

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2022-29

AN ORDINANCE OF THE CITY COMMISSION PROVIDING FOR A TEXT AMENDMENT TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE BY AMENDING ARTICLE 14, "PROCESS," SECTION 14-204, "TRANSFER OF DEVELOPMENT RIGHTS (TDRS)" TO ALLOW THE CITY COMMISSION TO DESIGNATE A TDR RECEIVING SITE WHEN LOCATED IN A PLANNED AREA DEVELOPMENT (PAD) AND ZONED MX2 OR MX3; PROVIDING FOR A REPEALER PROVISION, SEVERABILITY CLAUSE, CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Staff has drafted a Zoning Code text amendment to allow the City Commission to approve a Transfer of Development Rights (TDRs) to allow the City Commission to designate a TDR receiving site when located in a Planned Area Development (PAD) and zoned MX2 or MX3; and

WHEREAS, Planned Area Developments (PADs) currently provide a substantial public benefit which may be appropriate to receive Transfer of Development Rights (TDRs); and

WHEREAS, after notice was duly published, a public hearing was held before the Planning and Zoning Board on April 13, 2022, 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, on May 10, 2022 the City Commission was presented on first reading the proposed text amendments; and

WHEREAS, the City staff incorporated changes from first reading, and recommendations from the Planning and Zoning Board, and the City Commission was presented with a final text amendment on Second Reading;

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 to read as follows:

Article 14. Process

Section 14-204.5. Use of TDRs on receiver sites.

A. Use of TDRs on receiver sites. The receiving sites shall be:

1. ~~(i)~~ Located within the boundaries of the CBD and designated mixed-use zoning, or
2. ~~(ii)~~ Located within the boundaries of the North Ponce de Leon Boulevard Mixed Use District and designated mixed-use zoning, or
3. ~~(iii)~~ Located within the boundaries of the Design & Innovation District and designated mixed-use zoning, or
4. Designated by the City Commission when located in a Planned Area Development (PAD) and zoned MX2 or MX3.

Use of TDRs as receiver sites are prohibited on properties within the Zain/Friedman Miracle Mile Downtown District Overlay facing Miracle Mile.

B. Maximum TDR floor area ratio (FAR) increase on receiver sites. An increase of up to twenty-five (25%) percent of permitted gross FAR and approved Mediterranean architectural style bonuses gross FAR may be permitted.

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.

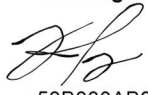
SECTION 5. It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made part of the “Zoning Code” of the City of Coral Gables, Florida; and that the sections of this “Ordinance” may be changed to “section”, “article”, or such 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 THIRTY-FIRST DAY OF MAY, A.D., 2022.
(Moved: Mena / Seconded: Menendez)
(Yeas: Anderson, Fors, Jr., Mena, Menendez, Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: F-4)


APPROVED:

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VINCE LAGO
MAYOR

ATTEST:

DocuSigned by:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY