

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2021-07 (As Amended)

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR TEXT AND MAP 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 NEW ZONING DISTRICTS: MULTI-FAMILY 3 (MF3), MULTI-FAMILY 4 (MF4), MIXED-USE 1 (MX1), MIXED-USE 2 (MX2), MIXED-USE 3 (MX3), AND DESIGN/INDUSTRIAL DISTRICT OVERLAY; AND DELETING: MULTI-FAMILY SPECIAL AREA (MFSA), COMMERCIAL LIMITED (CL), COMMERCIAL (C), INDUSTRIAL (I), AND THE NORTH AND SOUTH INDUSTRIAL MIXED-USE OVERLAY DISTRICTS, AND MAKING THE APPROPRIATE ZONING MAP AMENDMENTS TO EFFECTUATE THESE CHANGES; (2) ARTICLE 2 "ZONING DISTRICTS", CREATING NEW ZONING DISTRICTS AND ASSOCIATED PROVISIONS, DELETING FLOOR AREA RATIO REQUIREMENTS IN CERTAIN DISTRICTS, AND PERMITTING USES IN CERTAIN ZONING DISTRICTS; (3) ARTICLE 3 "USES", ALLOWING CERTAIN USES IN NEW ZONING DISTRICTS, AND UPDATING TELECOMMUNICATION PROVISIONS; (4) ARTICLE 4 "URBAN DESIGN AND PUBLIC IMPROVEMENT STANDARDS", REFINING PUBLIC REALM REQUIREMENTS; (5) ARTICLE 5 "ARCHITECTURE", UPDATING ZONING DISTRICTS TO BE CONSISTENT WITH ARTICLE 2; (6) ARTICLE 6 "LANDSCAPE" UPDATING AND INCREASING CERTAIN OPEN SPACE REQUIREMENTS; (7) ARTICLE 10 "PARKING" UPDATING CERTAIN PARKING REQUIREMENTS; (8) ARTICLE 14 "PROCESS"; REVISING PROCESSES FOR ZONING APPLICATIONS, CLARIFYING PROCEDURES FOR RECEIPT OF TRANSFER OF DEVELOPMENT RIGHTS (TDRS), AND EXPANDING TRANSFER OF DEVELOPMENT RIGHTS (TDRS) RECEIVING SITES TO INCLUDE THE DESIGN & INNOVATION DISTRICT; AND (9) ARTICLE 16, "DEFINITIONS"; UPDATING CERTAIN DEFINITIONS; PROVIDING FOR REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the reorganized Zoning Code Table of Contents along with substantive provisions was adopted pursuant to Ordinance No. 2020-32; and

WHEREAS, the City Commission commenced a comprehensive update to the City's Zoning Code to reorganize, reformat, simplify, modernize, streamline and provide improvements; and

WHEREAS, the City Commission awarded the Planning Services for Zoning Code Update contract on January 23, 2018, to DPZ CoDesign, a nationally recognized planning and urban design firm with over 36 years of experience in sustainable placemaking; and

WHEREAS, the Zoning Code Update process and all background information including but not limited to agendas, presentations, public notices, minutes, etc., have been available for public review and inspection throughout the entire process on the City web page at www.coralgables.com/zoningupdate and at the Planning Division Office; and

WHEREAS, the Business Improvement District (BID) met on May 11, 2018, to discuss current issues and goals related to Miracle Mile and Downtown Coral Gables; and

WHEREAS, a Working Group was formed with multiple individuals with varying professions and backgrounds to provide input and review preliminary proposed updates to the Zoning Code; and

WHEREAS, the Working Group convened on June 1, June 15, and August 10, 2018, to provide input for and review preliminary results of the assessment and analysis of the Zoning Code; and

WHEREAS, the Staff Committee comprised of various City Departments convened on May 14, June 11, and August 6, 2018, to provide input for and review preliminary results of the assessment and analysis of the Zoning Code; and

WHEREAS, the required notice was published pursuant to Florida Statutes advising of the public hearings and the opportunity to provide input; and

WHEREAS, after notice of a public hearing being duly published, the Planning and Zoning Board on September 21, 2018 conducted a public workshop to seek input from the Board prior to drafting update proposals; and

WHEREAS, after notice of a public hearing being duly published, the Planning and Zoning Board on October 17, 2018 conducted a public hearing, secured public input and testimony, allowed all interested persons the opportunity to be heard, discussed the presented draft of the Assessment and Analysis and reorganization; and

WHEREAS, after notice of a public hearing being duly published, the Planning and Zoning Board on February 13, 2019 conducted a public hearing, secured public input and testimony, allowed all interested persons the opportunity to be heard, and recommended approval of the re-organized Zoning Code to the City Commission (vote: 5-0); and

WHEREAS, the Working Group convened on April 22, 2019, to provide input for proposed updates to the Zoning Code; and

WHEREAS, after notice of a public hearing being duly published, the Planning and Zoning Board on May 8, 2019 conducted a public hearing, secured public input and

testimony, allowed all interested persons the opportunity to be heard, and discussed proposed technical corrections to the Zoning Code; and

WHEREAS, after notice of a public Commission Workshop being duly published, the City Commission convened on June 24, 2019, allowed all interested persons the opportunity to be heard, and reviewed proposed updates to open space and downtown provisions in the Zoning Code; and

WHEREAS, after notice of a public Commission Workshop being duly published, the City Commission convened on September 4, 2019, allowed all interested persons the opportunity to be heard, and reviewed proposed updates and improvements to proposed provisions for Multi-Family 2 (MF2) / North Ponce area in the Zoning Code; and

WHEREAS, after notice of a public hearing being duly published, the Planning and Zoning Board on September 11, 2019 conducted a public hearing, secured public input and testimony, allowed all interested persons the opportunity to be heard, and deferred review of the proposed technical corrections to the Zoning Code; and

WHEREAS, after notice of a public hearing being duly published, the Planning and Zoning Board on October 16, 2019 conducted a public hearing, secured public input and testimony, allowed all interested persons the opportunity to be heard, and recommended approval of the proposed technical corrections of the Zoning Code to the City Commission (vote: 6-0); and

WHEREAS, after notice of a public Commission Workshop being duly published, the City Commission convened on January 13, 2020, allowed all interested persons the opportunity to be heard, and discussed updates to remote parking and payment-in-lieu provisions in the Zoning Code; and

WHEREAS, after notice of a public Commission Workshop being duly published, the City Commission convened on March 5, 2020, allowed all interested persons the opportunity to be heard, and reviewed a preliminary draft of proposed updates to the entire Zoning Code; and

WHEREAS, after notice of a public hearing being duly published, the Planning and Zoning Board on July 29, 2020 conducted a public hearing, secured public input and testimony, allowed all interested persons the opportunity to be heard, and recommended approval of the re-organized Zoning Code to the City Commission (vote: 7-0); and

WHEREAS, after notice of a public hearing being duly published, the Planning and Zoning Board on August 20, 2020 conducted a public hearing, secured public input and testimony, allowed all interested persons the opportunity to be heard, and recommended approval of the updated Zoning Code to the City Commission (vote: 7-0); and

WHEREAS, after notice of a public hearing being duly published, the Planning and Zoning Board on September 9, 2020 conducted a public hearing, secured public input and

testimony, and allowed all interested persons the opportunity to be heard; and

WHEREAS, the City Commission on September 15, 2020 conducted a public hearing, secured public input and testimony, and allowed all interested persons the opportunity to be heard; and

WHEREAS, after notice of a public Commission Workshop being duly published, the City Commission convened on October 19, 2020, allowed all interested persons the opportunity to be heard, and reviewed a preliminary draft of proposed updates to the entire Zoning Code; and

WHEREAS, the City Commission on October 27, 2020 conducted a public hearing for First Reading, secured public input and testimony, and allowed all interested persons the opportunity to be heard; and

WHEREAS, the City Commission on October 27, 2020 approved the proposed Zoning Code Update on First Reading and at which time the City Commission directed that on Second Reading that the Zoning Code Update Ordinance be divided and the proposed provisions related to “Miracle Mile” and the Crafts Section be heard separately; and

WHEREAS, after notice of a public Commission Workshop being duly published, the City Commission convened on November 30, 2020, allowed all interested persons the opportunity to be heard, and reviewed Floor Area Ratios as it relates to multi-family development, and proposed changes to Miracle Mile and the Crafts Section; and

WHEREAS, after notice of a virtual Community Meeting being duly published, Staff presented proposed changes to the public January 14, 2021, secured public input and testimony, and allowed all interested persons the opportunity to be heard; and

WHEREAS, after notice of a virtual Community Meeting being duly published, Staff presented proposed changes to the public February 1, 2021, secured public input and testimony, and allowed all interested persons the opportunity to be heard; and

WHEREAS, cross-reference changes are included in Exhibit “A” for informational purposes only as these changes occurred in Ordinance No. 2020-32; and

WHEREAS, certain charts have been reorganized accordingly while the chart may be underlined does not mean necessarily that the material is new; and

WHEREAS, the updated Zoning Code is attached hereto as Exhibit “A” in ~~strike through~~/underline format, including updates of the section numbers and cross-references and reorganization that occurred in Ordinance No. 2020-32; and incorporated herein by reference (collectively, the “Zoning Code”); and

WHEREAS, the map amendments to the Zoning Map is attached hereto as Exhibit “B.”;

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 updated Zoning Code of the City of Coral Gables attached hereto as Exhibit “A,” which shall conform to the reorganized Zoning Code Table of Contents and substantive provisions as adopted via Ordinance No. 2020-32, is hereby adopted by the City and is in full force and effect pursuant to the requirements and authority of Section 163.3161 et seq., Florida Statutes (the Local Government Comprehensive Planning and Land Development Regulation Act), and the Charter of the City of Coral Gables.

SECTION 3. Certain zoning districts and overlays are hereby repealed in their entirety and replaced with new zoning districts summarized as follows but more particularly set forth in Exhibit “A” and depicted on Exhibit “B” to this ordinance:

(1) The former Multi-Family Special Area (MFSA) is hereby deleted in its entirety and replaced with the newly created “Multi-Family 3” for parcels classified on the Future Land Use Map (FLUM) as Low Density Multi-Family; and “Multi-Family 4” for parcels classified on the FLUM as High Density Multi-Family;

(2) The former Commercial Limited (CL), Commercial (C), Mixed Use Overlay (MXD), and Industrial (I) are hereby deleted in their entirety and replaced with the newly created “Mixed Use 1” for parcels classified on the FLUM as Commercial Low Rise Intensity; “Mixed Use 2” for parcels classified on the FLUM as Commercial Mid Rise Intensity; and “Mixed Use 3” for parcels classified on the FLUM as Commercial High Rise Intensity; and

(3) The former North and South Mixed-Use Industrial Overlay Districts are hereby deleted in their entirety and replaced with the “Design District.”

SECTION 4. Sections 3-101 Principal Uses Table and 3-102 Accessory Uses Table are repealed in their entirety and updated Sections 3-101 and 3-102 are hereby created to reflect new zoning districts and incorporate existing uses into revised Uses tables as set forth in Exhibit “A.”

SECTION 5. Former “Problematic Uses” as defined in the previous Zoning Code are now referred to as “Unusual Uses.” as set forth in Exhibit “A.”

SECTION 6. Sections 2-103 Multi-Family 2 is repealed in its entirety and an updated Section 2-103 Multi-Family 2 is hereby created as set forth in Exhibit “A.”

SECTION 7. The City Clerk is directed to place the Zoning Code and associated maps, use and area maps/plates in effect prior to the adoption of this ordinance in the City’s archives for historic reference.

SECTION 8. Applications for review that have received preliminary Board of

Architects approval by February 9, 2021, shall be vested applications. Applications securing preliminary Board of Architects approval after February 9, 2021, shall satisfy these regulations.

SECTION 9. It is the intention of the Commission that each provision hereof be considered severable, and that the invalidity of any provision of this Ordinance shall not affect the validity of any other portion of this Ordinance, the Coral Gables Comprehensive Land Use Plan and Maps, or the Coral Gables Zoning Code.

SECTION 10. It is the intention of the Commission that to the extent any provision of this Ordinance conflicts with or is inconsistent with any other provision of the City's Code, laws, or regulations, that the terms of this Ordinance shall control.

SECTION 11. 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 12. It is the intent of the City Commission that the provisions of this Ordinance shall become and are part of the Official Zoning Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and that the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 13. This Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS NINTH DAY OF FEBRUARY, A.D., 2021.

(Moved: Keon / Seconded: Mena)

(Yeas: Mena, Fors, Jr., Keon, Valdes-Fauli)

(Nays: Lago)

(Majority: 4-1 Vote)

(Agenda Item: F-1)

APPROVED:

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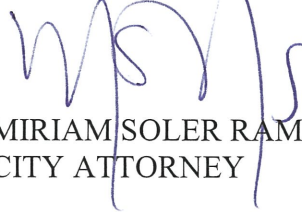
RAUL VALDES-FAULI
MAYOR

ATTEST:

A handwritten signature in black ink, appearing to be 'B. Urquia', written in a cursive style.

BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

A handwritten signature in blue ink, appearing to be 'M. Soler Ramos', written in a cursive style.

MIRIAM SOLER RAMOS
CITY ATTORNEY