHINES (ATM)";
- 8) ARTICLE 5, "DEVELOPMENT STANDARDS", DIVISION 6, "DESIGN REVIEW STANDARDS", SECTION 5-604, "CORAL GABLES MEDITERRANEAN STYLE DESIGN STANDARDS";
- 9) ARTICLE 5, "DEVELOPMENT STANDARDS", DIVISION 6, "DESIGN REVIEW STANDARDS", SECTION 5-607, "EXTERIOR WALLS - FACING MATERIALS"; AND,
- 10) APPENDIX A, "SITE SPECIFIC ZONING REGULATIONS", SECTION A-23, "COCOPLUM SECTION TWO"; AND,

PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

**WHEREAS**, the Building and Zoning Department and Planning Department have requested text amendments to the City of Coral Gables Official Zoning Code; and

**WHEREAS**, the requested text amendments to the City of Coral Gables Official Zoning Code have been reviewed by the Building and Zoning Department, City Attorney's Office Historic Preservation Department and Planning Department; and

**WHEREAS**, after notice duly published, a public hearing was held before the Planning and Zoning Board on February 9, 2011, at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, the Board was presented with the text amendments to the City of Coral Gables Official Zoning Code, and after due consideration, recommended unanimous approval (vote: 7-0) of the text amendments; and

**WHEREAS**, a public hearing for First Reading was held before the City Commission on February 22, 2011 at which hearing all interested parties were afforded the opportunity to be heard; and

**WHEREAS**, at the February 22, 2011 public hearing, the City Commission was presented with the text amendments to the City of Coral Gables Official Zoning Code, and after due consideration and discussion, approved the text amendments on First Reading (vote: 5-0);

**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 provided in the attached "City of Coral Gables Zoning Code Text Amendment" with changes noted in ~~strikethru~~/underline format.

**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 "Official 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 Table 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 within ten (10) days following the date of its passage and adoption herein.

ATTACHMENT: "City of Coral Gables Zoning Code Text Amendments"

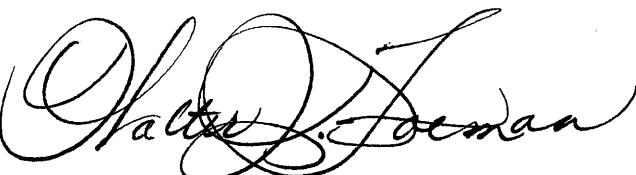
PASSED AND ADOPTED THIS EIGHTH DAY OF MARCH, A.D., 2011.

(Moved: Anderson / Seconded: Withers)  
(Yea: Cabrera, Withers, Anderson, Slesnick)  
(Majority: 4-0)  
(Absent: Kerdyk)  
(Agenda Item: E-2)

APPROVED:

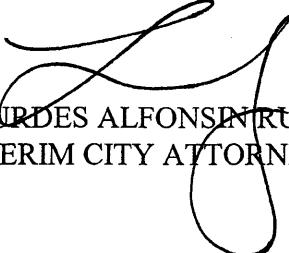
  
DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
LOURDES ALFONSIN RUIZ  
INTERIM CITY ATTORNEY

**City of Coral Gables  
Zoning Code Text Amendments**

**Amendment No. 1**

**Article 1. General Provisions**

**Section 1-108. Transitional rules.**

A. ~~Transition period. Where a preliminary approval of the Board of Architects is received on the adoption of these regulations, the provisions of the regulations in effect when the application was filed shall govern the review and approval of the application for development approval, provided that:~~

- ~~1. The application is approved within eighteen (18) months of the date of adoption of these regulations; and~~
- ~~2. Construction begins within eighteen (18) months of the issuance of such approval and is diligently pursued to completion.~~

~~Prior to July 9, 2008, applicants who have satisfied Section 1-108 (A), may be granted one (1), six (6) month extension to the provisions of Section 1-108 (A) (1) if the City Manager determines that the applicant is showing "good cause" with due diligence towards securing Board of Architects final approval and/or City Commission final approval (as applicable). Requests for extensions shall be in writing to the City Manager by the end of July 9, 2008 accompanied by a \$2500.00 nonrefundable administrative fee.~~

D. Existing Site-Specific standards Zoning Regulations. There are certain properties which are subject to prior governmental approvals which have established standards which deviate from the basic standards in these regulations. Properties which are subject to those prior approvals are identified on the Official Zoning Map and the Site Specific Standards are set out in Appendix A of these regulations. In the event the Site Specific Standards and these regulations conflict, the Site Specific Standards shall control except if granted Coral Gables Mediterranean Style Design Standards bonuses as provided for in Section 5-604.

**Amendment No. 2**

**Article 2. Decision Making and Administrative Bodies**

**Division 1. City Commission**

**Section 2-101. Powers and duties.**

The City is governed by a City Commission consisting of five (5) elected members, including a Mayor, as more particularly set forth in the City Charter. In addition to any authority granted the City Commission by state law, City Charter or other regulations of the City, the City Commission shall have the power and duty to act as the final decision maker regarding these regulations with respect to certain types of applications and appeals. In accordance with the standards and procedures of Article 3, Development Review, the City Commission is the final decision maker for:

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
Abandonment and vacations (including mitigation plan approval)	Article 3, Division 12
<u>Annexation</u>	<u>See Florida Statues</u>
Appeals (from decisions by the Board of Adjustment, Board of Architects and the Historic Preservation Board)	Article 3, Division 6
Appeals of Concurrency Review	Article 3, Section 3-1307
Building Moratoria	Article 3, Division 7
<u>Building Site Determination</u>	Article 3, Section 3-206, Article 3, Division 4
Comprehensive Plan Text and Map Amendments	Article 3, Division 15
<u>Conditional Use</u>	<u>Article 3, Division 4</u>
<u>Coral Gables Mediterranean Architectural Design Special Location Site Plan Review</u>	<u>Article 5, Section 5-604</u>
Development Agreements	Article 3, Division 19
Developments of Regional Impact <u>and Notice of Proposed Change</u>	Article 3, Division 16
<u>Conditional Uses</u>	<u>Article 3, Division 4</u>
Historic Preservation – Applications for Tax Exemption	Article 3, Section 3-1121
<u>Moratorium</u>	<u>Article 3, Division 7</u>
Planned Area Development Designation	Article 3, Division 5
Platting/Subdivision <u>and Variances</u>	Article 3, Division 9
Protection of Landowner's Rights	Article 3, Divisions 17 and 18
<u>Separation/Establishment of a Building Site</u>	Article 3, Section 3-206, Article 3, Division 4
<u>Site plan (MXD, PAD, other)</u>	<u>Article 3</u>
<u>Abandonment and Vacations</u>	<u>Article 3, Division 12</u>
Transfer of Development Rights	Article 3, Division 10
<u>University Campus District Modification to the Adopted Campus Master Plan</u>	<u>Article 4, Section 4-202</u>
Vested Rights Determination	Article 3, Division 18
Zoning Code Text <u>and Map Amendments</u>	Article 3, Division 14
<u>Zoning Code Map Amendments</u>	<u>Article 3, Division 14</u>
Zoning in Progress Request	Article 3, Section 3-703-Division 7

## Division 2. Planning and Zoning Board

### Section 2-201. Powers and duties.

Pursuant to the City Charter, and subject to those provisions, a Planning and Zoning Board is created to act as the Local Planning Agency (LPA) of the City. In addition to any power or duty delegated by the City Commission or the City Manager, the Planning and Zoning Board shall act as the recommending Board to the City Commission for:

<i>Powers and duties</i>	<i>Applicable Standards/Procedures</i>
Abandonment and vacations (including mitigation plan approval)	Article 3, Division 12
Annexation	<u>See Florida Statutes</u>
Comprehensive Plan Text and Map Amendments	Article 3, Division 15
Conditional Use	Article 3, Division 4
<u>Coral Gables Mediterranean Architectural Design Special Location Site Plan Review</u>	<u>Article 5, Section 5-604</u>
Development Agreements	Article 3, Division 19
Developments of Regional Impact <u>and Notice of Proposed Change</u>	Article 3, Division 16
<u>Moratorium</u>	<u>Article 3, Division 7</u>
Planned Area Development <u>Designation</u>	Article 3, Division 5
Platting/Subdivision	Article 3, Division 9
<u>Separation/Establishment of a Building Site</u>	<u>Article 3, Section 3-206, Article 3, Division 4</u>
<u>Site plan (MXD, PAD, other)</u>	<u>Article 3</u>
Subdivision Review for a Tentative <u>Plat and Variances</u>	<u>Article 3, Division 9</u>
Transfer of Development Rights <u>Receiving Site Plan Application</u>	Article 3, Division 10
<u>University Campus District Modification to the Adopted Campus Master Plan</u>	<u>Article 4, Section 4-202</u>
Zoning Code Text <u>and Map Amendments</u>	Article 3, Division 14
<u>Zoning Code Map Amendments</u>	<u>Article 3, Division 14</u>
Zoning in Progress Request	Article 3, Section 3-703-Division 7

### Amendment No. 3.

#### **Article 3. Development Review**

#### **Division 3. Uniform Notice and Procedures for Public Hearings**

##### **Section 3-302. Notice.**

In every case where a public hearing is required pursuant to the provisions of these regulations and other applicable Florida Statute requirements, the City staff and the City Clerk shall provide a Notice of Public Hearing in the manner set out in this section and as summarized in the following chart



:

<i>Timing of Notice Before ...</i>	<i>Types of Public Notices<sup>1,2</sup></i>			
<i>Type of Application</i>	<i>Type of Notice</i>	<i>Advisory Board Public Hearing (if required)</i>	<i>1st Commission Meeting Public Hearing (if required)</i>	<i>2nd Commission Meeting Public Hearing (if required)</i>
Abandonment and Vacations <sup>3</sup>	Publication	10 days	10 days	10 days
	Posting	10 days	10 days	10 days

<u>Timing of Notice Before ...</u>				
<u>Type of Application</u>	<u>Type of Notice</u>	<u>Advisory Board Public Hearing (if required)</u>	<u>1st Commission Meeting Public Hearing (if required)</u>	<u>2nd Commission Meeting Public Hearing (if required)</u>
	Mail	10 days	10 days	10 days
<u>Annexation</u>	Publication	10 days		10 days
	Mail	10 days		
<u>Appeals</u>	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
<u>Board of Architects</u>	Posting	5 days		
<u>Building Site Determination</u>				
Administrative	Posting			
Conditional Use	(see below)			
<u>Comprehensive Plan Amendments</u>				
<u>Small Scale Development Map Amendments; City initiated</u>	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
<u>Small Scale Development Map Amendments; initiated by other than the City</u>	Publication	10 days	5 days	5 days
	Posting	10 days		
	Mail	10 days		
<u>Compliance Agreement with DCA-the State</u>	Publication	10 days	10 days	10 days
<u>Comprehensive Plan Map and Text Amendment, other than small scale</u>	Publication	10 days	7 days	5 days
<u>Conditional Use</u>	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days	10 days	10 days
<u>Coral Gables Mediterranean Architectural Design Special Location Site Plan Review</u>	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
<u>Development Agreement</u>				
General	Publication	7 days	7 days	7 days
	Posting	10 days		
Affected Property Owners	Mail	10 days		
<u>Development of Regional Impact and Notice of Proposed Change</u>				
Publication	Publication	10 days	60 days	5 days
	Posting	10 days		
	Mail	10 days		
<u>Historic Preservation: Designations and Certificate of Appropriateness</u>				
Notification to Owners Regarding Designation of Landmark or District	Mail	10 days		
Notification of Public Hearing Regarding Designation of Landmark or District	Publication	10 days		
	Posting	10 days		
	Mail	10 days		
Certificate of Appropriateness (Special)	Publication	10 days		
	Posting	10 days		

<u>Timing of Notice Before ...</u>				
<u>Type of Application</u>	<u>Type of Notice</u>	<u>Advisory Board Public Hearing (if required)</u>	<u>1st Commission Meeting Public Hearing (if required)</u>	<u>2nd Commission Meeting Public Hearing (if required)</u>
If a variance	Mail	10 days		
Certificate of Appropriateness (Special) with Variance	Publication	10 days		
	Posting	10 days		
	Mail	10 days		
<u>Moratoria Moratorium and Zoning in Progress</u>				
Publication	Publication	10 days	7 days	5 days
<u>Planned Area Development Designation</u>	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
<u>Rezoning (Map Amendment)</u>				
Initiated by other than the City	Publication	10 days	No Notice Required	10 days
< 10 contiguous acres; city initiated	Mail	30 days		
	Posting	10 days		10 days
≥ 10 contiguous acres; city initiated	Publication	10 days	7 days	5 days
	Mail	30 days	7 days	10 days
<u>Separation/Establishment of a Building Site</u>				
Administrative Building Site Determination	Post DRO determination			
Conditional Use	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Site plan (MXD, PAD, other)	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Subdivision Review for a Tentative Plat and Variances / platting (tentative and final plat)	Publication	10 days	10 days	
	Posting	10 days		
	Mail	10 days	10 days	10 days
Subdivision Review for a Final Plat and Variances (Resolution)	Publication		10 days	
<u>Transfer of Development Rights</u>				
Sending Site Plan Application	Publication	10 days		
	Posting	10 days		
	Mail	10 days		
Receiving Site Plan Application	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
University Campus District Modification to the Adopted Campus Master Plan	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Variances	Publication	10 days		
	Posting	10 days		

<b>Timing of Notice Before ...</b>				
<b>Type of Application</b>	<b>Type of Notice</b>	<b>Advisory Board Public Hearing (if required)</b>	<b>1st Commission Meeting Public Hearing (if required)</b>	<b>2nd Commission Meeting Public Hearing (if required)</b>
	Mail	10 days		
<u>Zoning Code Text Amendment</u>	Publication	10 days		10 days
<u>Zoning Code Text Amendment (Use Changes)</u> - Amendment to text that changes actual list of permitted, conditional, or prohibited uses within a zoning category	Publication	10 days	7 days	5 days
	Mail	10 days		
<u>Zoning District Map Amendment</u>	Publication	10 days		10 days
<u>Initiated by other than the City</u>	Posting	10 days		
	Mail	10 days		
	Publication	10 days		10 days
<u>&lt; 10 contiguous acres; City initiated</u>	Posting	10 days		
	Mail	30 days		
	Publication	10 days	7 days	5 days
<u>&gt; 10 contiguous acres; City initiated</u>	Mail	30 days	7 days	10 days

<sup>1</sup> Applications which are not listed do not have public hearing notice requirements.

<sup>2</sup> The City may announce time and dates of future proceedings in notices or at noticed meetings.

<sup>3</sup> See City Code for additional advertising requirements per the City Code proceedings.

A. Publication. The requirements for public notice provided by publication shall be as follows:

1. Notice shall be published at least one (1) time in a newspaper of general circulation published in the City of Coral Gables, Florida or in Miami-Dade County, Florida, at least ten (10) days prior to the date of any final required public hearing, except as provided herein.
2. The notice shall state the date, time, and place of the meeting; the title or titles of the proposed ordinances or a description of the substance of the matter being considered; and the place within the City where the proposed ordinances or other materials may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the matter.
3. A copy of the notice shall be available for public inspection at the City Hall during the regular business hours of the City.
4. CP Comprehensive Plan, zoning Zoning Code text amendments and rezoning Zoning District map amendments >10 acres. Notice for ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category/use district, or ordinances initiated by the City that change the actual zoning map designation of a parcel or parcels of land involving ten (10) contiguous acres or more, shall be published at least ten (10) days prior to the Planning and Zoning Board public hearing, again at least seven (7) days prior to the first City Commission public hearing and again at least five (5) days prior to the second City Commission adoption hearing. Public notice shall be provided as described in the following subsections.
  - a. The required advertisements shall be no less than two (2) columns wide by (10) ten inches long in a standard size or tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than eighteen (18) point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be placed in a newspaper of general paid circulation in the municipality, not one of limited subject matter, pursuant to Chapter 50 of the Florida Statutes. Whenever possible, the advertisement shall appear in a newspaper that is published at least five (5) days a week unless the only newspaper in the City is published less than five (5) days a week.

b. The advertisement shall be in substantially the following form:

*"Notice of (insert type of) Change  
The City of Coral Gables proposes to adopt the following ordinance: (title of ordinance)....  
A public hearing on the ordinance will be held ... (date and time)... at ... (meeting place)..."*

Except for amendments which change the actual list of permitted, conditional, or prohibited uses within a zoning category, the advertisement shall also contain a geographic location map which clearly indicates the area covered by the proposed ordinance. The map shall include major street names as a means of identification of the general area.

- c. In lieu of publishing the advertisement set out in this section, the City may mail a notice to each person owning real property within the area covered by the ordinance. Such notice shall clearly explain the proposed ordinance and shall notify the persons of the time, place, and location of any public hearing on the proposed ordinance.
- 5. Rezoning Zoning District map amendment. Ordinances initiated by any person other than the City that change the actual zoning map designation of a parcel of land or parcels of land shall be read by title, in full, at two (2) separate City Commission public hearings, and shall be published at least ten (10) days before the Planning and Zoning Board public hearing, and again at least ten (10) days before the City Commission adoption hearing.
- 6. Comprehensive Plan small-scale GP map amendments. Notice of small scale development amendments to the Comprehensive Plan, initiated by other than the City, shall be published at least ten (10) days before the Planning and Zoning Board public hearing, and again at least five (5) days before the City Commission adoption hearing.
- 7. GP Comprehensive Plan text and map amendments, other than small-scale. All Comprehensive Plan amendments, other than small-scale amendments, shall be published at least ten (10) days before the Planning and Zoning Board public hearing, and again at least seven (7) days before the first City Commission meeting-public hearing, and again at least five (5) days before the City Commission adoption hearing.
- 8. Development Agreements. Notice of a proposed development agreement shall be published at least seven (7) days prior to each public hearing.
- 9. Failure to provide advertised notice as set forth in the foregoing notice requirements shall not affect any action or proceedings taken under this section, unless such notice is required by Florida Statutes.

B. Posting of property.

- 1. Except as provided in Section 3-302(B)(2) below, all specific property being considered at a public hearing shall be posted at least ten (10) days in advance of the public hearing, provided, however, that the posting of specific property shall not be required when the property subject to change constitutes more than ten contiguous acres. Such posting shall consist of a sign, the face surface of which shall not be larger than forty (40) square inches in area:

*Notice of Public Hearing  
By [insert name of decision making body]  
Phone [insert phone]  
[insert email address]  
Hearing date [insert date]  
Application number [insert number]*

2. No posting shall be required for public hearings before the Board of Architects, unless the value of the proposed development exceeds seventy-five thousand (\$75,000) dollars.
3. The sign shall be erected in full view of the public on each street side of such property. Where large parcels of property are involved with street frontages extending over considerable distances, additional signs may be erected on the street frontage as may be deemed adequate by the Development Review Official to inform the public.
4. ~~If such sign is placed on a vacant lot or parcel of land, it shall be securely nailed or otherwise fastened securely to a stake or post which itself shall be fastened securely into the ground. Said sign shall not be located nearer than ten (10) feet nor more than fifteen (15) feet from the street property line, provided, however, that where said property is improved by a building, the main part of which is less than ten (10) feet from said street property line, the sign may be placed upon the front and/or side of the building, or upon a front and/or side door and/or window of the building. Whenever a building on improved property is located more than ten (10) feet from the street property line, the sign shall be erected as provided for on vacant property.~~
5. ~~The height of such sign shall be erected to project not more than three (3) feet above the surface of the ground.~~

46. Failure to post specific property shall not affect any action or proceeding taken hereunder under these regulations.

C. Mail notices.

1. Except for public hearings before the Board of Architects, a courtesy notice of public hearings affecting specific properties containing general information as to the date, time, place of the hearing, property location and general nature of the application may be mailed to the property owners whose addresses are known by reference to the latest ad valorem tax record, within a one thousand (1,000) foot radius. This notification requirement is measured in feet from the perimeter boundaries of the subject property.

The Development Review Official may require an additional area to receive a courtesy notice on any application. The Development Review Official may also require courtesy notices on applications that are not typically required to be noticed if it is determined that such notification is desirable.

2. Courtesy notice shall be mailed at least ten (10) days prior to the date of the public hearing.
3. Rezoning Zoning District map amendments <10 acres. When a proposed ordinance is initiated by the City that changes the actual zoning map designation for a parcel or parcels of land less than ten (10) acres, the Secretary of the Planning and Zoning Board shall notify by mail each real property owner whose land the City will redesignate by enactment of the ordinance and whose address is known by reference to the latest ad valorem tax records. The notice shall state the substance of the proposed ordinance as it affects that property owner and shall set a time and place for the public hearing on such ordinance. Such notice shall be given at least ten (10) days prior to the date of the Planning and Zoning Board public hearing, and again at least thirty (30) days prior to the date of the City Commission public hearing.
4. Comprehensive Plan Small-scale CP map amendments. Notice of small-scale development amendments to the Comprehensive Plan, initiated by the City, shall be mailed to each property owner of record in the current tax rolls. The notice shall state the substance of the proposed ordinance as it affects that property owner and shall set a time and place for the public hearing on such ordinance. Such notice shall be given at least ten (10) days prior to the date of the Planning and Zoning Board public hearing, and again at least thirty (30) days prior to the date of the City Commission public hearing.

5. GP/Comprehensive Plan, zoning-Zoning Code text amendments and rezoning Zoning District map amendments >10 acres. Notice for ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category/use district, or ordinances initiated by the City that change the actual zoning map designation of a parcel or parcels of land involving ten (10) contiguous acres or more, shall be mailed at least ten (10) days prior to the Planning and Zoning Board public hearing, again at least seven (7) days prior to the first City Commission public hearing and again at least five (5) days prior to the second City Commission adoption hearing.
6. Development Agreements. Notice of a proposed development agreement shall be mailed to all affected property owners at least ten (10) days prior to the first public hearing.
7. A copy of mailed notices shall be available for public inspection during the regular business hours of the City Clerk and/or the City Department that is responsible for the required reviews provided for herein.
8. Failure to mail or receive courtesy notice shall not affect any action or proceeding taken under these regulations. The applicant shall be required to provide a mailing list and labels of the area within the radius prescribed above to the City. Individual courtesy notices are not required when the property being considered constitutes more than ten (10) contiguous acres.

D. Applicants required public information meeting. All applicants filing applications requiring a public hearing before the Planning and Zoning Board and City Commission shall conduct a minimum of one (1) public information meeting, a minimum of fourteen (14) days in advance of the Planning and Zoning Board public hearing. This meeting shall be conducted by the applicant representatives to inform surrounding property owners, neighborhoods, homeowners associations, interested parties, etc. of pending applications under review by the City. As a minimum the following shall be completed and provided:

1. Notification to all surrounding property owners within the indentified mail notification radius as provided within Section 3-302.C. or additional mail notification radius as determined by the Development Review Official.
2. The meeting is conducted on the subject property or in a location that is convenient to surrounding property owners.
3. Copy of forwarded notice.
4. Listing of all mailing addresses of all parties notified.
5. Meeting attendance records including the property owner addresses and other applicable contact information.
6. Meeting summary minutes or verbatim record as determined by the Development Review Official. Above items 4 through 6 shall be provided to the Development Review Official seven (7) days after the public information meeting. It is recommended these meetings occur after the application has undergone preliminary review by City Staff. This will insure City review and comments are included as a part of the information provided to the interested parties. The Development Review Official may require additional public information meetings and notice to provide for further public input and dissemination of information.

#### Amendment No. 4

##### **Article 3. Development Review**

##### **Division 6. Appeals**

##### **Section 3-606. Procedures for appeals.**

The following procedures shall govern the filing of appeals:

A. Appeals from of City Staff administrative decisions other than the City Architect. An aggrieved party may file a written Notice of Appeal to the Board of Adjustment or the Historic Preservation Board with the designated Development Review Official or Historic Preservation Officer, as provided in Section 3-604, within sixty (60) days of the administrative decision being appealed from. The appeal should shall be accompanied by any relevant documents related to the appeal as determined by the Development Review Official. The appeal shall be considered by the Board of Adjustment or Historic Preservation Board within fourteen (14) days after receipt of the notice at the next available meeting after the required advertising has been completed. The Board of Adjustment, the Planning and Zoning Board or Historic Preservation Board shall grant the appeal, with or without conditions, deny the appeal, or respond for further proceedings.

#### Amendment No. 5

##### **Article 4. Zoning Districts**

##### **Division 2. Overlay and Special Purpose Districts**

##### **Section 4-201. Mixed Use District (MXD)**

**Table 1.**

<i>Table 1.</i>				
Reference	Individual building(s)	Overlay District	Type	Requirements
E. Building regulations.				
10.	✓	✓	Retail frontage <u>Ground floor building frontage on primary streets.</u>	Minimum of fifty (50%) percent of the linear street <u>ground floor building frontage</u> shall include <u>retail sales and service, or restaurant use frontage or public realm land area (i.e. plazas, courtyards, open space, etc.) uses.</u> Primary street means a major street of considerable continuity which serves or is intended to serve as a major traffic artery connecting large areas of the community (City).
11	✓	✓	Retail frontage <u>Ground floor building frontage on side secondary streets.</u>	Minimum of forty (40%) percent of the linear street <u>ground floor building frontage</u> shall include <u>retail sales and service, or restaurant use frontage or public realm land area (i.e. plazas, courtyards, open space, etc.) uses.</u> Secondary street means a minor street used to access abutting properties which carries traffic to the primary street system.

15.	✓	✓	<u>Setback reductions and vertical building stepbacks</u>	<p>Reduction in setbacks. Setbacks may be reduced subject to the following standards: Minimum percentage of open space. A minimum of fifty (50%) percent of the total ground floor square footage received from the setback reduction is provided as publicly accessible street level open space and landscape area on the private property. The open space is subject to the following:</p> <ul style="list-style-type: none"> <li>• Types of open space. Types of open space shall be in the form of courtyards, plazas, arcades/loggias, pedestrian pass-throughs and open atriums adjacent/contiguous to the adjacent rights-of-way.</li> <li>• Minimum area. Minimum square footage of allowable open space (i.e., plazas) shall be five hundred (500) square feet.</li> <li>• Include both hard and softscape landscape improvements and pedestrian amenities.</li> <li>• Vertical volume. As a minimum include a vertical volume of space equal from street level to the first floor height or a minimum of thirteen (13) feet. Additional height may be recommended.</li> <li>• Restaurant seating. This area may be used for outdoor restaurant seating subject to approval as provided for in these regulations.</li> </ul> <p>Vertical building stepbacks. A vertical building stepback of a minimum of ten (10) feet shall be provided above the height of three (3) floors or at a maximum height of forty-five (45) feet (whichever is less) on all façades. Additional vertical building stepbacks may be requested required by the City Architect and the entire Board of Architects to further reduce the potential impacts of the building bulk and mass.</p>
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#### Amendment No. 6

##### Article 4. Zoning Districts

##### Division 4. Prohibited Uses

##### Section 4-413. Boats and boat trailers.

Boats and boat trailers may be placed, kept or maintained or permitted to be placed, kept or maintained in any interior side or rear yard only. Parking surfaces for the placement of boats and boat trailers may be improved or unimproved.

#### Amendment No. 7

##### Article 5. Development Standards

##### Division 1. Accessory Uses

##### Section 5-115. Drive-throughs, walk-up windows, and automated teller machines (ATM).

Drive throughs, walk-up windows, and ATMs accessory to banks, restaurants, and retail sales and service shall be permitted provided that:

- A. Such uses are designed so as to not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets, alleys or sidewalks.
- B. Drive-through lanes and vehicle stacking areas adjacent to public streets or sidewalks shall be separated from such streets or sidewalks by walls, railings, or hedges at least thirty-six (36) inches in height.

- C. Three-hundred and sixty (360) degree architectural treatment is utilized. Building design shall incorporate variation in building height, building mass, roof forms and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls. Drive through, ATMs and walk-up elements should be architecturally integrated into the building, rather than appearing to be applied or "stuck on" to the building.
- D. Drive-through displays, ordering areas, walk-up windows, ATMs and parking canopies shall not serve as the singularly dominant feature on the site or as a sign or an attention-getting device.
- E. Exterior walk-up ATMs serving pedestrians may be permitted up to a maximum of two (2) square feet in sign area per ATM machine. Such signage shall not be internally illuminated.
- EF. Entries and/or exits to drive-through facilities shall be a minimum of one hundred (100) feet from any intersection. Shorter distances from road intersections may be approved if the Development Review Officer determines that public safety and/or the efficiency of traffic circulation are not being compromised.
- FG. Drive-through stacking lanes shall be a minimum of one hundred (100) feet from any single-family residential parcel.
- GH. All service areas, restrooms and ground mounted equipment associated with the drive-through shall be screened from public view.
- HI. Landscaping shall screen drive-through aisles from the public right-of-way and adjacent uses and shall be used to minimize the visual impacts of ~~reader board signs and directional signs~~ the drive-through.

#### Amendment No. 8

##### **Article 5. Development Standards**

##### **Division 6. Design Review Standards**

##### **Section 5-604. Coral Gables Mediterranean Style Design Standards.**

###### **A. Purpose and applicability.**

1. Zoning district applicability. These regulations are available for new construction, additions, restorations and/or renovations of existing buildings using all types of architecture styles as described herein provided such property is located within the Multi-Family-2 (MF2), Multi-Family Special Area (MFSA), Commercial (C), Commercial Limited (CL), or Industrial (I) zoning districts, except as otherwise provided below herein.
3. Site Specific Zoning Regulations and Mediterranean Bonus. Coral Gables Mediterranean Style Design Standards bonuses and/or incentives as provided for in this Section may be awarded as supplemental (additional) intensity/density or the reduction of existing limitations as assigned in "Appendix A - Site Specific Zoning Regulations." These supplemental (additional) bonuses and/or incentives shall be evaluated pursuant to the applicable development standards included in Tables 1, 2, and 3 of Section 5-604.

**Amendment No. 9**

**Article 5. Development Standards**

**Division 6. Design Review Standards**

**Section 5-607. Exterior walls - facing materials.**

A. Wood facings. Wood facings shall be permitted on the exterior walls of single-family residences in that area of Coral Gables lying south of the Coral Gables Deep Waterway and east of Old Cutler Road, subject to the following conditions and restrictions:

1. That the exterior walls are constructed of masonry.
2. That the walls are furred to provide natural air space and moisture control.
3. That the wood utilized for such wood facings shall be those conducive to salt-sea atmosphere and shall be limited and restricted to the following species:
  - a. Solid select heart cypress.
  - b. Solid heart mahogany.
  - c. Solid heart teak.
  - d. Solid heart cedar.
  - e. Clear vertical grain heart redwood.
- f. Other types/species of wood may be permitted subject to the review and approval by the City Architect and the entire Board of Architects.
4. That where wood facings over masonry walls are approved, the exterior face of all masonry shall be completely and thoroughly covered with one application of black asphaltum waterproofing.
5. That all blocking and furring strips shall be pressure treated.
6. That all wood facings shall be secured to furring and/or blocking with stain resistant nails.
7. That the wood facing material shall have a minimum thickness of three-fourth (3/4) inches and shall not be wider than twelve (12) inches.
8. That stains applied to the wood shall be specifically for exterior use and shall be limited to colors approved by the Board of Architects.

B. Stonehenge. Stonehenge may be used as a facing material for commercial buildings.

C. Dryvit system. The dryvit system may be used as a facing material on exterior walls of commercial buildings, subject to the following conditions and restrictions:

1. That the dryvit system may be used as a facing material on the exterior masonry walls of commercial nonresidential buildings, provided, that such buildings have a minimum of one-hour fire resistive construction.
2. That the dryvit system shall be used only above the first floor.

3. That the color of the exterior surface shall comply with the palette of colors approved by the Board of Architects.
4. That the building shall have a twenty (20) foot distance separation from all structures and plot lines, as required by the Miami-Dade County Products Control Division.
5. That the method of attaching the dryvit system to the masonry wall shall be subject to approval by the Building Department.

D. New products. New products not specifically identified in this section may be permitted subject to review and approval by the City Architect and the entire Board of Architects. Presentation of new products for consideration shall be made by a product representative and shall include ample documentation of the material(s), methods of installation and photographic documentation of existing use. Criteria for granting approval of new materials/products shall be evaluated based upon all of the following:

1. Aesthetic considerations.
2. Good structural principles.
3. Compliance with applicable standards of the Florida Building Code.

The City Architect and the entire Board of Architects may revoke the use of the new product upon good cause that the product does not satisfy the above criteria.

#### **Amendment No. 10**

#### **Appendix A - Site Specific Zoning Regulations**

##### **Section A-23 - Cocoplum Section Two**

###### **C. Setbacks-Minimum front.**

Plat A. All lots-Fifty (50) feet.  
Plat D. All lots in Blocks 18 and 19-Twenty-five (25) feet.  
Plat E. All lots in Blocks 20, 21, 22 and 23-Two (2) Twenty-five (25) feet.  
Plat F. All lots in Blocks 24 and 25-Twenty-five (25) feet.  
Plat G. All lots in Blocks 26-Twenty-five (25) feet.