



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
 Application: **Zoning Code Text Amendment: Landscape Requirements**
 Public Hearing: Planning and Zoning Board
 Date & Time: **September 14, 2022; 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 has initiated a request for a Zoning Code Text Amendment as follows:

An Ordinance of the City Commission of Coral Gables, Florida, amending the City of Coral Gables Zoning Code, Article 6, "Landscape", Section 6-104, "Landscape Requirements for Public Rights-of-Way" to amend planting height and various other provisions; providing for severability, repealer, codification, and for an effective date.

2. APPLICATION SUMMARY

As requested by the City Commission, Zoning Code text amendments are proposed to give the Greenspace Management Division discretion to allow trees of a lower height at planting provided they meet life safety requirements and contribute to that diversity. The text amendments also clarify a few other provisions regarding planting in the rights-of-way, including provisions regarding the percentage of palms to be planted in the rights-of-way. The proposed text amendments are to incentivize diversity in the urban canopy.

3. 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	09.14.22
City Commission – 1 st Reading	06.25.22
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	08.02.22
Posted agenda and Staff report on City web page/City Hall	08.09.22

4. FINDINGS OF FACT

The request is a Text Amendment to Article 6, “Landscape,” Section 6-104, “Landscape Requirements for Public Rights-of-Way.” The proposed changes are provided in Attachment A in ~~strike through~~ / underline format.

Zoning Code Section 14-212.5 provides review standards for Zoning Code text amendments:

Standard	Staff Evaluation
a. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to allow trees of a lower height at planting provided they meet life safety requirements and contribute to that diversity at the discretion of the Greenspace Management Division. This incentivizes diversity in the urban canopy and promotes public health and welfare.
b. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed amendment does not affect any uses permitted in the Comprehensive Plan.
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 text amendment does not allow densities or intensities in excess of what are permitted by the future land uses.
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 minimum requirements of the Comprehensive Plan.	The proposed text amendment will not affect the level of service for public infrastructure.
e. Does not directly conflict with any objective or policy of the Comprehensive Plan.	The proposed amendment does not conflict with any objective or policy.

Staff comments:

The proposed text amendment to the Zoning Code gives the Greenspace Management Division the discretion to allow trees of a lower height at planting in order to incentivize diversity in the urban canopy. The proposed flexibility to the planting requirements fulfills the goals, objectives, and policies of the Comprehensive Plan to promote increasing the tree canopy and require additional measures to contribute to increasing the collective tree canopy of the City. The standards identified in Section 14-212.5 for the proposed Zoning text amendment are satisfied.

5. STAFF RECOMMENDATION

Based upon the complete Findings of Fact contained within this report, staff recommends Approval.

6. ATTACHMENTS

- A. Draft Ordinance with proposed text amendment.
- B. Legal advertisement published.

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
City Planner
City of Coral Gables, Florida

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-__

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING THE CITY OF CORAL GABLES ZONING CODE, ARTICLE 6 “LANDSCAPE”, SECTION 6-104 “LANDSCAPE REQUIREMENTS FOR PUBLIC RIGHTS-OF-WAY” TO AMEND PLANTING HEIGHT AND VARIOUS OTHER PROVISIONS, PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, the City has certain Zoning Code provisions which address the planting heights of trees placed in the City’s public rights-of-way; and

WHEREAS, in order to incentivize diversity in the urban canopy the City Commission wishes to give the Greenspace Management Division discretion to allow trees of a lower height at planting provided they meet life safety requirements and contribute to that diversity; and

WHEREAS, the City Commission also wishes to clarify a few other provisions regarding planting in the rights-of-way, including provisions regarding the percentage of palms to be planted in rights-of-way; and

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES, FLORIDA:

SECTION 1. That 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. That Article 6 “Landscape”, Section 6-104 “Landscape Requirements for Public Rights-of-Way” of the Zoning Code of Coral Gables, Florida be amended as indicated in the attached Exhibit A¹:

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

¹ Deletions are indicated by ~~strikethrough~~. Insertions are indicated by underline.

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 City of Coral Gables Zoning Code; 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 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 immediately upon passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2022.

APPROVED:

VINCE LAGO

MAYOR

ATTEST:

BILLY Y. URQUIA

CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

MIRIAM SOLER RAMOS
CITY ATTORNEY

EXHIBIT A

Section 6-104. Landscape requirements for public rights-of-way

- A. Public rights-of way. Properties within MF1, MF2, MF3, MF4, MX1, MX2, MX3, S, UCD, PAD and P zoning districts exceeding the applicability thresholds as defined in Section 6-102.B. shall be required to install the improvements listed below. The required improvements are based upon the properties lineal property dimension abutting the r.o.w. The requirements provided herein and any potential conflicts shall be subject to review and approval by the Public Works Department and ~~Public Works Landscape~~ Public Works Greenspace Management Division.

<i>Type</i>	<i>Minimum Requirements</i>
1. Drainage.	All properties shall be required to install drainage within the r.o.w. pursuant to the Department of Public Works requirements.
2. City Public Works Manual	<p>a. Landscaping, landscape islands, bulbouts, curbing, pedestrian crosswalks bulbouts, drainage and other associated traffic calming improvements shall be required pursuant to the City Public Works Manual and accompanying standards. If the City Public Works Manual and accompanying standards are not applicable to the area in which the proposed development is contemplated, see Section 6-104.A.3 below for minimum r.o.w. planting requirements.</p>
3. Right-of-way planting requirements not associated with the City Public Works Manual .	<p>a. Landscaping shall be installed within the City r.o.w. and shall be installed in accordance with all of the following:</p> <p>i. Large shade trees. Provide one (1) large shade tree, minimum planting height of sixteen (16) feet/three-and-a-half (3½) inch caliper per thirty-five (35) linear feet or fraction thereof of right-of-way abutting the property. Palm or medium shade tree, minimum planting height of fourteen (14) feet/two-and-a-half (2½) inch caliper may be utilized to satisfy the above large shade tree requirements at a three-to-one (3:1) ratio. A maximum of ten <u>twenty-five (10 25%)</u> percent of the required total may be palm varieties. <u>Exceptions to planting height for tree varieties whose average mature height is 25 feet or less may be approved by the Greenspace Management Division Director prior to installation provided that the requested</u></p>

	<p><u>trees meet all relevant height clearance requirements, comply with all other life safety regulations, and add to the diversity of the urban canopy.</u></p> <p>ii. Shrubs. Provide one (1) shrub per one (1) linear foot or fraction thereof of the right-of-way abutting the property.</p>
<p>Medians and/or traffic calming devices 4. required pursuant to the City Public Works Manual.</p>	<p>a. If a median exists or can be established on the abutting r.o.w., the improvements listed in above Section 6-104.A.3 shall be installed pursuant to the City Public Works Manual and accompanying standards .</p> <p>b. If a median exists or can be established on the abutting r.o.w. and is not included within the City Public Works Manual a median shall be provided subject to all of the following:</p> <ul style="list-style-type: none"> . Large shade trees. One (1) large shade tree, minimum planting height of sixteen (16) feet/three-and-a-half (3½) inch caliper per thirty-five (35) feet linear feet or fraction thereof of right-of-way abutting the property. Palm or medium shade tree, minimum planting height of fourteen (14) feet/two-and-a-half (2½) inch caliper may be utilized to satisfy the above large shade tree requirements at a three-to-one (3:1) ratio. A maximum of twenty-five (25%) percent of the required total may be palm varieties. <u>Exceptions to planting height for tree varieties whose average mature height is 25 feet or less may be approved by the Greenspace Management Division Director prior to installation provided that the requested trees meet all relevant height clearance requirements, comply with all other life safety regulations, and add to the diversity of the urban canopy.</u> i. Shrubs. One (1) shrub per one (1) linear feet or fraction thereof of the right-of-way abutting the property.
5. Lawn grass.	All unpaved surfaces on rights-of-way shall be sodded. Groundcover may be substituted in lieu of lawn grass subject to Public Works Landscape Services Division review and approval.
6. Payment in lieu of installation.	In lieu of the requirements set forth in Section 6-104.A.2-4, the City Manager or designee in accordance with these rules and regulations

	<p>may allow for the payment of the above improvements into a designated fund in lieu of providing the improvements if either of the following exist: 1) the off-site improvements are provided; 2) if onsite constraints exist that prohibit the improvements; and or, 3) if the City determines that a comprehensive installation of the improvements will be more beneficial. The estimate shall be based upon design, installation, and costs of all improvements. Applicants shall provide the City an estimate prepared by a licensed civil engineer or other City approved entity. The City shall evaluate and approve all estimates in accordance with the City's rules and regulations. These funds shall be allocated in a special fund towards street improvements in close proximity to the provider.</p>
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MIAMI-DADE

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared GUILLERMO GARCIA, who on oath says that he or she is the DIRECTOR OF OPERATIONS, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

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in the XXXX Court, was published in said newspaper by print in the issues of and/or by publication on the newspaper's website, if authorized, on

09/02/2022

Affiant further says that the newspaper complies with all legal requirements for publication in chapter 50, Florida Statutes.

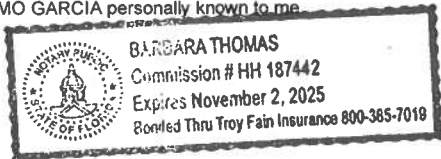
Guillermo Garcia

Sworn to and subscribed before me this 2 day of SEPTEMBER, A.D. 2022

Barbara Thomas

(SEAL)

GUILLERMO GARCIA personally known to me



**CITY OF CORAL GABLES, FLORIDA
NOTICE OF PUBLIC HEARING
HYBRID MEETING ON ZOOM PLATFORM**

City Public Hearing Local Planning Agency / Planning and Zoning Board
Dates/Times Wednesday, September 14, 2022, 6:00 p.m.
Location City Commission Chamber, City Hall
405 Biltmore Way, Coral Gables, FL 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/ Planning and Zoning Board (PZB) will conduct Public Hearing on the following:

1. An Ordinance of the City Commission of Coral Gables, Florida amending the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 14, "Process," Section 14-213, "Comprehensive Plan Text and Map Amendments," and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Commercial Low-Rise Intensity" to "Commercial High-Rise Intensity" for Lots 8 through 21, less the West 1/2 of lot 8, Block 29, Crafts Section, (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE) (LPA review)
2. An Ordinance of the City Commission of Coral Gables, Florida making zoning district boundary changes pursuant to Zoning Code Article 14, "Process," Section 14-212, "Zoning Code Text and Map Amendments," for Lots 8 through 21, less the West 1/2 of lot 8, Block 29, Crafts Section from Mixed-Use 1 (MX1) District to Mixed-Use 3 (MX3) District (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga); providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE) (Zoning District Change)
3. An Ordinance of the City Commission approving the vacation of a public alleyway pursuant to Zoning Code Article 14, "Process," Section 14-211, "Abandonment and Vacations" and City Code Chapter 62, Article 8, "Vacation, Abandonment and Closure of Streets, Easements and Alleys by Private Owners and the City; Application Process," providing for the vacation of the twenty (20) foot wide alley which is approximately one hundred and fifty-five (155) feet in length lying between Lots 12 thru 18 and Lots 11 and 19 in Block 29, Crafts Section (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE) (Vacation of public alleyway)

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4. A Resolution of the City Commission approving receipt of Transfer of Development Rights (TDRs) pursuant to Zoning Code Article 14, "Process," Section 14-204.6, "Review and approval of use of TDRs on receiver sites," for the receipt and use of TDRs for a Mixed-Use project referred to as "Ponce Park Residences" on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE) (TDRs)
5. A Resolution of the City Commission approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, "Process" Section 14-203, "Conditional Uses," for a proposed Mixed-Use project referred to as "Ponce Park Residences" on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE). (Mixed Use Site Plan and Cond. Use Review)
6. A Resolution of the City Commission approving the Tentative Plat entitled "Ponce Park Residences" pursuant to Zoning Code Article 14, "Process," Section 14-210, "Platting/Subdivision," being a re-plat of 42,543 square feet (0.977 acres) into a single tract of land on the property legally described as Lots 8 through 21, less the West ½ of lot 8, Block 29, Crafts Section, together with that portion of the 20-foot platted alley lying east of Lots 11 and 19, of said Block 29, together with a 1,318 square feet portion of University Drive that runs north of the Malaga Avenue right-of-way and west of the Ponce de Leon Boulevard right-of-way and dedication of 1,725 square feet; (3000 Ponce de Leon Blvd, 216 & 224 Catalonia, 203 University Dr, and 225 Malaga), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date. (LEGAL DESCRIPTION ON FILE) (Tentative Plat)
7. A Resolution of the City Commission of Coral Gables, Florida amending previously approved Resolution No. 2008-196, which amended Resolution No. 2005-231, pursuant to Zoning Code Section 14-203 to amend the condition regarding illumination on "Parcel 1" legally described as Lots 1-11 and Lots 39-48, Block 16, and "Parcel 2" legally described as Lots 1-5 and west 24 feet of Lot 6 and Lots 43-48, Block 17, Crafts Section, (2701 and 2855 Le Jeune Road), Coral Gables, Florida; and the approval and all other conditions of approval contained in Resolution No. 2008-196 shall remain in effect; and providing for an effective date.
8. An Ordinance of the City Commission of Coral Gables approving the vacation of a public alleyway pursuant to Zoning Code Article 14, "Process," Section 14-211, "Abandonment and Vacations" and City Code Chapter 62, Article 8, "Vacation, Abandonment and Closure of Streets, Easements and Alleys by Private Owners and the City; Application Process," providing for the vacation of the north-south public alleyway lying between lots 9-16 and lots 8 & 17, Block 97, Coral Gables Riviera Section #2, according to the plat thereof recorded in Plat Book 28, Page 18 of the Public Records of Miami-Dade County, Florida; providing for substitute perpetual access and utility easement, setting forth terms and conditions; providing for an effective date. (LEGAL DESCRIPTION ON FILE)
9. An Ordinance of the City Commission amending the City of Coral Gables Zoning Code, Article 6 "Landscape," Section 6-104 "Landscape Requirements for Public Rights-of-Way: to amend planting height and various other provisions, providing for a repealer provision, severability clause, codification, and providing for an effective date.

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10. An Ordinance of the City Commission providing for text amendments to the City of Coral Gables Official Zoning Code, Article 5, "Architecture," Section 5-505, "Pitched roofs, materials;" to expand the allowed roof materials for pitched roofs to include metal roofs, and Article 16, providing for a definition of "Standing seam metal roof;" providing for severability clause, repealer provision, codification, and providing for an effective date.
11. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by revising Article 15 "Notices", Section 15-102 "Notice", Subsection C "Mail Notices" providing that when a notice radius extends outside the City limits, notice shall be mailed outside of the City limits only to addresses that are within a five hundred (500) foot radius of the property that is the subject of the application; providing for severability, repealer, codification, and an effective date.
12. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 2, "Zoning Districts," Section 2-102, "Multi-Family 1 Duplex (MF1) District," to modify and clarify provisions related to garages and driveways; providing for a repealer provision, severability clause, codification, and providing for an effective date.
13. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code by amending Article 10, "Parking and Access," Section 10-106, "Visibility Triangle" to modify and clarify provisions related to convex mirror; providing for a repealer provision, severability clause, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its regular board meeting on Wednesday, September 14, 2022, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. Accordingly, any individual wishing to provide sworn testimony shall be present physically in the City Commission Chambers. However, the City Commission has established the ability for the public to provide comments (non-sworn and without evidentiary value) virtually. Accordingly, only individuals who wishes to provide public comment in this format, may appear and provide those comments via Zoom.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/83788709513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (www.coralgables.com/pzb) once the meeting's agenda is published, or by sending an email to planning@coralgables.com prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cgtv) as well as Channel 77 on Comcast.

Sincerely,
City of Coral Gables, Florida
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