

## ARTICLE 4 - ZONING DISTRICTS

The chart on the proceeding page is a summary of the uses permitted in the following zoning districts:

<b><i>Zoning Districts</i></b>	<b><i>Zoning District Abbreviation</i></b>
Single-Family Residential District	SFR
Multi-Family 1 Duplex District	MF1
Multi-Family 2 District	MF2
Multi-Family Special Area District	MFSA
Mixed Use District	MXD
University Campus District	UCD
Special Use District	S
Preservation District	P
Commercial Limited District	CL
Commercial District	C
Industrial District	I
Downtown Overlay District	DO
Business Improvement Overlay District	BIOD

The letter "P" indicates that the use is a permitted use in the district subject to approval as set out in Article 3 and in compliance with the standards in the district and Article 5 of these regulations. The letter "C" indicates that the use is permitted in the district as a conditional use in accordance with the procedures set out in Article 3, Division 4 and the standards in these regulations.

## ARTICLE 4 - ZONING DISTRICTS

Article 4 – Table No. 1. Zoning District Uses												
Use categories	Zoning Districts											
	SFR	MF1	MF2	MFSA	CL	C	I	MXD	S	UCD	P	
<b>Residential uses</b>												
Accessory uses, buildings, and structures (see Table No. 2 for list of permitted accessory uses)	P	P	P	P	P	P	P	See Section 4-201	P	See Section 4-202	See Section 4-205	
Single-family dwellings	P	P	P	P								
Duplex dwellings		P	P	P								
Multi-family dwellings			P	P								
Townhouse dwellings			P	P								
Live-work					P	P	P					
<b>Non-residential uses</b>												
Accessory uses, buildings, and structures (see Table No. 2 for list of permitted accessory uses)	P	P	P	P	P	P	P	See Section 4-201	P	See Section 4-202	See Section 4-205	
Adult uses							C					
Alcoholic beverage sales					P	P	P					
Animal grooming or boarding						P	P					
Assisted living facilities			C	C	C	C	C					
Auto service stations					C	P	P					
Bed and breakfast			C									
Botanical gardens									P/C			
Camps					P	P	P		C			
Cemeteries									C			
City Parks	P	P	P	P	P	P	P		P			
Commercial laundry							P					
Community center					C	P	P					
Congregate care					P	P						
Country club									C			
Day care						P	P					
Drive-through facilities					C	C						
Educational facilities					P/C	P						
Family day care	P	P	P	P								
Funeral homes						P						
Golf course (Primary use)									C			
Government uses						P	P		C			
Heliport									C			
Helistop						C	C		C			
Hospitals and uses accessory to . . .									C			
Indoor recreation / entertainment					P	P	P					
Manufacturing							P					
Marina facilities						C			C			
Medical clinic					P/C	P	P					
Medical Marijuana Retail Center						C						
Mixed use buildings						C	C					
Municipal facilities					P	P	P		C			
Museum					C	P	P		C			

## ARTICLE 4 - ZONING DISTRICTS

Article 4 – Table No. 1. Zoning District Uses												
Use categories	Zoning Districts											
	SFR	MF1	MF2	MFSA	CL	C	I	MXD	S	UCD	P	
Nighttime uses					C	P						
Nursing homes					P	P						
Offices					P	P	P					
Open space areas									C			
Outdoor recreation / entertainment					C	C	P					
Outdoor retail sales, display and/or storage							P					
Overnight accommodations					P/C	P	P					
Parking garages						P	P					
Parking lots					C	P	P					
Private club									C			
Private yacht basin	C	C	C			C						
Public transportation facility						P	P		C			
Religious institutions									C			
Research and technology uses							P					
Restaurants					P	P	P					
Restaurants, fast food						P	P					
Retail sales and service					P	P	P					
Sales and/or leasing offices												
Schools									C			
Self-storage warehouses							P					
Temporary uses					P	P	P		P			
Tennis court (Primary use)									C			
TV / radio studios						P	P					
Utility / infrastructure facilities	P	P	P	P	P	P	P		P			
Utility substations							P					
Vehicle sales / displays						P	P					
Vehicle sales / displays, major							P					
Vehicle service, major						P	P					
Veterinary offices						P	P					
Wholesale / distribution / warehouse facility							P					

*P – Permitted Use*  
*C – Conditional Use*

## ARTICLE 4 - ZONING DISTRICTS

Article 4 – Table No. 2. Zoning District Accessory Uses												
Accessory uses, buildings and structures categories	Zoning Districts											
	SFR	MF1	MF2	MFSA	CL	C	I	MXD	S	UCD	P	
Accessory dwelling	P									See Section 4-202	See Section 4-205	
Antennae's and associated telecommunication uses	See Division 20. Telecommunications.											
Awnings and canopies	P	P	P	P	P	P	P	P	P			
Boathouse and/or boat slip	P											
Cabana	P											
Docks, davits and floating boat lifts	See Division 8. Dock, wharves, mooring piles, watercraft moorings.											
Drive-throughs, walk-up windows, and automated teller machines (ATM)	See Section 5-115. Drive-throughs, walk-up windows, and automated teller machines											
Emergency preparedness shelter	P	P	P	P	P	P	P	P	P			
Flagpoles	P	P	P	P	P	P	P	P	P			
Fountains.	P	P	P	P	P	P	P	P	P			
Garage and/or porte-cochere	P	P	P	P				P	P			
Gazebo	P	P	P	P				P	P			
Guesthouse (Residential Estate only)	See Section 5-105. Guesthouse.											
Greenhouse	P	P	P	P								
Massage establishment	See Section 5-117. Massage establishment.											
Permanently installed stand-by generators	P	P	P	P				P				
Planters	P	P	P	P	P	P	P	P	P			
Playhouse	P	P	P	P								
Recreational equipment	P	P	P	P	P	P	P	P	P			
Reflecting pool or fish pond	P	P	P	P	P	P	P	P	P			
Restaurant, open air	See Section 5-119. Restaurant, open air.											
Screened enclosures	P	P	P	P				P	P			
Storage building and/or utility room	P	P	P	P	P	P	P	P	P			
Swimming pool and/or spa	P	P	P	P	P	P	P	P	P			
Tennis courts	P	P	P	P				P	P			
Trellises	P	P	P	P	P	P	P	P	P			
Used car lot						P*						
Wood decks	P	P										

*P – Permitted Use.*

*\*Permitted as an accessory use in association with a new car dealership.*

# ARTICLE 4 - ZONING DISTRICTS

## Division 1. Residential Districts

### Section 4-101. Single-Family Residential (SFR) District.

- A. Purpose and applicability. The Single-Family Residential (SFR) District is intended to accommodate low density, single-family dwelling units with adequate yards and open space that characterize the residential neighborhoods of the City. The City is unique not only in South Florida but in the country for its historic and architectural treasures, its leafy canopy, and its well-defined and livable neighborhoods. These residential areas, with tree-lined streets and architecture of harmonious proportion and human scale, provide an oasis of charm and tranquility in the midst of an increasingly built-up metropolitan environment. The intent of the Code is to protect the distinctive character of the City, while encouraging excellent architectural design that is responsible and responsive to the individual context of the City's diverse neighborhoods. The single-family regulations, as well as the design and performance standards in the Zoning Code, seek to ensure that the renovation of residences as well as the building of residences is in accord with the civic pride and sense of stewardship felt by the citizens of Coral Gables. By preserving the community character of the Gables, the Zoning Code safeguards both individual property values, as well as the quality of life that best serves the collective interest. In an SFR District no use other than these listed below shall be permitted. No buildings or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed to be used for a use other than a single-family use as defined in this code.
- B. Permitted principal uses and structures. The following uses are permitted:
1. Accessory dwelling.
  2. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  3. Family day care as required and defined pursuant to Florida Statutes.
  4. Parks, City.
  5. Single-family dwellings.
  6. Utility infrastructure facilities.
- C. Conditional uses. The following uses are permitted in the SFR District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:
1. Private yacht basins.
- D. Performance standards. The following performance standards shall govern the general development of structures in the District. Where there are specific standards for properties that are specifically set forth in the Site Specific Zoning Regulations, the regulations in the Site Specific Zoning Regulations shall apply (see Appendix A).
1. Building sites. Buildings and structures shall be constructed or erected upon a building site containing at least one (1) platted lot, and such building site shall have a minimum street frontage of fifty (50) feet. See also Section 3-206, Building site determination.
  2. Density. One (1) principal building per building site.
  3. Facing of lots and buildings. Every lot shall be deemed to face the street upon which it abuts; if a lot

## ARTICLE 4 - ZONING DISTRICTS

abuts upon more than one street, it shall be deemed to face the street upon which it has the shortest street line; and any building shall face the front of the lot, and be subject to the restrictions governing buildings on each street on which it is deemed to face. The facing of a building site shall be based on the platting of the lots that comprise the building site, except for specific deviations or exceptions prescribed in Section 3-905.

4. Setback requirements. No building or structure, or any part thereof, including porches, projections or terraces, but not including uncovered steps, shall be erected at a lesser distance from the front, side or rear line of any building site than the front, side or rear setback distance, respectively, prescribed and established herein for such building site. Nothing herein shall prohibit a building or structure from having more than the minimum required setbacks.
  - a. Front setback. A minimum front setback of twenty-five (25) feet shall be maintained and required on all building sites except that on existing building sites on platted lots less than seventy-five (75) feet in depth, a minimum front setback of fifteen (15) feet shall be required.
  - b. Side setbacks. Inside lots shall have minimum side setbacks, which total twenty (20%) percent of the width of the lot measured across the front setback line with a minimum total of ten (10) feet and up to a maximum of twenty (20) feet. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one (1) side abutting upon a street on which other lots in the same block face, shall setback a minimum distance from such side street as is provided herein as the minimum front setback for buildings facing such side street. The required side setbacks shall be equal on both sides unless an uneven distribution is used to mitigate an existing contextual condition on the property as determined by the Board of Architects. An existing contextual condition may include but shall not be limited to the location of tree(s), existing structures on the property, or existing non-conforming setback conditions. In no case shall a side setback be less than five (5) feet
  - c. Rear setback. A minimum rear setback of ten (10) feet shall be maintained and required on all buildings.
  - d. Setback from canal, waterway, lake or bay. On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used for occupancy for residential purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted.
5. Setback requirements for auxiliary, accessory buildings and/or structures. Except as specifically prescribed herein to the contrary, auxiliary, accessory buildings and/or structures shall be governed by the same minimum setback requirements as provided for the main or principal building, provided that:
  - a. Except as may be otherwise noted no accessory or auxiliary building or structures may be located in the area between the street and the main residential building or any part thereof.
  - b. In no case shall an auxiliary building or structure be located closer to the front or side street of a lot or building site than the main or principal building.
  - c. One (1) story detached garages located in the rear yard area, with a height that does not exceed sixteen (16) feet above established grade and a floor area that does not exceed three hundred-and-fifty (350) square feet, may have a side setback of five (5) feet and a rear setback of five (5) feet.
6. Height of single-family residence buildings and height of special-use buildings. No single-family building shall be constructed in the City that is more than two (2) stories in height. No subordinate or accessory building permitted by this code as an auxiliary use shall exceed in height the maximum height of the principal building on the building site. Except in Journey's End where

## ARTICLE 4 - ZONING DISTRICTS

single-family residences may have a permitted height of thirty-four (34) feet above established grade, said two (2) stories shall not exceed a height of twenty-nine (29) feet above established grade in all instances including ridgeline, domes, steeples, towers, cupolas, decorative features and such other similar structures, and excluding chimneys having a maximum height of three (3) feet above the ridgeline and a maximum area of seventeen (17) square feet.

7. Height of residences in flood hazard districts. Single-family residences in flood hazard districts shall not exceed a height of two (2) stories or thirty-nine (39) feet above established grade including ridgeline, domes, steeples, towers, cupolas, decorative features and such other similar structures, and excluding chimneys having a maximum height of three (3) feet above the ridgeline and a maximum area of seventeen (17) square feet. That portion of a single-family residence located above the garage in the coastal flood hazard district may in no case be more than one (1) story in height, and may be one (1) story in height, subject to the following conditions and restrictions:
  - a. That the elevation of the garage floor shall not be more than six (6) inches above established grade.
  - b. That the area of the garage shall not exceed a gross floor area of greater than six-hundred (600) square feet or one-third (1/3) of the ground area of the main building on the premises, whichever is greater, including any service or storage, or access area located within the garage.
8. Ground area coverage. Buildings or structures designed and constructed shall not occupy more than thirty-five (35%) percent of the ground area of the building site upon which the building or structure is erected. The area utilized for calculating the maximum ground area coverage for the principal building shall be computed from the exterior face of exterior walls and the exterior face of exterior columns of the ground floor of the building. Cantilevered portions of the building above the ground floor or roof overhangs that are greater than five (5) feet shall be computed in the calculation of the ground area coverage of the principal building. Auxiliary buildings or structures, including swimming pools, may occupy additional ground coverage, but the total ground area occupied by the main building or structure and auxiliary structures shall not exceed forty-five (45%) percent of the building site upon which the structures are located. In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots composing the building site. Special Use buildings or structures which may be permitted by ordinance to be located in the SFR District subject to the same minimum ground area coverage as set forth for single-family residences in the SFR District.
9. Maximum square foot floor area for single-family residences. The maximum square foot floor area permitted for single-family residences shall be equal to forty-eight (48%) percent for the first five-thousand (5,000) square feet of building site area and thirty-five (35%) percent for the next five-thousand (5,000) square feet of building site area and thirty (30%) percent for the remainder of the building site area.
10. Determination of maximum square foot floor area. The maximum square foot floor area of a single-family residence shall be the sum of the gross areas of all the floors of the building or buildings, measured from the exterior faces of exterior walls and exterior faces of supporting columns for any floor not enclosed by exterior walls. The Board of Architects may require such changes in the plans and specifications for single-family residences as are necessary or appropriate to the maintenance of a high standard of construction, architecture, beauty, and harmony with the aesthetic quality of the surrounding neighborhood in the carrying out of the provisions of this section of the "Zoning Code."
  - a. In particular, gross floor area shall include the following:

All floor space used for dwelling purpose, such as living rooms, bedrooms, kitchens, utility rooms, mechanical equipment rooms, and any other similar space, no matter where located within a building, including the following:

## ARTICLE 4 - ZONING DISTRICTS

- i. Elevator shafts and stairwells at each floor.
    - ii. The floor space in penthouses, interior balconies and mezzanines.
    - iii. The floor space in auxiliary or accessory buildings.
    - iv. The floor space in screened porches located on the second floor. The floor space in screened porches located on the first floor shall be computed at one-half (1/2) of the square foot floor area contained therein; provided, a covenant is submitted stating that such screen porch will not be enclosed if it will cause the residence to exceed the maximum permitted floor area.
    - v. The floor space in any garage and/or garage storage area shall be computed at three-quarters (3/4) of floor area for one (1) story detached garages located in the rear yard area with a height that does not exceed sixteen (16) feet above established grade and a floor area that does not exceed three-hundred-and-fifty (350) square feet.
    - vi. In those cases where the average floor to the bottom of the structural member of roof support height exceeds thirteen (13) feet clear, without intermediate structural floor members, then that area shall be counted twice in the maximum floor area factor computation.
    - vii. The floor space in roofed terraces, breezeways, and porches located on the second floor.
    - viii. The floor space in interior courtyards and if a portion of the interior court yard is created in whole or in part with a two (2) story portion of the residence then the interior court yard shall count twice.
  - b. The following areas or structures shall not be computed into the gross floor area of the building except as stated herein:
    - i. Floor space in one (1) story roofed terraces, breezeways, and porches that do not have an average floor to ceiling height that exceeds thirteen (13) feet provided, a covenant is submitted stating that such roofed terrace, and breezeway or porch will not be enclosed if it will cause the residence to exceed the maximum permitted floor area.
    - ii. Floor space in screen enclosures.
    - iii. Carports that consist of a roofed structure that is open on three (3) sides and attached to the main building for the purpose of providing shelter for one (1) or more motor vehicles.
    - iv. Basements.
11. Determination of maximum square foot floor area in flood hazard districts. The maximum square foot floor area of a single-family residence in a flood hazard district shall be the sum of the gross areas of all the floors of the building or buildings, measured from the exterior faces of exterior walls and exterior faces of supporting columns for any floor not enclosed by exterior walls. The Board of Architects may require such changes in the plans and specifications for single-family residences as are necessary or appropriate to the maintenance of a high standard of construction, architecture, beauty and harmony in the carrying out of the provisions of this section of the "Zoning Code."
- a. In particular, gross floor area shall include the following:
    - i. All floor space used for dwelling purpose, such as living rooms, bedrooms, kitchens, utility rooms, mechanical equipment rooms, and any other similar space, no matter where located within a building.
    - ii. Elevator shafts and stairwells at each floor.
    - iii. The floor space in penthouses, interior balconies and mezzanines.
    - iv. The floor space in auxiliary or accessory buildings.
    - v. Screened porches shall be computed at one-half (1/2) of the square foot floor area contained therein; provided, a covenant is submitted stating that such screen porch will not be enclosed if it will cause the residence to exceed the maximum permitted floor area.
    - vi. The floor space in any garage or garage and storage area.
    - vii. In those cases where the average floor to the bottom of the structural member of roof support height exceeds fifteen (15) feet clear, without intermediate structural floor



## ARTICLE 4 - ZONING DISTRICTS

members, then that area shall be counted twice in the maximum floor area factor computation.

- b. The following areas or structures shall not be computed into the gross floor area of the building except as stated herein:
  - i. Floor space in roofed terraces, breezeways, and porches, provided, a covenant is submitted stating that such roofed terrace, and breezeway or porch will not be enclosed if it will cause the residence to exceed the maximum permitted floor area.
  - ii. Floor space in screen enclosures.
  - iii. Carports that consist of a roofed structure that is open on three (3) sides and attached to the main building for the purpose of providing shelter for one (1) or more motor vehicles.
  - iv. Basements.
12. Garage facades. A garage that faces upon a street shall not exceed one-third (1/3) of the width of the façade of the residence that faces upon a street and the remaining two-third (2/3) of the façade shall not include other garage areas or detached garages visible from the front of the street. In the event a building site has less than fifty (50) feet of street frontage or does not have sufficient depth on a side street to provide a garage, then a one (1) car garage with a maximum interior dimension of twelve (12) feet by twenty-five (25) feet deep shall be permitted to face upon the front street.
13. Carport canopies are prohibited in SFR zoning districts. Existing carport canopies in SFR zoning districts shall be considered as nonconforming and are subject to the provisions in Article 6.
14. Architectural style. See Article 5, Division 6.

### **Section 4-102. Multi-Family 1 Duplex (MF1) District.**

- A. Purpose and applicability. The Multi-Family 1 Duplex (MF1) District is intended to accommodate low density, duplex dwelling units with adequate yards and open space to characterize a residential environment. In an MF1 District no buildings or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed to be used, for a use other than uses permitted in the district.
- B. Permitted principal uses and structures. The following uses are permitted in the MF1 district:
  1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  2. Duplex dwellings.
  3. Family day care as required and defined pursuant to Florida Statutes.
  4. Parks, City.
  5. Single-family dwellings that conform to the standards for single-family residences in an SFR District.
  6. Utility infrastructure facilities.
- C. Conditional uses. The following uses are permitted in the MF1 District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:
  1. Private yacht basins.

## ARTICLE 4 - ZONING DISTRICTS

- D. Performance standards. The following performance standards shall govern the general development of structures in the District. Where there are specific standards for properties that are specifically set forth in the Site Specific Zoning Regulations, the regulations in the Site Specific Zoning Regulations shall apply (see Appendix A).
1. Building sites. Buildings and structures constructed in this District shall be constructed or erected upon a building site containing at least one (1) platted lot, and such building site shall have a minimum street frontage of fifty (50) feet.
  2. Density. Maximum density of two (2) units and one (1) principal building per building site.
  3. Facing of lots and buildings. Every lot shall be deemed to face the street upon which it abuts; if a lot abuts upon more than one street, it shall be deemed to face the street upon which it has the shortest street line; and any building shall face the front of the lot, and be subject to the restrictions governing buildings on each street on which it is deemed to face. The facing of a building site shall be based on the platting of the lots that comprise the building site, except for specific deviations or exceptions prescribed in Section 3-905.
  4. Setback requirements. No building or structure, or any part thereof, including porches, projections or terraces, but not including uncovered steps, shall be erected at a lesser distance from the front, side or rear line of any building site than the front, side or rear setback distance, respectively, prescribed and established herein for such building site. Nothing herein shall prohibit a building or structure from having more than the minimum required setbacks.
    - a. Front setback. A minimum front setback of twenty-five (25) feet shall be maintained and required on all building sites, except that on building sites on platted lots less than seventy-five (75) feet in depth, a minimum front setback of fifteen (15) feet shall be required.
    - b. Side setbacks. Inside lots shall have minimum side setbacks, which total twenty (20%) percent of the width of the lot measured across the front setback line with a minimum total of ten (10) feet and up to a maximum of twenty (20) feet. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one (1) side abutting upon a street on which other lots in the same block face, shall setback a minimum distance from such side street as is provided herein as the minimum front setback for buildings facing such side street. The side setbacks shall be equal on both sides unless an uneven distribution is used to mitigate an existing contextual condition. In no case shall a side setback be less than five (5) feet.
    - c. Rear setback. A minimum rear setback of ten (10) feet shall be maintained and required on all buildings.
    - d. Setback from canal, waterway, lake or bay. On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used for occupancy for residential purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted.
  5. Setback requirements for auxiliary and accessory buildings or structures. Except as specifically prescribed herein to the contrary, auxiliary and accessory buildings or structures shall be governed by the same minimum setback requirements as provided for the main or principal building, provided that:
    - a. Except as may be otherwise noted no accessory or auxiliary building or structures may be located in the area between the street and the main residential building or any part thereof.
    - b. In no case shall an auxiliary building or structure be located closer to the front or side street of a lot or building site than the main or principal building.

## ARTICLE 4 - ZONING DISTRICTS

6. Height of duplex buildings and accessory buildings. Maximum heights are as follows:
  - a. Two (2) floors;
  - b. Twenty-nine (29) feet for the first fifty (50) feet or half of the lot depth, whichever is less, abutting SFR properties, as measured from the SFR property line;
  - c. Thirty-four (34) feet for the remaining portions of the property; and
  - d. Maximum height includes ridgelines, domes, steeples, towers, cupolas, decorative features and such other similar structures, excluding chimneys having a maximum height of three (3) feet above the ridgeline and a maximum area of seventeen (17) square feet.
7. Height of single-family buildings. Single-family buildings and accessory buildings shall satisfy all applicable SFR requirements.
8. Ground area coverage. Buildings or structures designed and constructed shall not occupy more than thirty-five (35%) percent of the ground area of the building site upon which the building or structure is erected. The area utilized for calculating the maximum ground area coverage for the principal building shall be computed from the exterior face of exterior walls and the exterior face of exterior columns of the ground floor of the building. Cantilevered portions of the building above the ground floor or roof overhangs that are greater than five (5) feet shall be computed in the calculation of the ground area coverage of the principal building. Auxiliary buildings or structures, including swimming pools, may occupy additional ground coverage, but the total ground area occupied by the main building or structure and auxiliary structures shall not exceed forty-five (45%) percent of the site upon which the structures are located.
9. Minimum dwelling unit floor area. Each dwelling unit shall have a minimum floor area of five hundred seventy-five (575) square feet.
10. Architectural style. See Article 5, Division 6.

### **Section 4-103. Multi-Family 2 (MF2) District.**

- A. Purpose and applicability. The purpose of the Multi-Family 2 (MF2) District is to accommodate various forms of multi-family housing to meet the housing needs of a diverse community, while ensuring that there is a transition to single-family and duplex neighborhoods which protects the integrity of those neighborhoods.
- B. Permitted principal uses and structures. The following uses are permitted:
  1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  2. Duplex dwellings that conform to the performance standards for duplex buildings in an MF1 District.
  3. Family day care as required and defined pursuant to Florida Statutes.
  4. Multi-family dwellings.
  5. Parks, City.
  6. Single-family dwellings that conform to the standards for single-family residences in an SFR District.

## ARTICLE 4 - ZONING DISTRICTS

7. Townhouse/row house dwellings. Minimum building/parcel width of twenty-two (22) feet.
  8. Utility infrastructure facilities.
- C. Conditional uses. The following uses are permitted in the MF2 District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:
1. Assisted living facilities (ALF).
  2. Bed and breakfast establishments.
  3. Private yacht basins.
- D. Performance standards. The following performance standards shall govern the general development of structures in the District. Where there are specific standards for properties that are specifically set forth in the Site Specific Zoning Regulations, the regulations in the Site Specific Zoning Regulations shall apply (see Appendix A).
1. Building sites. Buildings and structures constructed in this District shall be constructed or erected upon a building site containing at least one (1) platted lot, and such building site shall have a minimum street frontage of fifty (50) feet.
  2. Minimum parcel dimensions.
    - a. Buildings with a height of forty-five feet (45) feet or less shall be constructed on a parcel of land with a width of not less than fifty (50) feet or a depth of not less than one hundred (100) feet.
    - b. Buildings with a height of forty-five (45) feet or greater shall be constructed on a parcel of land with an area of not less than twenty-thousand (20,000) square feet and at least one-hundred (100) feet of frontage on a public street.
  3. Maximum density. The density provided in the Comprehensive Plan, with architectural incentives.
  4. Facing of lots and buildings. Every lot shall be deemed to face the street upon which it abuts; if a lot abuts upon more than one street, it shall be deemed to face the street upon which it has the shortest street line; and any building shall face the front of the lot, and be subject to the restrictions governing buildings on each street on which it is deemed to face. The facing of a building site shall be based on the platting of the lots that comprise the building site, except for specific deviations or exceptions prescribed in Section 3-905.
  5. Setback requirements. No building or structure, or any part thereof, including porches, projections or terraces, but not including uncovered steps, shall be erected at a lesser distance from the front, side or rear line of any building site than the front, side or rear setback distance, respectively, prescribed and established herein for such building site. Nothing herein shall prohibit a building or structure from having more than the minimum required setbacks.
    - a. Front setback.
      - i. Buildings with a height of forty-five (45) feet or less. Twenty (20) feet.
      - ii. Buildings with a height greater than forty-five (45) feet. Eight (8) feet for the first two (2) floors; provided that no parking areas (surface parking or parking garages) shall be located within twenty (20) feet from the front property line. Above the second floor the setback shall be twenty (20) feet.

## ARTICLE 4 - ZONING DISTRICTS

- b. Side setbacks.
    - i. Interior side and abutting alley side setback. Ten (10) feet or five (5) feet if side property line abuts an alley.
    - ii. Abutting a side street.
      - (a) Buildings with a height of forty-five (45) feet or less. Fifteen (15) feet.
      - (b) Buildings with a height greater than forty-five (45) feet. Eight (8) feet for the first two (2) floors; provided that no parking areas (surface parking or parking garages) shall be located within twenty (20) feet from the side street property line. Above the second floor the setback shall be twenty (20) feet.
  - c. Rear setback. Ten (10) feet or five (5) feet if rear property line abuts an alley.
  - d. Setback from canal, waterway, lake or bay. On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used for occupancy for residential purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted.
6. Setback requirements of auxiliary and accessory buildings and/or structures. Except as provided for otherwise herein, auxiliary and accessory buildings or structures shall be governed by the same minimum setback requirements as provided for the main or principal building, provided that:
- a. No accessory or auxiliary building or structures may be located in the area between the street and the main residential building or any part thereof.
  - b. In no case shall an auxiliary building or structure be located closer to the front or side street of a lot or building site than the main or principal building.
  - c. No setbacks shall be required for parking structures and accessory decks which are constructed completely below grade.
  - d. Surface parking lots located in an interior side yard or rear yard area shall maintain a minimum landscaped setback of three (3) feet.
7. Ground area coverage for buildings with a height of forty-five (45) feet or less. Buildings or structures designed and constructed for MF2 Districts, shall not occupy more than thirty five (35) percent of the ground area of the building site upon which the building or structure is erected. The area utilized for calculating the maximum ground area coverage for the principal building shall be computed from the exterior face of exterior walls and the exterior face of exterior columns of the ground floor of the building. Cantilevered portions of the building above the ground floor or roof overhangs that are greater than five (5) feet shall be computed in the calculation of the ground area coverage of the principal building. Auxiliary buildings or structures, including swimming pools, may occupy additional ground coverage, but the total ground area occupied by the main building or structure and auxiliary structures shall not exceed forty-five (45%) percent of the site upon which the structures are located. In no case shall the main building or structure exceed thirty-five (35%) percent of the lots or lots composing the site.
8. Floor area ratio. Maximum floor area ratio (FAR) for buildings in MF2 District.
- a. Buildings with a height of forty-five (45) feet or less shall have a maximum FAR of 1.0.
  - b. The FAR for buildings with a height greater that forty five (45) feet but less than seventy (70) feet with a permitted density of up to forty (40) units per acre without bonuses and up to fifty (50) units per acre with bonuses shall be as follows:

## ARTICLE 4 - ZONING DISTRICTS

<i>Height of building in feet</i>	<i>Maximum FAR</i>
Greater than 45' but less than 55'	1.40
55' or greater but less than 60'	1.35
60' or greater but less than 65'	1.30
65' or greater up to 70'	1.25

- c. The FAR for buildings with a height greater than seventy (70) feet with a permitted density of up to sixty (60) units per acre without bonuses and up to seventy-five (75) units per acre with bonuses shall be as follows:

<i>Height of building in feet</i>	<i>Maximum FAR</i>
Greater than 70' but less than 80'	1.90
80' or greater but less than 90'	2.00
90' or greater but less than 100'	1.85
100' or greater but less than 110'	1.75
110' or greater but less than 120'	1.70
120' or greater but less than 130'	1.65
130' or greater but less than 140'	1.60
140' or greater up to 150'	1.55

9. Determination of maximum square foot floor area or FAR: The total floor area of a building or buildings on a building site divided by the area of the site. The total floor area shall include the gross horizontal area of the several stories of any building or buildings on the site, as measured from the exterior face of exterior walls (not the windows or doors in the exterior walls), and shall include any building area not specifically excluded by this section as floor area excluded from computing the FAR of a building or buildings. The floor area of a building that is excluded from the determination of a buildings floor area ratio shall include the following:
- a. Unenclosed private balconies.
  - b. Off-street parking garages.
  - c. Lobbies and corridors on the ground floor of the building.
  - d. Corridors located above the ground floor that are at least fifty (50%) percent open and unenclosed.
  - e. Open stairwells.
10. Height. The maximum permitted height is as follows:
- a. Pursuant to the Comprehensive Plan Map designation and/or Site Specific Zoning regulations.
  - b. MF2 properties shall have a height limitation of three (3) floors or forty-five (45) feet, whichever is less, within one hundred (100) feet of adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 properties, as measured from the MF2 property line.
  - c. In no case shall a building in an MF2 District exceed sixteen (16) floors in height.
  - d. The maximum permitted height is measured from established grade to the flat roof deck and when there is no flat roof deck the height shall be to the tie-beam on the top floor of the building. Mechanical equipment areas and decorative roof structures may extend beyond the permitted height a total of ten (10) feet. When more than one (1) of the aforementioned conditions occurs for a specific property, the more restrictive condition shall apply.

## ARTICLE 4 - ZONING DISTRICTS

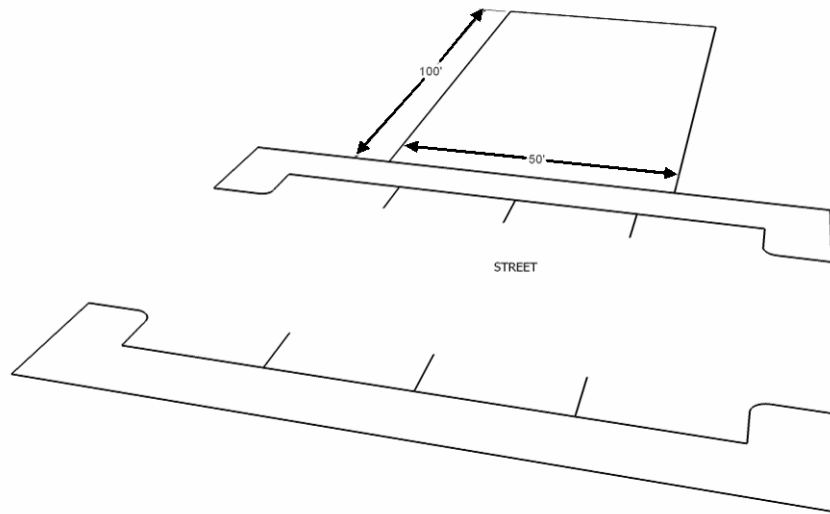
11. Parking garages. In the event that structured parking is to be constructed above grade, the facades of the garage shall be designed and improved so that the use of the building as a garage is not readily apparent. That portion of the parking garage that is constructed at ground level shall be screened from street view with living units, portions of living units, or other usable building area, except for vehicular entrance and exit areas. Entrances and exits to garage areas shall have gates that at least partially conceal the interior of the garage from street view. The sides and if necessary the rear of parking structures shall be screened from view of the street with a combination of walls and landscaping as shall be approved by the Board of Architects.
12. Refuse and waste disposal facilities. Refuse and waste disposal facilities shall be enclosed within a building or structure which reflects the architectural character and exterior finishes of the building which is to be served by the facilities. An enclosure used exclusively for refuse and waste facilities may be located in a required front setback area.
13. Minimum dwelling unit floor area. Each dwelling unit shall have a minimum floor area of five-hundred-seventy-five (575) square feet.
14. Architectural style. See Article 5, Division 6.

### **Section 4-104. Multi-Family Special Area (MFSA) District.**

- A. Purpose and applicability. The purpose of the Multi-Family Special Area (MFSA) District is to accommodate various forms of multi-family housing to meet the housing needs of a diverse community, while ensuring that there is a transition to single-family neighborhoods which protects the integrity of those neighborhoods.
- B. Permitted principal uses and structures. The following uses are permitted:
  1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  2. Duplex dwellings that conform to the performance standards for duplex buildings in an MF1 District.
  3. Family day care as required and defined pursuant to Florida Statutes.
  4. Multi-family dwellings.
  5. Parks, City.
  6. Single-family dwellings that conform to the standards for single-family residences in an SFR District.
  7. Townhouse/row house dwellings.
  8. Utility infrastructure facilities.
- C. Conditional uses. The following uses are permitted in the MFSA District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:
  1. Assisted living facilities (ALF).
  2. Bed and breakfast establishments.

## ARTICLE 4 - ZONING DISTRICTS

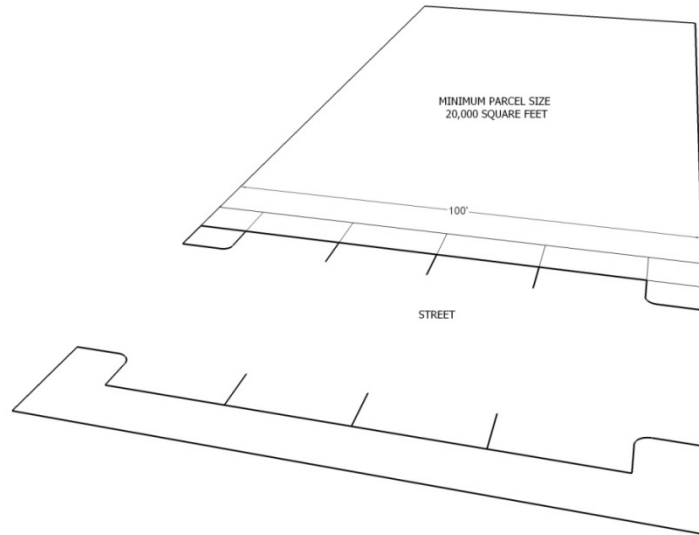
3. Private yacht basins.
- D. Performance standards. The following performance standards shall govern the general development of structures in this District. Where there are specific standards for properties that are specifically set forth in the Site Specific Zoning Regulations, the regulations in the Site Specific Regulations shall apply (see Appendix A).
  1. Building sites. Buildings and structures constructed in this District shall be constructed or erected upon a building site containing at least one (1) platted lot, and such building site shall have a minimum street frontage of fifty (50) feet.
  2. Minimum parcel dimensions.
    - a. Buildings with a height of less than seventy (70) feet. Multi-family dwellings shall be constructed on a parcel of land with a width of not less than fifty (50) feet or a depth of not less than one hundred (100) feet.





## ARTICLE 4 - ZONING DISTRICTS

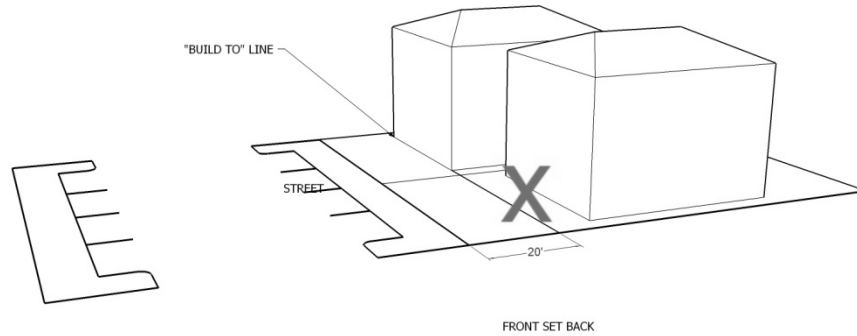
- b. Buildings with a height of seventy (70) feet or greater. Multi-family dwellings with a height of seventy (70) feet or greater shall be constructed on a parcel of land with an area of not less than twenty thousand (20,000) square feet and at least one hundred (100) feet of frontage on a public road.



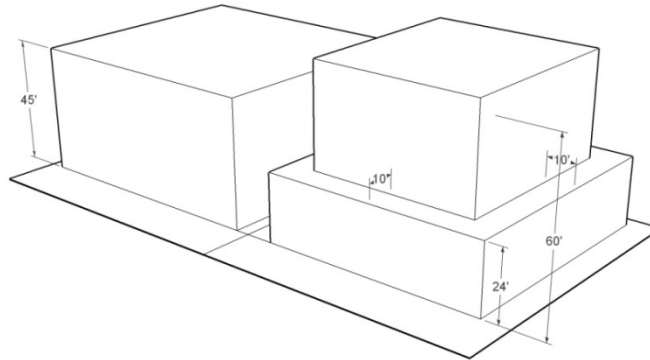
- c. Townhouses/row houses. Minimum building/parcel width of twenty-two (22) feet.
3. Maximum density. Sixty (60) dwelling units per acre or the density provided in the Comprehensive Plan, with architectural incentives, whichever is less.
  4. Facing of lots and buildings.
    - a. The facing of a building site shall be based on the platting of the lots that comprise the building site, except for specific deviations or exceptions prescribed in the Site Specific Zoning Regulations in Appendix A.
    - b. Every lot shall be deemed to face the street upon which it abuts; if a lot abuts upon more than one (1) street, it shall be deemed to face the street upon which it has the shortest street line; and any building shall face the front of the lot, and be subject to the restrictions governing buildings on each street on which it is deemed to face.
    - c. Townhouse/row house units on a street shall be designed in a row house building typology that is oriented towards the street. All units shall have their primary pedestrian entrance facing and visible from a street, with off-street parking accessed from the rear of the property.
  5. Setback requirements. No building or structure, or any part thereof, including porches, projections or terraces, but not including uncovered steps, shall be erected at a lesser distance from the front, side or rear line of any building site than the front, side or rear setback distance, respectively, prescribed and established herein for such building site.

## ARTICLE 4 - ZONING DISTRICTS

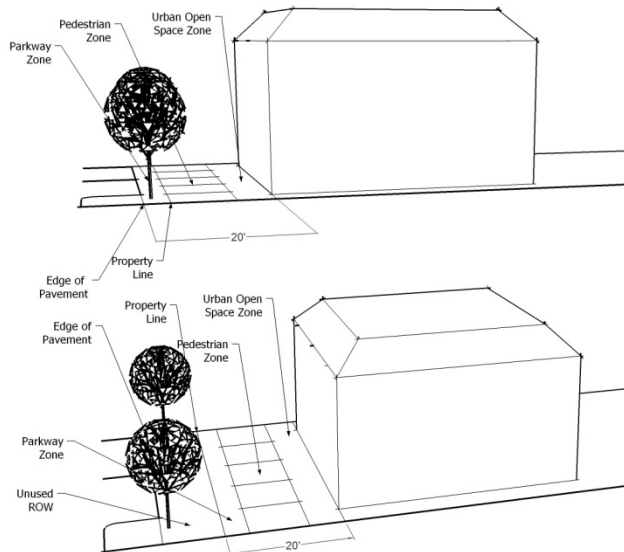
- a. Front setback. The front setback shall also be a build to line for the ground level of any building.



- i. Townhouses/row houses with a height of forty-five (45) feet or less. Ten (10) feet.
- ii. Buildings with a height of forty-five (45) feet or less. Twenty (20) feet.
- iii. Buildings with a height greater than forty-five (45) feet. Twenty (20) feet, provided however, that any portion of a building which has a height of greater than twenty-four (24) feet, shall be set back an additional ten (10) feet.



- iv. Adjustment to front setback. In the event that there is public right-of-way between the edge of street pavement and the front property line of the parcel proposed for development, the required front setback shall be reduced by the distance between the edge of pavement and the front property line; provided however, that in no case shall a building be constructed within five (5) feet of the front property line.



## ARTICLE 4 - ZONING DISTRICTS

- b. Side setbacks.
    - i. Interior property line and abutting alley side setback.
      - (a) Townhouses with a height of forty-five (45) feet or less. None.
      - (b) Buildings with a height of forty-five (45) feet or less. Five (5) feet.
      - (c) Buildings with a height of greater than forty-five (45) feet. Ten (10) feet, provided however, that any portion of a building which has a height of greater than twenty-four (24) feet, shall be set back an additional ten (10) feet.
    - ii. Abutting a public street.
      - (a) Buildings with a height of forty-five (45) feet or less. Ten (10) feet.
      - (b) Buildings with a height of greater than forty-five (45) feet. Ten (10) feet, provided however, that any portion of a building which has a height of greater than twenty-four (24) feet, shall be set back an additional five (5) feet.
  - c. Rear setback. Ten (10) feet or five (5) feet if rear property line abuts an alley.
6. Floor area ratio. Maximum floor area ratio (FAR) shall not exceed 2.0.
7. Determination of maximum square foot floor area or FAR. The total floor area of a building or buildings on a building site divided by the area of the site. The total floor area shall include the gross horizontal area of the several stories of any building or buildings on the site, as measured from the exterior face of exterior walls (not the windows or doors in the exterior walls), and shall include any building area not specifically excluded by this section as floor area excluded from computing the FAR of a building or buildings. The floor area of a building that is excluded from the determination of a buildings floor area ratio in this District shall include the following:
- a. Unenclosed private balconies.
  - b. Off-street parking garages.
  - c. Lobbies and corridors on the ground floor of the building.
  - d. Corridors located above the ground floor that are at least fifty (50%) percent open and unenclosed.
  - e. Open stairwells.
8. Height. The maximum permitted height is as follows:
- a. Pursuant to the Comprehensive Plan Map designation and/or Site Specific Zoning regulations.
  - b. MFSA properties shall have a height limitation of thirty five (35) feet within fifty (50) feet of an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 property, as measured from the MFSA property line. MFSA properties shall have a height limitation of three (3) floors or forty-five (45) feet, whichever is less, on the remaining portions adjacent, abutting or contiguous (including streets, waterways, or alleys) to an SFR and/or MF1 property.
  - c. Parcels of land which are contiguous or adjacent to MF1 Districts or land designated as public buildings and grounds. Forty-five (45) feet.
  - d. Parcels of land designated Comprehensive Plan Residential Use - multi-family low-density.
    - i. Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family low-density land use designations: forty-five (45) feet.

## ARTICLE 4 - ZONING DISTRICTS

- ii. Parcels of land which are contiguous or adjacent to other parcels designated residential use - multi-family medium density land use designations: forty-five (45) feet.
  - iii. Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family high density or commercial use high-rise intensity land use designations: sixty (60) feet.
- e. Parcels of land designated Comprehensive Plan Residential Use - multi-family medium-density.
- i. Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family low-density land use designations: sixty (60) feet.
  - ii. Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family medium-density land use designations: sixty (60) feet or seventy (70) feet if a parcel of land has an area of twenty-thousand (20,000) square feet or more.
  - iii. Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family high-density or commercial use high-rise intensity land use designations: sixty (60) feet or one-hundred (100) feet if a parcel of land has an area of twenty-thousand (20,000) square feet or more.
- f. Parcels of land designated Comprehensive Plan Residential Use - multi-family high-density.
- i. Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family low-density land use designations: sixty (60) feet or seventy (70) feet if a parcel of land has an area of twenty-thousand (20,000) square feet or more.
  - ii. Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family medium-density land use designations:
    - (a) Sixty (60) feet if a parcel of land is less than ten-thousand (10,000) square feet, or seventy (70) feet if a parcel of land has an area of ten-thousand (10,000) square feet or greater but less than twenty-thousand (20,000) square feet; or,
    - (b) One hundred (100) feet if a parcel of land has an area of twenty-thousand (20,000) square feet or more.
  - iii. Parcels of land which are contiguous or adjacent to other parcels designated residential use - multi-family high-density or commercial use high-rise intensity land use designations: sixty (60) feet or one-hundred-fifty (150) feet if a parcel of land has an area of twenty-thousand (20,000) square feet or more.
- g. Parcels of land abutting existing buildings with non-conforming heights. Notwithstanding any other provision of this Subsection 8, a parcel of land which is proposed for development which abuts parcels of land on three (3) sides improved with existing buildings with heights exceeding the maximum permitted height shall have a maximum permitted height of the lowest height of the three (3) buildings on the parcels abutting the parcel proposed for development.

## ARTICLE 4 - ZONING DISTRICTS

h. Height summary. The following matrix summarizes the provisions of Subsection 8, a-f:

<i>Maximum height</i>						
	<i>Parcel size</i>	<i>SFR</i>	<i>MF1</i>	<i>MF L</i>	<i>MF M</i>	<i>MF H</i>
MF L		35'	45'	45'	45'	60'
MF M	<20 K	35'	45'	60'	60'	60'
	>20 K	35'	45'	60'	70'	100'
MF H	<10 K	35'	45'	60'	60'	60'
	10K – 20K	35'	45'	60'	70'	70'
	>20 K	35'	45'	70'	100'	150'

"SFR" means any of the SFR District in the Zoning Code.

"MF1" means any of the MF1 District in the Zoning Code.

"MF L" means the residential multi-family low density category in the Comprehensive Plan.

"MF M" means the residential multi-family medium density category in the Comprehensive Plan.

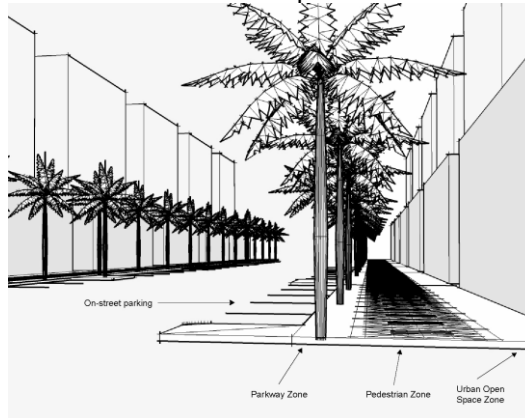
"MF H" means the residential multi-family high density category in the Comprehensive Plan.

i. The maximum permitted height is measured from established grade to the flat roof deck and when there is no flat roof deck the height shall be to the tie-beam on the top floor of the building. Mechanical equipment areas and decorative roof structures may extend beyond the permitted height a total of ten (10) feet. When more than one (1) of the following conditions occurs for a specific property, the more restrictive condition shall apply.

### 9. Streetscape standards.

a. Streetscape required. The developer of all new residential buildings shall be responsible for the improvement of the area between the front set back and edge of pavement as an urban or suburban streetscape. If the parcel of land proposed for development is adjacent to parcels of land designated multi-family high density or multi-family medium density, then an urban streetscape shall be required. If the parcel of land proposed for development is designated multi-family low density and is adjacent to parcels of land designated multi-family low density, then a suburban streetscape shall be required. Any improvements constructed within the public right-of-way shall be dedicated to and maintained by the City.

b. Minimum width of required streetscape. An urban streetscape shall have a minimum width of twenty-nine (29) feet. A suburban streetscape shall have a minimum width of fifteen (15) feet.



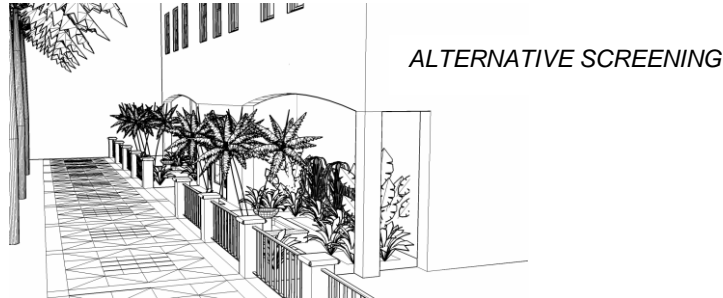
c. Required urban streetscape elements. The required urban streetscape shall be comprised of four (4) zones:

## ARTICLE 4 - ZONING DISTRICTS

- i. On-street parking zone.
  - ii. A parkway zone of at least four (4) feet in width.
  - iii. A pedestrian zone of at least eight (8) feet in width except that the zone width may be reduced to six (6) feet where the existing sidewalks adjacent to the parcel proposed for development are five (5) feet or less.
  - iv. An urban open space zone located between the building and the pedestrian zone, except that no urban open space zone shall be required for townhouses.
- d. Required suburban streetscape elements. The required suburban streetscape shall be comprised of two (2) zones:
- i. A parkway zone of at least four (4) feet in width.
  - ii. A pedestrian zone of at least six (6) feet in width.
  - iii. If the placement of streetscape elements results in removal of existing on-street parking, the Directors of Public Service and Public Works may reduce the required elements to provide for the preservation of the existing on-street parking.
- e. On-street parking requirements. Parallel parking spaces shall be provided within the public right-of-way with dimensions of nine (9) feet by twenty (20) feet. Parallel parking spaces shall be separated with "landscape bulb outs" or pedestrian crosswalks so that no more than six (6) spaces shall be contiguous to one another. If the placement of the spaces results in removal of existing on-street over story trees, the Directors of Public Service and Public Works may reduce the on-street parking requirement to provide for the preservation of the existing over story trees.
- f. Parkway zone requirements.
- i. At least twenty-five (25%) percent of the parkway zone shall be landscaped with groundcover, flower planters or tree grates.
  - ii. Street trees shall be located in the parkway zone on thirty (30) foot centers.
  - iii. Portions of the parkway zone which are not landscaped shall be improved with pavers.
  - iv. Planters shall not be located in those portions of the parkway zone which are contiguous to parking spaces in an on-street parking zone.
  - v. Pavers shall be Coral Gables beige with neutral borders and internal patterns.
  - vi. The pedestrian zone shall be free of obstacles such as street furniture and landscaping.
- g. Urban open space zone.
- i. The urban open space zone shall be improved with:
    - (a) Landscape, hardscape or a mix of landscape and hardscape material.
    - (b) Water features, fountains, planters, street lighting and street furniture.
    - (c) Entrance features including steps may be located within the zone.
  - ii. If the urban open space zone is located on private property, the zone may be enclosed with ornamental fencing not to exceed five (5) feet in height. No more than thirty five (35%) percent of the fencing shall be solid and the fencing shall have gates to allow residents to access the pedestrian zone of the required streetscape.
  - iii. Include one (1) tree of at least fourteen (14) feet in overall height per one hundred twenty-five (125) square feet of required open space area.
- h. Building facades. Building facades abutting the required streetscape shall be animated by windows, shutters, planters, columns, relief elements, and other architectural details to give character to the street. All windows shall be recessed at least four (4) inches.
- i. Parking garages.

## ARTICLE 4 - ZONING DISTRICTS

- i. No portion of a building which is above grade and within twenty (20) feet of the front setback line shall be used for the storage of vehicles or off-street parking unless the façade is treated with a decorative wall or fence of four and one-half (4½) feet in height along the portion of the building used for off-street parking, with landscaping and urban open space which screens the building to a height of at least seven (7) feet at time of planting.



- ii. In the event that structured parking is to be constructed above grade, the facades of the garage shall be designed and improved so that the use of the building as a garage is not readily apparent.
  - iii. Parking garages shall reflect the architectural character and exterior finishes of the building which is to be served by the garage.
- j. Refuse and waste disposal facilities. Refuse and waste disposal facilities shall be enclosed within a building or structure which reflects the architectural character and exterior finishes of the building which is to be served by the facilities. An enclosure used exclusively for refuse and waste facilities may be located in a required front setback area.
  - k. Architectural standards. See Article 5, Division 6.
  - l. All development shall comply with Article 5, Division 6 for residential uses which are set out in Table 1 of Division 6 and five (5) of ten (10) of the standards in Table 2 of Division 6; however, the bonus intensity and heights shall not apply.

### Division 2. Overlay and Special Purpose Districts

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

A. Purpose. The purpose of this District is to:

1. Provide the method by which tracts of land may be developed as a planned unified project rather than on a lot-by-lot basis as provided for in the City's other regulations.
2. Provide for residential uses at higher densities in exchange for public realm improvements.
3. Provide maximum design freedom by permitting property owners an opportunity to more fully utilize the physical characteristics of the site through modified development regulations and the planned mixing of uses.
4. Require that property within the District will be developed through a unified design providing continuity among the various elements causing a better environment.
5. Create a diversity of uses within walking distance, including but not limited to: residential, offices, workplaces, neighborhood commercial, and public open spaces including the following attributes:
  - a. Provide a variety of uses in the area which can be traversed in a ten (10) minute walk which

## ARTICLE 4 - ZONING DISTRICTS

- is an area roughly inscribed by a one thousand three hundred and twenty (1,320) foot (1/4 mile) radius from the center.
- b. Bring within walking distance most of the activities of daily living, residents of all ages may gain independence of movement, thereby reducing the number and length of vehicular trips.
  - c. Designed and organized to promote an assortment of street level pedestrian amenities in exchange for increase in building height, residential density, and floor area ratio.
  - d. Provide for the ability to reduce setbacks and encroachment into the public rights-of-way with public open space improvements.
  - e. Designed to provide for architectural and design elements focused to a pedestrian scale.
  - f. Strengthen the hierarchy of streets and maintain the existing “grid” network that is designed to serve the needs of pedestrians, bicyclists and vehicular circulation equitably.
  - g. Encourage landmark opportunities, including physically defined squares, plazas, urban passageways, parks, public open spaces, and places of public assembly for social, cultural and religious activities to provide places for social activity.
  - h. Encourage private and public buildings to form a clear edge, spatially delineating the public street space and block interiors.
6. By organizing appropriate building densities, public transit will be further strengthened as an alternative to the use of private vehicles.
  7. Provide a strong emphasis on aesthetics and architectural design through the use of the regulations and the planned mixing of uses to establish identity, diversity and focus to promote a pedestrian friendly environment. This can be accomplished by the following:
    - a. Utilization of a variety of architectural attributes and street level amenities to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional areas.
    - b. Increase the choices available for transportation to encourage increased mobility and reduction in transportation expenses. Choices shall include public transit, bicycle and pedestrian circulation opportunities.
    - c. Integration of street level plazas, courtyards, open space and public gathering areas including the creation and preservation of corridors, vistas and landmark features.
    - d. Provide for an increased range of housing types and workplace opportunities, where age and economic class are integrated and the bonds of community are formed.
    - e. Applicability.
      - i. An MXD may constitute an individual mixed use building(s) or can be assigned as an overlay zoning designation in the Commercial (C) and Industrial (I) Districts and are in addition to the underlying zoning designation and other applicable City regulations. Please see Table 1 below for applicability of provisions for individual mixed use buildings and overlay districts.
      - ii. MXD as an individual mixed use building(s) shall be subject to the following regulations:
        - (a) Multi-family residential and residential accessory uses are permitted uses as a part of a site plan approval.
        - (b) The site plan requires conditional use review and approval.
        - (c) All underlying zoning district regulations are applicable for the subject property unless



## ARTICLE 4 - ZONING DISTRICTS

superseded by the relevant regulations in Table 1.

- iii. The site specific standards of this Code shall not apply to properties seeking assignment of an MXD overlay. Approval of an MXD overlay shall deem underlying site specific regulations as void.
- B. Permitted uses for overlay districts only. The following uses are permitted in the Mixed Use District overlay districts in addition to the permitted and conditional uses of the underlying zoning district, subject to the standards in this Section and other applicable regulations in Article 5:
1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  2. Alcoholic beverage sales.
  3. Government uses.
  4. Ground floor uses.
    - a. Government uses.
    - b. Live work units.
    - c. Multi-family dwellings.
    - d. Museums.
    - e. Offices.
    - f. Overnight accommodations.
    - g. Restaurants.
    - h. Retail sales and services.
    - i. Theaters.
    - j. Sales and/or leasing offices as a part of a residential development for a period not to exceed twelve (12) months from the issuance of a Certificate of Occupancy. The City Manager may grant a maximum of two (2) extensions for a period of six (6) months each with a cumulative total not to exceed twelve (12) months.
  5. Religious Institutions.
  7. Swimming pool as an accessory use.
  8. Uses permitted in the underlying district as a permitted use and conditional use subject to the permitted ground floor uses as listed above.
- C. Conditional uses. The following uses are permitted in the Mixed Use District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:
1. Assisted living facilities.
  2. Camps.

## ARTICLE 4 - ZONING DISTRICTS

3. Community center.
4. Congregate care.
5. Day care.
6. Medical clinic.
7. Mixed use building(s).
8. Nighttime uses.
9. Public transportation facilities.
10. Research and technology use only within an I district.
11. Restaurants, fast food.
12. Utility/infrastructure facilities.

*Table 1.*

Reference	Individual building(s)	Overlay District	Type	Requirements
<b>D. Performance standards.</b>				
1.		✓	Minimum site area for an MXD District.	Twenty-thousand (20,000) square feet.
2.	✓		Minimum site area for an MXD project/building.	Twenty-thousand (20,000) square feet.
3.	✓		Minimum site area for an MXD project/building within North and South Industrial MXDs as defined on the Official Zoning Map.	Greater than forty-five (45) feet in height shall provide a minimum of one-hundred (100) feet of primary street frontage and a minimum site area of ten-thousand (10,000) square feet.
4.	✓	✓	Lot coverage.	No minimum or maximum.
5.	✓	✓	Mixed use percentages.	Provide a minimum of eight (8%) percent of the total square footage of the building square footage (not including parking garage square footage) or the entire ground floor, whichever is greater, of permitted ground floor uses. Remaining portions of the building may be uses permitted in the underlying zoning designations as modified by these regulations.
6.		✓	Mediterranean architecture.	Mandatory for MXD overlay districts only.
<b>E. Building regulations.</b>				
1.		✓	Encroachments of bridges over rights-of way.	Bridges traversing a public right-of-way are permitted, however, only if properties on both sides are under same ownership.

## ARTICLE 4 - ZONING DISTRICTS

<i>Table 1.</i>				
Reference	Individual building(s)	Overlay District	Type	Requirements
2.	✓	✓	Encroachments for balconies, awnings, etc.	Subject to applicable regulations.
3.		✓	Floor area ratio.	Up to 3.5 with Mediterranean architecture.
4.	✓	✓	Floors.	No minimum or maximum required.
5.	✓	✓	Floor-to-floor height.	The minimum floor-to-floor height shall be permitted as regulated per the Building Code.
6.		✓	Height.	<p>The maximum allowable building height(s), subject to satisfying Article 3, Division 4, Conditional Uses, for habitable space for the following underlying zoning designations and uses may be granted as follows:</p> <ul style="list-style-type: none"> <li>• Commercial Limited District: Up to and including seventy-five (75) feet.</li> <li>• Commercial District: Up to and including one-hundred (100) feet.</li> <li>• Industrial District: Up to and including one-hundred (100) feet.</li> <li>• Manufacturing uses: Up to and including forty-five (45) feet.</li> </ul> <p>For properties within the North Industrial Mixed-Use District which have an underlying zoning designation of Industrial, the City Commission may approve up to an additional twenty (20) feet of habitable building height upon finding that the proposed building complies with the following criteria:</p> <ul style="list-style-type: none"> <li>• The building has no more than ten (10) stories.</li> <li>• The additional building height is for the purpose of providing increased floor to ceiling height in residential units.</li> <li>• The additional building height enhances the building's aesthetics and the aesthetics of the surrounding area.</li> <li>• The additional building height does not result in increased density or floor area.</li> </ul>
7.	✓	✓	Heights of architectural elements, etc.	<p>The maximum allowable height(s), subject to satisfying Article 3, Division 4, Conditional Uses, of architectural elements, spires, bell towers, elevator housings or similar non-habitable structures for the following underlying zoning designations and uses may be granted as follows:</p> <ul style="list-style-type: none"> <li>• Commercial Limited District: Up to and including fifteen (15) feet.</li> <li>• Industrial and Commercial Districts: Up to and including twenty-five (25) feet.</li> <li>• Manufacturing uses: Up to and including ten (10) feet.</li> </ul> <p>For properties which have an underlying zoning designation of Industrial and obtain approval from the City Commission for additional habitable space height pursuant to Section 4-201(E)(6), the City Commission may approve architectural elements not to exceed a height of 190'6" from established grade, upon finding that the proposed architectural element enhances the building's aesthetics and the aesthetics of the surrounding area.</p>
8.		✓	Height adjoining residential uses.	<p>Properties which are adjacent to residential district designations shall be limited to a maximum height (habitable space) of forty-five (45) feet within one hundred (100) feet of the adjacent right-of-way line. Ten (10) additional feet are permitted for roof top architectural elements, etc. above the habitable height.</p> <p>For properties that obtain approval from the City Commission for additional habitable space height pursuant to Section 4-201(E)(6), the City Commission may approve rooftop architectural elements not to exceed twenty-five (25) feet beyond habitable height for that portion of the property which is adjacent to residential district designations, upon finding that the proposed rooftop</p>

## ARTICLE 4 - ZONING DISTRICTS

*Table 1.*

Reference	Individual building(s)	Overlay District	<i>Type</i>	<i>Requirements</i>
				architectural element enhances the building's aesthetics and the aesthetics of the surrounding area, and that such increased height will not have a negative impact on adjacent residential uses.
9.	✓	✓	Number of buildings per site.	No minimum or maximum required.
10.	✓	✓	Ground floor building frontage on primary streets.	Minimum of fifty (50%) percent of the linear ground floor building frontage shall include retail sales and service, office, or restaurant or public realm land area (i.e. plazas, courtyards, open space, etc.) uses. 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	✓	✓	Ground floor building frontage on secondary streets.	Minimum of forty (40%) percent of the linear ground floor building frontage shall include retail sales and service, office, or restaurant or public realm land area (i.e. plazas, courtyards, open space, etc.) uses. Secondary street means a minor street used to access abutting properties which carries traffic to the primary street system.
12	✓	✓	Retail frontage on alleys.	No minimum or maximum required.
13.	✓	✓	Residential density.	Up to a maximum of one hundred and twenty-five (125) units per acre except for properties in the Central Business District (CBD) and the North and South Industrial Mixed Use Districts. There shall be no density limitations in the CBD and the North and South Industrial Mixed Use Districts.
14.	✓	✓	Setbacks (buildings).	<p>Front: Up to forty-five (45) feet in height: None. If over forty-five (45) feet in height: Ten (10) feet</p> <p>Side: Interior side: None. Side street: Fifteen (15) feet.</p> <p>Rear: Abutting a dedicated alley or street: None. No abutting dedicated alley or street: Ten (10) feet.</p> <p>Balconies: Cantilevered open balconies may project into the required setback areas a maximum of six (6) feet.</p> <p>Applicants and property owners desiring to develop pursuant to these regulations may not seek a variance for relief or reduction in building setbacks. Reductions are only permitted subject to the below listed regulations.</p>
15.	✓	✓	Setback reductions and vertical building setbacks.	<p>Reduction in setbacks. Setbacks may be reduced subject to the following standards:</p> <p>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> </ul>

## ARTICLE 4 - ZONING DISTRICTS

*Table 1.*

Reference	Individual building(s)	Overlay District	Type	Requirements
				<ul style="list-style-type: none"> <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 setbacks. A vertical building setback of a minimum of ten (10) feet shall be provided at a maximum height of forty-five (45) feet on all façades. Additional vertical building setbacks may be required by the City Architect and the entire Board of Architects to further reduce the potential impacts of the building bulk and mass.</p>
16.		✓	Setbacks adjoining residential uses.	Residential districts. All property lines abutting a residential land use or district shall be a minimum of fifteen (15) feet. No reductions in setbacks may be requested or granted.
17.		✓	Street/lot frontage.	No minimum or maximum.
<b>F. Design regulations.</b>				
1.		✓	Arcades and/or loggias.	Arcades, loggias or covered areas may accommodate up to eighty (80%) percent of the entire linear length of the building based upon the site plan review criteria listed herein. Encroachment of the entire length or one hundred (100%) percent may be requested subject to review and approval at the time of site plan consideration. Limitations of encroachments on corners of buildings may be required to control view corridors and ground floor building bulk and massing.
2.	✓	✓	Architectural relief and elements.	Architectural relief and elements (i.e., windows, cornice lines, etc.) shall be provided on all sides of buildings and include similar architectural features as to those provided on the front façade. No blank walls shall be permitted unless required pursuant to applicable Fire and Life Safety Code requirements.
3.	✓	✓	Building support services.	All mechanical, electrical and other associated support service areas shall be located entirely within the structure.
4.	✓	✓	Facades.	Facades in excess of one hundred and fifty (150) feet in length, shall incorporate design features with the use of, but not limited to the following items: (a) Breaks, setbacks or variations in bulk/massing at a minimum of one hundred (100) foot intervals. (b) Use of architectural relief and elements.
5.	✓	✓	LEED certification.	All buildings are required to meet the standards of Leadership in Energy and Environmental Design (LEED) criteria specified by the U.S. Green Building Council, or similar rating agency. Examples may include the following LEED certification rating systems: <ul style="list-style-type: none"> <li>Building Design and Construction (BD+C).</li> <li>Neighborhood Development (ND).</li> </ul>
6.	✓	✓	Lighting (street).	Decorative street lighting shall be provided and located on all streets/rights-of-way subject to the following: <ul style="list-style-type: none"> <li>Light fixtures/poles up to thirty-five (35) feet in height.</li> <li>Subject to all other applicable City code provisions.</li> </ul>
7.	✓	✓	Lighting (building).	External illumination and lighting of buildings shall require Planning Department and Planning and Zoning Board review and recommendation with approval of the City Commission.
8.	✓	✓	Lighting (landscaping).	Lighting in the form of uplighting of landscaping is encouraged.
9.	✓	✓	Outdoor storage.	The storage of materials, goods, merchandise, and equipment for the purpose of display and/or sales outside the confines of any buildings or structures is prohibited.

## ARTICLE 4 - ZONING DISTRICTS

*Table 1.*

Reference	Individual building(s)	Overlay District	Type	Requirements
10.	✓	✓	Overhead doors.	Overhead doors shall not face or be directed towards residential properties and/or adjacent rights-of-way abutting residentially zoned properties.
11.	✓	✓	Paver treatments.	Paver treatments shall be included in the following locations: <ul style="list-style-type: none"> <li>• Driveway entrances.</li> <li>• Crosswalks.</li> <li>• Sidewalks. Minimum of twenty-five (25%) percent of paving surface.</li> </ul>
12.	✓	✓	Parking garages.	Parking garages shall include exterior architectural treatments compatible with buildings or structures which occupy the same development and/or street.
13.	✓	✓	Pedestrian access orientation.	All buildings, except accessory buildings, shall have their main pedestrian entrance or entrances oriented towards the front property line.
14.	✓	✓	Pedestrian amenities.	<p>Pedestrian amenities shall be provided on both private property and/or public open spaces including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• Benches.</li> <li>• Information kiosks.</li> <li>• Lighting.</li> <li>• Bike racks.</li> <li>• Refuse containers.</li> <li>• Sidewalk pavement treatments.</li> <li>• Statuary.</li> <li>• Street crosswalk paver treatments.</li> <li>• Wall mounted fountains.</li> <li>• Water fountains and other similar water features.</li> </ul> <p>All pedestrian amenities shall be permanently secured to the ground surface. Above amenities shall be consistent in design and form with the applicable City Public Realm Design Manual.</p>
15.	✓	✓	Pedestrian design features for building frontages (street level only).	<p>On any front property line or primary street, where an adjoining pedestrian sidewalk is located, the following design features shall be included:</p> <ul style="list-style-type: none"> <li>• Display windows or retail display area;</li> <li>• Landscaping; and/or,</li> <li>• Architectural building design features.</li> </ul> <p>The intent is to create pedestrian and shopper interest, preclude inappropriate or inharmonious design, preclude blank walls of building faces, and prohibit windows from being permanently obstructed.</p>
16.	✓	✓	Pedestrian pass-throughs/paseo.	<p>Pedestrian pass-throughs shall be provided for each two hundred and fifty (250) linear feet or fraction thereof of building frontage provided on the primary street. The pass through shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• Minimum of ten (10) feet in width.</li> <li>• Include pedestrian amenities as defined herein.</li> </ul> <p>In lieu of providing one (1) pass through of ten (10) feet every two hundred and fifty (250) feet of building frontage, two (2) pass-throughs can be combined to provide one (1), twenty (20) foot wide pass-through.</p>
17.	✓	✓	Porte-cocheres.	Porte-cocheres are prohibited on front property line or primary street.
18.	✓	✓	Rooftop screening.	All mechanical, electrical, cellular antennas and other similar roof top building support services shall be entirely screened from public view subject to the discretion and approval from the Board of Architects for design and screening material. Landscaping may be used as a screening material at the discretion of

## ARTICLE 4 - ZONING DISTRICTS

<i>Table 1.</i>				
Reference	Individual building(s)	Overlay District	<i>Type</i>	<i>Requirements</i>
				the Board of Architects.
19.	✓	✓	Design regulations.	The Board of Architects may approve minor adjustments for aesthetic purposes to required Mixed Use District design regulations in order to enhance building design.
<b>G. Landscaping.</b>				
1.	✓	✓	Landscape open space.	Landscape open space requirements are satisfied pursuant to the rights-of-way planting requirements listed in Article 5, Division 11.
<b>H. Parking/vehicle storage.</b>				
1.	✓	✓	Bicycle storage.	To encourage the use of bicycles, etc., a minimum of one (1) ten (10) foot bicycle rack for each two hundred and fifty (250) parking spaces or fraction thereof shall be provided. The location shall be convenient to users and shall be subject to review as a part of the site plan review.
2.	✓	✓	Boats, trailers, etc.	Boats and recreational vehicles, or similar accessory vehicles. These vehicles shall be parked and/or stored within an enclosed garage, area or structure.
3.	✓	✓	Curbing.	Raised curbing. Six (6) inch raised curbing shall be provided on all streets abutting this use. Curb cuts and ramps for handicapped access shall also be provided at all street intersections and points of pedestrian crossing.
4.	✓	✓	Loading/unloading areas.	Off-street loading standards and requirements shall conform to the requirements as set forth in Article 5, Division 14.  All loading/unloading areas and/or facilities shall be within fully enclosed areas with overhead doors. Overhead doors shall remain closed when not in use and after hours.
5.	✓	✓	Ground floor uses.	Off-street parking requirements for ground floor commercial uses (i.e. offices, restaurants, retail, or similar uses) shall be calculated at a rate of one (1) space per three-hundred (300) square feet of floor area.  Requests for change of use shall be reviewed and approved by the Development Review Official for compatibility with surrounding uses and whether there is a negative impact on the public parking system, including on-street parking.
6.	✓	✓	Shared Parking.	Shared parking may be considered for mixed-use developments on a case-by-case basis pursuant to the provisions of Zoning Code Section 5-1410.
7.	✓	✓	On-street parking.	On-street parking must be provided on both sides of the street on all primary streets, unless encroachments for arcades/loggias are requested. Evaluation as to the amount of on-street parking provided shall be evaluated on a case-by-case basis.  On-street parking shall not be included as satisfying the required parking requirements.  On-street parking is encouraged on alleys.  Removal of on-street parking shall be subject to compensation to the City based upon established City provisions.
8.	✓	✓	Parking garages.	Ground floor parking that is located and fronting on a primary street is prohibited. Ground floor parking is permitted on secondary streets and shall be fully enclosed within the structure and shall be surrounded by retail uses. Ground floor parking is permitted on alley frontages.

## ARTICLE 4 - ZONING DISTRICTS

<i>Table 1.</i>				
Reference	Individual building(s)	Overlay District	<i>Type</i>	<i>Requirements</i>
				Parking facilities shall accommodate pedestrian access to all adjacent street(s) and alleys.
9.	✓	✓	Parking space limitations.	Restricting and/or assignment of off-street parking spaces for individual tenant or users with the use of signage, pavement markings, etc., are permitted.
10.	✓	✓	Residential uses.	Off-street parking requirements shall conform to the requirements as set forth in Article 5, Division 14.
11.	✓	✓	Surface parking areas.	Surface parking lots and/or similar vehicle use areas are prohibited to front on primary streets.
		✓	Valet parking areas.	If valet parking is desired, the valet parking drop-off areas shall be provided on private property. Tandem and/or stacking of parking are prohibited.
<b>I. Sanitation and service areas.</b>				
1.	✓	✓	General.	In accordance with Article 5, Division 17
<b>J. Signs.</b>				
1.	✓	✓	General.	In accordance with Article 5, Division 19.
<b>K. Streets and alleys.</b>				
1.	✓	✓	Streets and alleys.	Property owner(s) may request the vacation and/or abandonment of a public right-of-way subject to the criteria and procedure in Article 3, Division 12.
2.	✓	✓	Driveways.	<p>Vehicular access to parking garages shall be from a side street or alley. Vehicular egress/ingress, including but not limited to driveways, service drives, drive-throughs, etc., may be permitted from a primary street and shall be evaluated as part of site plan review based upon the project design in relation to existing surrounding circulation. Valet access points are exempt from these provisions.</p> <p>Vehicular entrances for drive-through facilities, garage entrances, service bays and loading/unloading facilities should be consolidated into one (1) curb cut to reduce the amount of vehicular penetration into pedestrian sidewalks and adjoining rights-of-way.</p>
3.	✓	✓	Sidewalks.	<p>Pedestrian pathways and/or sidewalks shall connect to one another to form a continuous pedestrian network from parking garage entrances, parking areas, primary and secondary pedestrian entrances, etc. Wherever possible pathways shall be separated from vehicular traffic.</p> <p>Sidewalks shall be located on both sides of all streets with a minimum of four (4) foot unobstructed clear area. The clear area shall be unobstructed by utility poles, fire hydrants, benches, trash receptacles, newspaper stands, light poles, planter boxes, telephone booths or other similar temporary or permanent structures (traffic signage shall be exempt from the above regulations).</p> <p>Sidewalks at points of street intersections or pedestrian crossing shall be sloped in such a manner as to accommodate handicapped access with the use of two (2) curb cuts and/or ramps at each street intersection.</p>
<b>L. Utilities.</b>				
1.	✓	✓	Underground utilities.	All utilities shall be installed underground in accordance with the provisions of Article 5, Division 22.
2.	✓	✓	Above ground utilities.	Above ground, façade, roof, mechanical and electrical facilities shall be appropriately screened to entirely hide the facility in accordance with the



## ARTICLE 4 - ZONING DISTRICTS

*Table 1.*

Reference	Individual building(s)	Overlay District	<i>Type</i>	<i>Requirements</i>
				provisions of Article 5, Divisions 11 and 18. Screening materials may include landscaping, walls, fencing, etc., to achieve one hundred (100%) percent opacity. Approval of type of screening shall be determined at time of site plan review.
<b>M. Miscellaneous.</b>				
1.	✓	✓	Configuration of land.	The parcel proposed for development shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed uses. Public rights-of-way or other public lands shall not be considered as a separation.
2.	✓	✓	Easements.	The City may, as a condition of approval, require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, open space, recreation and other public purposes which may be deemed necessary by the City Commission.
3.	✓	✓	Encroachments into public rights-of-way.	Any encroachments, construction and penetration into the rights-of-way shall be subject to the following: <ul style="list-style-type: none"> <li>• The property owners shall be responsible for all maintenance of all encroachments and/or property of all surrounding public rights-of-way, including but not limited to the following: landscaping (hard and softscape); benches; trash receptacles; irrigation; kiosks; plazas; open spaces; recreational facilities; private streets, etc. subject to all the provisions for which the development was approved as may be amended.</li> <li>• The property owners shall be responsible for liability insurance, local taxes, and the maintenance of the encroachment and/or property.</li> </ul>
4.	✓	✓	Live work units.	<ul style="list-style-type: none"> <li>• Live work units shall satisfy all applicable building code and fire and life safety code requirements at time of completion.</li> <li>• Each live work unit, including the garage (if applicable), shall be separated by walls from other live work units or other uses in the building, and shall have the ability to construct separate entrances to each use in the future.</li> <li>• The nonresidential space of a live work unit may be expanded to include the nonresidential space of an abutting live work unit if the applicant meets all applicable building codes.</li> <li>• Changes in use to allow for nonresidential uses shall be required to pay impact and water fees, meet the applicable building codes, and the parking requirements.</li> <li>• Operation of live work unit. <ul style="list-style-type: none"> <li>○ Prior to the issuance of an Occupational License for a nonresidential use, the applicant shall apply for a change in use permit if the unit was previously designated as a live work unit as part of a development approval.</li> <li>○ Deliveries for nonresidential uses in the live work unit shall be limited to the hours of 8:00 AM to 8:00 PM.</li> <li>○ Live work units shall not be used for storage of flammable liquids, or toxic hazardous materials which means any and all materials, substances, waste or chemicals classified under applicable governmental laws, rules or regulations as hazardous or toxic substances, materials, waste or chemicals.</li> </ul> </li> </ul>
5.		✓	Public realm improvements.	Responsibility. All property owner(s) that desire to develop pursuant to these regulations shall be required to fund, install, and maintain all public realm improvements required herein on private property as well as those required from the property boundary to the centerline of all contiguous public rights-of-way. A

## ARTICLE 4 - ZONING DISTRICTS

*Table 1.*

Reference	Individual building(s)	Overlay District	<i>Type</i>	<i>Requirements</i>
				<p>property owner may also provide public realm improvements up to the property line on the far side of rights-of-way abutting his/her property. These improvements as identified in the “Master Streetscape Plan” and “Underground Facilities Master Plan” include, but are not limited, to the following: landscaping; paving; signage; street furniture; public right-of-way improvements; and undergrounding of all utilities.</p> <p>Any other abutting property owner who subsequently develops property abutting an improved public realm area pursuant to these provisions shall reimburse the property owner who funded the improvements the pro rata share attributable to his property based on street or alley frontage along with the amount of interest permitted by this provision. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements.</p> <p>Property owners who develop property abutting already improved public realm areas shall restore the public realm areas to their condition prior to the commencement of construction. The costs of such restoration shall not affect the total amount of reimbursement which another abutting property owner may be entitled to under this section.</p> <p>Administration of improvements. Prior to issuance of a building permit for construction, the property owner(s) shall provide surety equating to one hundred (100%) percent of the costs for completion of all improvements. The monies shall be deposited into a “Mixed Use District Public Realm Improvements Fund” (hereinafter referred to as the “Fund”) and disbursed by the City according to this section. The pro rata share of each property owner’s contribution to the fund shall be based on its street frontage measured in linear feet or other means of equitable distribution. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements. The City shall also collect an administrative fee as authorized by Florida Statutes for the administration and implementation of the Fund. Invoices submitted by the developer to the City in connection with the public realm improvements shall be paid by the City from the Fund. The City’s Public Works Department shall monitor construction and disperse the monies from the Fund based upon completion of work and in compliance with the Master Streetscape Plan and Underground Facilities Master Plan.</p> <p>Underground utility provisions. Underground utilities shall be installed pursuant to an Underground Facilities Master Plan which will be prepared by the Public Works Department in cooperation with the Planning Department. The necessary support facilities for the installation of all underground utility facilities, including but not limited to utility vaults and transformers shall be located on private property. Property owners will receive an FAR credit equivalent to the amount of space occupied by the necessary utility facility.</p> <p>Easements. The property owners shall provide easements to all applicable utility companies for the installation and maintenance of underground utilities.</p>

## ARTICLE 4 - ZONING DISTRICTS

*Table 1.*

Reference	Individual building(s)	Overlay District	<i>Type</i>	<i>Requirements</i>
				Alternative funding mechanism. A Special Taxing District or Special Assessment District may be created pursuant to Florida Statutes to fund the installation and maintenance of underground utilities and all public realm improvements.
6.	✓	✓	Transfer of density and floor area ratio within the site plan.	The density and floor area ratio may be transferred throughout the contiguous unified parcel.

### **Section 4-202. University Campus District (UCD).**

- A. Purpose and applicability. The purpose of the University Campus District (UCD) is to provide for the establishment and continuing operation of the University of Miami as an institution of higher education within the City of Coral Gables. The City of Coral Gables recognizes that institutions of higher education constitute a unique mix of land uses, facilities and activities and the City desires to establish procedural and substantive regulations to govern future development undertaken by the University within the campus boundaries.
- B. Campus sub-areas. The UCD is comprised of the Campus Buffer Area, Campus Transition Area, Campus Core Area and Campus Core Subareas (University Village and University Multi-Use Zone).
- C. Campus master plan components. Subject to Article 3, Division 2, Sections 3-201 - 3-203, a Campus Master Plan application shall include the following information or documentation:
1. A site plan.
  2. A development chart which identifies square footage of all existing and planned buildings and structures; the proposed timeline for construction of planned buildings and structures; and the campus wide ground area coverage and floor area ratio applicable on a cumulative basis for all structures.
  3. Design Manual that includes minimum design guidelines, including sign and lighting design criteria and the design of parking structures which are adjacent to residential land uses outside of the UCD.
  4. Mobility Plan (as defined in Subsection G (6)).
  5. If an amendment to the adopted Campus Master Plan requires conditional use approval, the application shall be accompanied by either a traffic impact study or a justification for why a traffic study is not warranted.
  6. Such other materials as determined by the designated Development Review Official that may be required to demonstrate compliance with requirements not just performance standards this Section.
- D. Legal status of adopted Campus Master Plan.
1. Upon adoption of this Section, building permits shall be issued pursuant to Section 3-207 of the Zoning Code for those uses and buildings approved in the adopted Campus Master Plan.

## ARTICLE 4 - ZONING DISTRICTS

2. In the event that the adopted Campus Master Plan specifies a development standard which conflicts with other provisions of this Zoning Code, the provisions of the adopted Campus Master Plan shall control.
  3. Uses, buildings or structures which lawfully exist on the date of adoption of this Section shall be deemed approved uses in the University Campus District within those buildings or structures in which they exist as depicted in the adopted Campus Master Plan.
  4. The adopted Campus Master Plan and any amendments thereto shall constitute an intermediate development order and non-traffic concurrency determinations for such development shall be made at the time of the issuance of a building permit. Mitigation for new net impacts not previously or otherwise mitigated takes place at the time of building permit issuance.
- E. Modifications to the adopted Campus Master Plan.
1. Modifications approved as conditional uses. Except as expressly provided in subsection 4-202(E)(2), any modification to the adopted Campus Master Plan shall be reviewed and approved by the City of Coral Gables in accordance with the requirements for conditional uses in Article 3, Division 4 of the Zoning Code. In the event of a proposed amendment to the Campus Master Plan involving a building or use which is located or proposed to be located so that a portion of the building or use is in more than one Campus sub-area, and the building or use is a permitted use in one Campus sub-area and a conditional use in the other Campus sub-area, the amendment shall be reviewed and approved in accordance with the requirements for conditional uses.
  2. Modifications approved by administrative action. The modifications set out in subsection 4-202(E) (2) to an adopted Campus Master Plan shall be reviewed and approved by the Development Review Official upon written request. The Development Review Official may submit the request to the Development Review Committee if the application involves the matters within the jurisdiction of the departments represented on the Development Review Committee, but shall not require review by the Board of Architects, the Planning and Zoning Board or the City Commission.
    - a. Campus Buffer Area. Any modification, relocation or reconfiguration of buildings or structures included in the adopted Campus Master Plan, provided that the modification, relocation or reconfiguration does not involve:
      - i. The addition or modification of ingress/egress into the Campus; or
      - ii. The addition of new surface parking spaces;
    - b. Campus Transition Area. Any modification, relocation or reconfiguration of any building or structure included in the adopted Campus Master Plan, or the introduction of a new building(s) or structure(s) - including (but not limited to) such changes to the master site plan, maps, textual provisions, and any other elements or provisions of the adopted Campus Master Plan - to accommodate such change - provided that the modification, relocation, addition or reconfiguration does not involve:
      - i. An increase in total floor area provided for in the Campus Transition Area per the adopted Campus Master Plan;
      - ii. An increase in the total number of buildings provided for in the Campus Transition Area per the adopted Campus Master Plan;
      - iii. An increase in the height of any building or structure provided for in the Campus Transition Area per the adopted Campus Master Plan; and,
      - iv. The establishment of a use which is required to be approved as a conditional use by Section 4-202 (F) which was not a part of the adopted Campus Master Plan.

## ARTICLE 4 - ZONING DISTRICTS

- c. Campus Core Area. Any modification, relocation or reconfiguration of any building or structure included in the adopted Campus Master Plan, or the introduction of a new building or structure including (but not limited to) such changes to the master site plan, maps, parking or roadway plans, textual provisions, and any other elements or provisions of the adopted Campus Master Plan to accommodate such change; provided that the modification, relocation or reconfiguration complies with the requirements of Section 4-202(G) and provided that the change does not involve an increase in intensity of the adopted Campus Master Plan.
3. Action on requests for administrative approval. A complete application for administrative approval shall consist of the following materials:
  - a. A description of the requested amendment.
  - b. A description of the proposed use, height, setback, and total square footage of any structures or campus feature, such as, driveways, surface parking, drive ways and the like.
  - c. A revised master plan reflecting the proposed changes.
  - d. A revised development chart reflecting the proposed changes to the square footage of any structures.
  - e. A description of how the proposed modification is consistent with the performance standards in Section 4-202(G).

Following the submission of the materials identified in subparagraphs 3(a)-(e) above, the Development Review Official shall have fifteen (15) days to determine whether or not the application is complete. Thereafter, requests for modifications to the adopted Campus Master Plan that may be approved by administrative action shall be acted upon by the Development Review Official within forty-five (45) days. An administrative determination approving a modification request shall include a determination as to whether a traffic impact statement or study is required prior to the issuance of building permit for the modified structure.

4. Findings. All modifications to an approved Campus Master Plan which require conditional use approval shall be approved after the following findings have been prepared by planning staff, recommended for approval by Planning and Zoning Board and approved by City Commission.
  - a. That the proposed modification is consistent with the stated purpose and intent of the regulations in this Section and the City's Comprehensive Plan;
  - b. That the proposed modification's departures from the regulations otherwise applicable to the subject property, if any, are in the public interest;
  - c. That the proposed modification makes adequate provision for public services, adequate control over vehicular traffic, provide for and protect designated common open areas, and furthers the amenities of light and air, recreation and visual enjoyment; and,
  - d. That the proposed modification is compatible with adjacent properties and the neighborhood.
5. Building permit process. Upon issuance of a development order modifying the adopted Campus Master Plan, an application for a building permit may be submitted in accordance with the approved development order and reviewed in accordance with Article 3, Divisions 2 and 3 of the Zoning Code. Such application shall be accompanied by a traffic impact analysis which demonstrates that the proposed development does not adversely affect the function of the City's network of roads and streets or includes proposed mitigation of any such adverse impacts.

## ARTICLE 4 - ZONING DISTRICTS

F. Permitted and conditional uses. The following are the uses permitted in an UCD District as permitted uses and conditional uses pursuant to the procedures in Article 3, Division 4 of the Zoning Code and subject to the standards in this section and applicable regulations in Article 5:

Campus Sub-areas					
Uses*	Campus Buffer Area	Campus Transition Area	Campus Core	Campus Core Subareas	
				University Village	University Multi-Use Zone
Active recreational and athletic facilities.	C	P	P	X	P
Administrative uses, including but not limited to clerical, conference rooms and support spaces.	X	P	P	P	P
Administrative, faculty and other noncommercial offices.	X	P	P	P	P
Amateur radio antennas, satellite earth stations, microwave and other antennas, telecommunication facilities – permitted only where located on, or separated from the boundary of the Campus by, a habitable or occupied structure otherwise permitted and not exceeding 10' above the permitted roof height.	X	P	P	P	P
Arboreta.	P	P	P	X	P
Camps providing common recreational, cultural, or other group experiences.	X	P	P	X	P
Classroom/lecture halls.	X	P	P	X	P
Commencement and graduation ceremonies.	X	P	P	P	P
Commercial activities which are University Campus Serving Uses.	X	P	P	P	P
Concert halls and arenas.	X	C	P	X	P
Dormitory/residential facilities.	X	X	P	P	P
Emergency phones, lightning warning and detection systems and other similar public safety infrastructure.	P	P	P	P	P
Entertainment facilities principally oriented to serve the university needs.	X	C	P	X	P
Exhibit areas, including but not limited to open areas intended for the display of artworks and other similar static displays.	X	C	P	X	P

## ARTICLE 4 - ZONING DISTRICTS

Campus Sub-areas					
Uses*	Campus Buffer Area	Campus Transition Area	Campus Core	Campus Core Subareas	
				University Village	University Multi-Use Zone
Facilities principally designed to serve university needs such as, but not limited to: laundry, dry cleaning, barber and beauty shops, child care, health, banks, postal offices and bookstores.	X	C	P	X	P
Government and public sector uses in conjunction with agencies that have a relationship with the University.	X	C	P	X	P
Greenhouses, screen enclosures, outdoor eating, food carts and stands, building loading areas, trellises, kiosks, and other traditional garden furniture and similar such structures and uses.	C	P	P	C	P
Library facilities.	X	C	P	X	P
Maintenance facilities.	X	C	P	X	P
Museums and galleries.	X	C	P	X	P
Overnight accommodations, conference centers, governmental/public sector uses, research, office, medical/healthcare uses for the benefit of the University and the public.	N/A	N/A	N/A	N/A	P
Outdoor spaces usable for teaching, research and recreation.	C	P	P	X	P
Parking garages.	X	C	P	P	P
Parking lots.	C	P	P	P	P
Passive recreation.	P	P	P	X	P
Private clubs/ fraternity/ sorority facilities.	X	P	P	P	P
Religious facilities.	X	X	P	X	P
Research/laboratory facilities.	X	C	P	X	P
Restaurants, cafeterias, catering facilities and banquet facilities which are University Campus serving uses.	X	P	P	X	P
Retail uses which are not University Campus Serving Uses.	X	X	X	X	C
Snack bars, coffee bars and similar facilities.	X	P	P	P	P
Social, educational, charitable, cultural and community activities and/or facilities.	X	C	P	X	P
Telecommunication facilities exceeding ten (10) feet of the permitted height.	X	X	C	C	C

## ARTICLE 4 - ZONING DISTRICTS

Campus Sub-areas					
Uses*	Campus Buffer Area	Campus Transition Area	Campus Core	Campus Core Subareas	
				University Village	University Multi-Use Zone
Temporary uses and/or facilities, such as, but not limited to: tents, banners, temporary trailers, temporary bleachers, temporary parking spaces.	X	P	P	P	P
Theaters.	X	C	P	X	P
Vending machines and automatic teller machines, when located outside of a building.	X	P	P	P	P

*P - Permitted*

*X - Not Permitted*

*C - Conditional Use if not previously approved as a part of the adopted Campus Master Plan*

*\*Accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted in the UCD subject to limitations and other lawful regulations pertaining thereto. Any use permissible as a principal use may be permitted as an accessory use, subject to limitations and requirements applying to the principal use.*

### G. Performance Standards.

1. Heights and setbacks of buildings. All new proposed structures and buildings within the UCD District shall comply with the following height and setback requirements. In the event, more restrictive provisions have been approved or a part of the Campus Master Plan, the provisions of the Campus Master Plan shall control.

#### a. UCD Frontage A.

- i. No structure other than landscape features and a masonry wall with a maximum height of four (4) feet shall be permitted within ten (10) feet from the front property line.
- ii. A masonry wall with a maximum height of six (6) feet shall be setback at least ten (10) feet from the front property line.
- iii. Surface parking space shall be setback at least ten (10) feet from the front property line, except that surface parking spaces shall be setback at least seventy-five (75) feet from Mataro Avenue.
- iv. No building shall be permitted within twenty five (25) feet of the front property line.
- v. The maximum permitted building height within one hundred (100) feet of the front property line is forty -five (45) feet.
- vi. The maximum permitted building height between one hundred (100) and nine hundred and forty (940) feet from the front property line shall increase above one hundred (100) feet by one (1) foot in height for every eight (8) feet of additional setback from the front property line.
- vi. The maximum permitted height shall be one hundred and fifty (150) feet or thirteen (13) stories.
- viii. For the area UCD Frontage A bounded by Mataro Avenue, Red Road, Corniche Avenue, and San Amaro Drive, maximum building heights shall be two (2) stories.

#### b. UCD Frontage B.



## ARTICLE 4 - ZONING DISTRICTS

- i. No structure other than landscape features and a masonry wall with a maximum height of four (4) feet shall be permitted within five (5) feet from the front property line.
    - ii. A masonry wall with a maximum height of six (6) feet shall be setback at least five (5) feet from the front property line.
    - iii. Surface parking spaces shall be setback at least five (5) feet from the front property line.
    - iv. No building shall be permitted within twenty five (25) feet of the front property line.
    - v. The maximum permitted building height within one hundred (100) feet of the front property line is sixty-five (65) feet.
    - vi. The maximum permitted building height between one hundred (100) and four hundred and forty (440) feet from the front property line shall increase above sixty five (65) feet by one (1) foot in height for every four (4) feet of additional setback from the front property line.
    - vii. The maximum permitted height shall be one hundred and fifty (150) feet, or thirteen (13) stories.
  - c. UCD Frontage C.
    - i. A masonry wall with a maximum height of four (4) feet shall be setback at least fifteen (15) feet from the front property line.
    - ii. A masonry wall with a maximum height of six (6) feet shall be setback at least twenty-five (25) feet from the front property line.
    - iii. Surface parking spaces shall be setback at least twenty-five (25) feet from the front property line.
    - iv. No building shall be permitted within fifty (50) feet of the front property line.
    - v. The maximum permitted building height within one hundred (100) feet of the front property line is ninety (90) feet.
    - vi. The maximum permitted building height between one hundred (100) and one hundred and sixty (160) feet from the front property line shall increase above ninety (90) feet by one (1) foot in height for every one (1) foot of additional setback from the front property line.
    - vii. The maximum permitted height shall be one hundred and fifty (150) feet, or thirteen (13) stories.
    - viii. A porte-cochere may be extended into a required setback, provided that it does not exceed thirty (30) feet in height and provided that it is set back at least twenty (20) feet from the property line.
  - d. UCD Frontage D.
    - i. No structure other than landscape features and a masonry wall with a maximum height of four (4) feet shall be permitted within five (5) feet from the front property line.
    - ii. A masonry wall with a maximum height of six (6) feet shall be setback at least five (5) feet from the front property line.
    - iii. Surface parking space shall be setback at least five (5) feet from the front property line.
    - iv. No building shall be permitted within twenty (20) feet of the front property line.
    - v. The maximum permitted building height within one hundred (100) feet of the front property line shall be ninety (90) feet.
    - vi. The maximum permitted building height between one hundred (100) and one hundred and sixty (160) feet from the front property line shall increase above ninety (90) feet by one (1) foot in height for every one (1) foot of additional setback from the front property line.
    - vii. The maximum permitted height shall be one hundred and fifty (150) feet, or thirteen (13) stories.
  - e. UCD Frontage E.
    - i. Setbacks. None.
    - ii. Height. Three (3) floors or forty-five (45) feet, whichever is less.
2. Maximum square feet. The total combined permitted square feet for the University Campus

## ARTICLE 4 - ZONING DISTRICTS

District shall be 6.8 million square feet of gross floor area.

3. Lot coverage, frontage, facing or number of buildings per site. No specified lot coverage, frontage, facing, or number of buildings per site restrictions are required for the UCD.
4. Landscaped open space. The minimum landscaped open space required in the University Campus District shall be not less than twenty (20%) percent.
5. Maximum retail. No more than fifteen (15%) percent of the total floor area in a Multi-Use Zone may be retail uses which are not university serving uses.
6. Mobility. The Mobility Plan shall be consistent with the mobility element of the City's Comprehensive Plan and shall identify specific programs to promote the use of alternative modes of transportation other than the single occupant automobile including walking, bicycles, intra-campus shuttles, transit, van pools, car pools, parking management strategies and programs designed to reduce external trips and shorten trips lengths wherever possible. The Mobility Plan shall provide for management programs for on-campus parking. The Mobility Plan shall establish measurable targets for various modes of travel and identify sources and means for achieving those targets.
7. Off-street parking.
  - a. Location and quantity. The location of off-street parking shall be shown on the Campus Master Plan, and shall be provided in such amounts and areas within the development so that students, faculty, employees, and visitors will not park in or otherwise detrimentally impact abutting residential areas or other off-campus areas as a result of inadequate campus parking. In projecting parking needs, standard traffic engineering methods shall be used and consideration shall be given to daily regular users of the university, auto driver visitors, persons arriving by mass transportation, and persons being served by the university shuttle system. Approval of a building permit application for new development shall not be granted unless the University demonstrates that required parking and traffic capacity for each phase of development would be available prior to or concurrent with such development.
  - b. Parking for residential housing. Parking provided and designated for University Village housing shall be limited to the University Village Area.
  - c. Parking of boat and recreational vehicles. No boats and/or recreational vehicles shall be parked in the Transition Areas or Buffer Areas unless such boats and/or recreational vehicles are parked within an enclosed building or are being actively used as a part of an organized temporary University event.
8. Vehicular access and circulation. Vehicular traffic flow in the UCD District shall be designed and oriented so that it will not detrimentally impact nearby residential neighborhoods. Arrangements for traffic flow to and from the proposed development shall be designed to retain the major portion of such traffic on designated arterial and collector streets.
9. Design. The Design Manual previously adopted by the City of Coral Gables pursuant to Ordinance No. 2964, as subsequently amended, in effect at the date of adoption of this Section 4-202 shall be the adopted Design Manual for the University Campus District. Any modification to the adopted Design Manual shall be reviewed and approved by the Board of Architects of the City of Coral Gables in accordance with the requirements for conditional uses in Article 3, Divisions 2 and 3 of the Zoning Code. The design features shall be reflected in the adopted Design Manual. To the extent not inconsistent with the provisions of the adopted Design Manual, which shall govern in the event of any conflict with this Subsection 4-202(G), the design features shall include the following elements:

## ARTICLE 4 - ZONING DISTRICTS

- a. Architectural design. Design criteria shall guide the architectural appearance and style of campus development as a cohesive aesthetic environment.
- b. External relationships. The scale of buildings in the buffer and transition Areas shall be based on careful site planning consideration of the relationship between University uses and structures and off-campus uses and structures in the surrounding perimeter areas and/or neighborhoods. New buildings shall be designed to provide protection of surrounding areas from potentially adverse impacts and influences from development and to provide protection of university development from potentially adverse surrounding influences.
- c. Internal relationships and arrangement of uses. Compatible and complementary uses proposed within the UCD shall be so arranged as to:
  - i. Provide for safe, efficient, and harmonious groupings of structures and facilities.
  - ii. Create successful relationships between interior and exterior spaces.
  - iii. Include adequate parking facilities which are reasonably accessible to the function they serve by walking, bicycling, or shuttle.
  - iv. Include pedestrian linkage between facilities.
  - v. Simplify circulation routes and minimize opportunities for pedestrian/ vehicular conflicts.
- d. Signs and lighting. The character and size of the proposed signage and lighting shall take into account their compatibility and appropriateness with the surroundings and issues of safety, if applicable.
- e. Landscaping. Desirable landscaping shall be preserved in its natural state to the maximum extent possible. Landscaping requirements and standards established by the Zoning Code for off-street parking shall be used. Placement of structures and vehicular areas shall be such as to retain, to the extent reasonably practical, desirable existing landscaping, open space and natural features, and to promote the provision of compatible new landscaping.
- f. Parking garages.
  - i. Any parking structure or any portion thereof, which is located in the Transition Area shall be screened from view from adjacent single family residential districts by liner buildings/wraps.
  - ii. All parking structures within three hundred (300) feet of San Amaro Drive and Campo Sano Drive between Mataro Avenue and Pisano Avenue shall be screened from view from adjacent single family districts by liner buildings/wraps.
  - iii. All parking structures within three hundred (300) feet of San Amaro Drive and Campo Sano Drive between Mataro Avenue and Pisano Avenue shall be designed and constructed so that the square footage of the parking structure, light fixtures and parked cars are not visible from any residential lot which fronts on San Amaro Drive and Campo Sano Drive between Mataro Avenue and Pisano Avenue.
  - iv. Any parking structure within three hundred (300) feet of Pisano Avenue between Campo Sano Drive and University Drive shall be treated with architectural designs, features and materials, such as varying column spacing, real or false windows and other treatments which obscure the identity of the structure as a parking garage.
- g. Installation of utilities. All utilities within the University Master Campus including but not limited to telephone, electrical systems and television cables shall be installed underground.
- h. Pedestrian amenities. Wherever possible, pedestrian amenities such as convenient and covered walkways, benches, water fountains, trash receptacles, bicycle racks and

## ARTICLE 4 - ZONING DISTRICTS

landscaping should be included, especially along street frontages and near access points.

- i. Refuse and service areas. Refuse and service areas shall be so designed, located, landscaped and screened and the manner and timing of refuse collection and deliveries, shipment or other service activities so arranged as to minimize impact on adjacent or nearby properties or adjoining public ways, and to not impede circulation patterns.

### H. Required reports.

1. Annual report. On an annual basis, on or before June 1, the University shall submit an annual report to the City setting forth any changes to the adopted Campus Master Plan which were approved administratively and any actual development which has occurred in the prior year.
2. Parking capacity monitoring. The University shall monitor the capacity and utilization of its off-street parking facilities and perform a supply/demand analysis to assess the level of utilization, availability and appropriateness of location of campus parking facilities. The analysis shall also indicate the type of user and the extent to which parking is used jointly by different components of the campus. The results of the monitoring and analysis shall be incorporated in a Parking Impact Analysis Report prepared by a certified traffic planner or engineer to be provided by June 1, 2013, and every five (5) years thereafter as part of the Annual Report.
3. Annual Mobility Plan implementation report. The University shall submit an annual Mobility Plan report to the City describing implementation of the Mobility Plan with reference to the measurable objectives set out in the Mobility Plan.
4. Traffic analysis reports. The University shall submit a Regional Traffic Impact Analysis Report as part of the Annual Report by June 1, 2013, and every five (5) years thereafter. The report shall be prepared by a certified traffic planner or engineer and shall assess existing and projected roadway conditions, levels of service, traffic volumes, capacities, and such other information as may be necessary to determine the impact of the proposed development. The report shall also identify methods of mitigating any negative impacts projected by such analysis.
5. Utility reports. Growth projections and their impact on existing utilities, along with any recommended utility improvements to meet future campus development or redevelopment shall be reported to the City by June 1, 2013, and every five (5) years thereafter.

### Section 4-203. Zain/Friedman Miracle Mile Downtown Overlay (DO) District.

#### A. Purpose and applicability.

1. The purpose of the Zain/Friedman Miracle Mile Downtown Overlay (DO) District is to promote the goals, objectives, and policies of the City's Comprehensive Plan in accordance with a set of comprehensive standards to be approved within the Miracle Mile area. These standards are provided for the continuance and enhancement of the historic downtown area as the functional and symbolic center of the City.
2. The district is established in order to maintain the following objectives:
  - a. Maintain the aesthetic, physical, historic and environmental character of Downtown Coral Gables.
  - b. Provide continued protection for residential neighborhoods from incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.
  - c. Promote and encourage pedestrian activities in Downtown Coral Gables by promoting the

## ARTICLE 4 - ZONING DISTRICTS

concepts of mixed-use development and pedestrian-friendly design alternatives.

- d. Limit building height, bulk, mass and intensity on Miracle Mile of large scale developments to promote compatibility with the existing low-rise scale of development in Downtown Coral Gables as it presently exists.
  - e. Generate pride and confidence in the Downtown area.
  - f. Protect property values through quality control.
3. Applicability. The District applies to the area bounded by the following streets: Douglas Road (SW 37 Avenue) on the East, LeJeune Road (SW 42 Avenue) on the West, Aragon Avenue and Merrick Way on the North, and Andalusia Avenue on the South.

Unless otherwise provided in this section, all provisions of applicable underlying zoning district designations affecting individual property in this district shall control use and development.

- B. Regulations. Within the DO District, abutting or adjacent property owners having more than two-hundred (200) feet of frontage on Miracle Mile, containing more than twenty-thousand (20,000) square feet of combined lot area, and designated Commercial High-Rise Intensity pursuant to the Coral Gables Comprehensive Plan, shall be required to submit an application for site plan review, as provided below, and the subject properties shall be considered as if they were a single building site for all purposes under these regulations and such application shall be subject to the following requirements:
  1. The properties shall be designated High-Rise Intensity Commercial Land Use on the Comprehensive Plan Map from the right-of-way line of Miracle Mile north to Aragon Avenue and the right-of-way line of Miracle Mile south to Andalusia Avenue.
  2. The building height of the development of the properties shall be limited to not more than six (6) stories or seventy (70) feet of building height or, whichever is less, for properties from Miracle Mile to the centerline of the alley to the north or south of Miracle Mile.
  3. A minimum of ninety (90%) percent of the lot front facing Miracle Mile, at ground level, shall be storefronts limited to retail, restaurant, art galleries, personal services, courtyards and building entries.
  4. Except for pedestrian building entrances and pedestrian courtyards there shall be a mandatory zero (0) foot setback along the Miracle Mile frontage and there shall be no side setbacks along Miracle Mile to ensure a continuous pedestrian scale façade.
  5. In order to ensure consistency with these regulations and to ensure that the development as proposed will be compatible with and further the development of the pedestrian character and scale of Miracle Mile, all such projects shall be subject to site plan review by the Planning and Zoning Board with recommendation to the City Commission.
  6. Where the designated site or project is subject to multiple ownership, as part of the application for site plan review, the Planning and Zoning Board may allow the Owners of the property to submit a Covenant in Lieu of Unity of Title in accordance with the provisions of Article 5, Division 23.
  7. Alterations, expansions, renovations, and similar improvements of existing structures shall, to the extent feasible, conform to the requirements of this section and other applicable provisions of these regulations.

### **Section 4-204. Special Use (S) District.**

- A. Purpose and applicability. The purpose of the Special Use (S) District is to provide a zoning classification which accommodates uses which have the potential of adversely impacting adjacent

## ARTICLE 4 - ZONING DISTRICTS

uses but which enhance the quality of life of the citizens of the City.

- B. Permitted uses. The following uses are permitted subject to the standards in this Section and other applicable regulations in Article 5:
1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  2. Canopies, including permanent freestanding shelter canopy structure(s) or structure(s) attached to a building.
  3. Botanical gardens with previously approved master plan. Allow for the placement of the following uses to solely serve the patrons of the botanical gardens:
    - a. Offices.
    - b. Research and technology.
    - c. Retail sales and services.
    - d. Restaurant.
    - e. Educational facility.
    - f. Nighttime uses.
    - g. Outdoor recreation/entertainment.
    - h. Camps.
    - i. Other such uses as are customary for botanical gardens.
  4. Parks, City.
  5. Utility/infrastructure facilities.
  6. Temporary uses, in accordance with the provisions of Article 5, Division 21.
- C. Conditional Uses. The following uses are permitted in the S District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:
1. Botanical gardens master plan.
  2. Camps.
  3. Cemeteries.
  4. Country clubs.
  5. Golf course.
  6. Government uses.
  7. Heliport and helistop.

## ARTICLE 4 - ZONING DISTRICTS

8. Hospital and uses accessory to, and customarily associated with, a hospital, as follows:
    - a. Convenience facilities for hospital users such as: snack bar, gift shop, chapel and florist.
    - b. Diagnostic facility.
    - c. Health/fitness facilities.
    - d. Intermediate care facility.
    - e. Laboratory and research facilities.
    - f. Medical clinic and/or office.
    - g. Medical educational facilities.
    - h. Municipal facilities.
    - i. Pharmacy.
    - j. Rehabilitation facilities.
    - k. Support facilities such as: cafeteria, laundry, dietary services, childcare, administrative offices, data processing and printing.
  9. Marina facilities.
  10. Municipal facilities.
  11. Museum.
  12. Open space areas.
  13. Private club.
  14. Public transportation facilities.
  15. Religious institutions.
  16. Schools.
  17. Tennis courts.
- D. Performance standards:
1. Setbacks:
    - a. Front: Twenty-five (25) feet, except that platted lots less than seventy-five (75) feet in depth, a minimum front setback of fifteen (15) feet shall be required.
    - b. Side:
      - i. Inside lots: Minimum side setbacks which total twenty (20%) percent of the width of the lot measured across the front setback line up to a maximum of twenty (20) feet.
      - ii. Side street: Fifteen (15) feet, provided, however, that buildings on corner lots which have one (1) side abutting upon a street on which other lots in the same block face, shall setback a

## ARTICLE 4 - ZONING DISTRICTS

minimum distance from such side street as is provided herein as the minimum front setback for buildings facing such side street. In no case shall a side setback be less than five (5) feet.

- c. Rear: Five (5) feet.
  - d. Setback from canal, waterway, lake or bay: Thirty-five (35) feet, except as provided in site specific regulations included as Appendix A.
2. Height: forty-five (45) feet except as provided in Site Specific Zoning Regulations (see Appendix A).
  3. Landscaped open space: Not less than thirty-five (35%) percent of the area of the building site.
  4. Floor area ratio:
    - a. .35, when adjacent to a single-family residential district.
    - b. 1.0, when not adjacent to a single-family residential district.

### Section 4-205. Preservation (P) District.

- A. Purpose and applicability. The purpose of the Preservation (P) District is for the preservation and conservation of natural and cultural resources and environmentally sensitive lands such as wetlands, tideland, mangroves, natural forest communities, marine and wildlife habitats and such other areas or terrain which have qualities of scenic, natural and aesthetic value in its present state as a natural area. In addition, this District category shall accommodate compatible public use of conservation, preservation, passive recreation areas and encourage public appreciation of the natural environment by allowing educational programs and public access to natural areas.
- B. Permitted uses. The following uses are permitted in the P District subject to the standards in this Section and other applicable regulations in Article 5:
  1. Wetlands.
  2. Tidelands.
  3. Mangroves.
  4. Upland forests.
  5. Natural and cultural resource management and restoration.
  6. Marine and wildlife habitats, and such other areas or terrain which has qualities of scenic, natural and aesthetic value in its natural state.
  7. Support facilities and infrastructure necessary to operate and maintain recreation facilities, including but not limited to roads, parking, utilities, and maintenance facilities.
  8. Miami-Dade County Recreation Areas. For those facilities designated Miami-Dade County Recreation Areas (R. Hardy Matheson Preserve, and Chapman Field Park) in the City's Comprehensive Plan, active and passive recreational activities and facilities.
  9. Within undeveloped or undisturbed natural areas permitted uses shall be limited to the following activities:
    - a. Those activities established or proposed in Section 4-205(B) (8) above.



## ARTICLE 4 - ZONING DISTRICTS

- b. Improvement, maintenance, or restoration activities required to enhance or improve natural areas and wildlife habitats.
  - c. Passive recreation activities, such as nature observation, picnicking, walking, bicycling, and recreational boating; and resource-based recreational facilities such as nature trails and boardwalks, fishing piers, launching ramps, and nature observation and camping areas.
  - d. Water conservation areas, including natural drainage systems.
  - e. Wildlife management areas, including fish and game preserves, and wildlife observation areas.
10. Development within previously developed or disturbed areas shall be limited to the following:
- a. Upgrade or improvements to existing facilities and supporting infrastructure.
  - b. Those activities established in Section 4-205(B) (8) above.
  - c. Botanical and natural gardens.
  - d. Nature trails, bicycle paths, and walkways.
  - e. Investigations of archaeological, cultural, or historical resources.
  - f. Nature or visitor centers, including marine research and education facilities, launching ramps, restrooms, maintenance facilities and utilities ancillary and incidental to these facilities.
  - g. Open space.
- C. Performance standards.
- 1. The property, together with any black or red mangroves or upland forest thereon, shall be kept and preserved in its natural state as a natural wilderness and preserve.
  - 2. The use of motor vehicles within the District shall be consistent with existing or planned development and those uses shall be discouraged in undeveloped natural areas except for service access.
  - 3. No man-made alterations shall be made in a preservation area except:
    - a. To protect the property and any black or red mangrove forest thereon from damage by natural elements;
    - b. To protect or restore to its natural state any property damaged by the platting of adjoining properties and which is in danger of being eroded, or otherwise materially affected by natural elements, and/or
    - c. To provide, subject to the approval of the City Commission through conditional, passive support facilities within designated areas such as nature trails, walkways, bird watch areas, and restrooms, launching ramps, and then only after obtaining such permits as may be required by local, state and/or federal authorities and permission (whether permits are necessary or not) from the Board of Trustees of the Internal Improvement Trust Fund, the Department of Environmental Protection, or their successors in interest.
- D. Prohibited uses.

## ARTICLE 4 - ZONING DISTRICTS

1. A preservation area shall not be used for residential, commercial, or agricultural purposes that are not consistent with Park and Recreation uses.
2. Development not consistent with Park and Recreation uses shall not be permitted in:
  - a. Miami-Dade County designated natural areas.
  - b. Natural areas that are part of a mitigation project.
  - c. Natural areas that are part of a restoration plan.

### **Section 4-206. Business Improvement Overlay (BIOD) District.**

#### A. Applicability.

1. The following provisions shall apply within the boundaries of the Business Improvement District (BID) as established pursuant to Resolution No. 2012-99.

#### B. Business Operation Standards.

1. Pedestrian Oriented Signs. Messages and information shall be in accordance with Section 5-1921(A). In addition to the signage permitted in the Zoning Code, the following Pedestrian Oriented Signs shall be permitted within the District:

##### a. Retail Directory Sign.

- i. Retail Directory Signs may include multiple tenant listings, addresses, location maps, and directional arrows. Retail Directory Signs shall be initiated through a Downtown promotional organization or government organization such as the City of Coral Gables, the Business Improvement District, or the Chamber of Commerce. These Retail Directory Signs contain government speech, and they are not intended in any way to create a public forum to the extent they provide information, but are not intended in any way to create a public forum.
- ii. Design Standards.
  - (a) Location: Edge of curb of the sidewalk at pedestrian crosswalks, within the public right-of-way.
  - (b) Number permitted: One (1) per pedestrian crosswalk
  - (c) Sign Area: Fifteen (15) square foot maximum.
  - (d) Sign Length: No limit.
  - (e) Lettering Height: No limit.
  - (f) Height from sidewalk to the top of the Sign: Eight (8) foot maximum.
  - (g) Distance Requirement: The Retail Directory Sign may not encroach within the pedestrian "clear zone" of the sidewalk.
  - (h) Information: Tenant name, address, location map or wayfinding symbols.
  - (i) Illumination: Permitted pursuant to Section 5-1903.
- iii. These regulations are merely advisory as they relate to the City providing the Retail Directory Signs in its proprietary capacity for a public purpose.

##### b. Digital Kiosks.

- i. Digital kiosks may include multiple interactive applications, including retail directories, maps, advertising, and other information, as approved by the City. Digital kiosks and their information shall be initiated through a Downtown promotional organization or government organization such as the City of Coral Gables, the Business Improvement District, or the Chamber of Commerce, which may then contract with a third party vendor. Digital kiosks are not signs, but rather, are interactive digital devices and/or equipment.

## ARTICLE 4 - ZONING DISTRICTS

These Digital Kiosks contain government speech to the extent they provide information, and they are not intended in any way to create a public forum.

- ii. Design Standards. As determined by the City's Public Works Department, in consultation with the Development Services and Economic Development Departments.
  - iii. These regulations are merely advisory as they relate to the City providing the kiosks in its proprietary capacity for a public purpose.
- c. Window Decal Sign.
- i. Design Standards.
    - (a) Location: Ground Floor Shopfront.
    - (b) Number permitted: No limit.
    - (c) Sign Area: Ten (10%) percent window area maximum not to exceed twenty (20) square feet maximum.
    - (d) Sign Length: No limit.
    - (e) Lettering Height: Six (6) inch maximum.
    - (f) Sign Height: No limit.
    - (g) Distance Requirement: Flush with window.
    - (h) Information: Tenant name or logo or both tenant name and logo.
- d. Temporary Window Signs/Wraps.
- i. Ground floor window (i.e. "Coming Soon") signs/wraps are allowed in vacant retail spaces on a temporary basis to advertise an incoming business, as reviewed and approved administratively by the Development Review Official, in consultation with the Economic Development Department and/or Business Improvement District. The Property Owner and/or Applicant may also choose to request approval from the Board of Architects. Temporary signs must be removed at the time of the business' opening.
  - ii. Design Standards.
    - (a) Location: Ground Floor Shopfront.
    - (b) Number permitted: Limited only by number of windows.
    - (c) Sign Area: One-hundred (100%) percent of the window area.
    - (d) Sign Length: Limited only by length of window.
    - (e) Lettering Height: No limit.
    - (f) Sign Height: Limited only by height of window.
    - (g) Distance Requirement: Flush with window.
    - (h) Information: Tenant name or logo or both tenant name and logo. Lettering shall not exceed fifty (50%) percent of sign area.
- e. Downtown Projection Sign.
- i. Design Standards. As permitted for Projection Signs.
  - ii. Consolidated Approval Process.
    - (a) Within the District, Projection Signs that comply with Zoning Code Design Standards shall be reviewed and approved administratively by the Development Review Official. Property Owner and/or Applicant may also choose to request approval from the Board of Architects.
    - (b) Insurance Requirements. Insurance requirements for Projection Signs within the District shall be covered by the Property Owner and/or the Applicant in coordination with the City.
    - (c) Public Works Restrictive Covenant. A Uniform District Restrictive Covenant shall be available to applicants for compliance with code requirements.
- f. Umbrella Sign.
- i. Design Standards.

## ARTICLE 4 - ZONING DISTRICTS

- (a) Location: As approved via the Outdoor Dining Permit.
  - (b) Number permitted: Four (4) per umbrella (the total number of umbrellas shall be subject to the Outdoor Dining Permit approval).
  - (c) Sign Area: No limit.
  - (d) Sign Length: Half ( $\frac{1}{2}$ ) the umbrella valance length.
  - (e) Signage Placement: Limited to the umbrella valance.
  - (f) Lettering Height: Six (6) inch maximum.
  - (g) Valance Height: Six (6) feet and (8) inches above the sidewalk minimum.
  - (h) Information: Tenant name or logo or both tenant name and logo.
- g. Awning Sign.
- i. Design Standards.
    - (a) Location: Over entrances and/or openings.
    - (b) Number permitted: One (1) per entrance and/or opening.
    - (c) Sign Area: Four (4) square feet maximum.
    - (d) Sign Length: Half ( $\frac{1}{2}$ ) the awning valance length.
    - (e) Lettering Height: Six (6) inch maximum.
    - (f) Distance Requirement: No limit.
    - (g) Information: Tenant name or logo or both tenant name and logo.
    - (h) Illumination: Permitted pursuant to Section 5-1903.
- h. Colonnade/Arcade signage.
- i. Tenant signage may be permitted to be located directly on a colonnade or arcade.
  - ii. Retail sign design standards for tenants located within a colonnade or arcade may be increased by twenty-five (25%) percent above and beyond the required design standards in order to improve the tenant's visibility from the street and sidewalk, as reviewed and approved administratively by the Development Review Official.
- i. Menu Board Sign.
- i. Design Standards:
    - (a) Location: As approved via the Outdoor Dining Permit.
    - (b) Number permitted: One (1) menu board and one (1) specials board per tenant.
    - (c) Sign Area: Two (2) square feet maximum.
    - (d) Sign Length: No limit.
    - (e) Sign Height: Five (5) foot maximum from the sidewalk to the top of the sign.
    - (f) Distance Requirement: Must be located on the tenant's private property.
    - (g) Information: Tenant name, logo or menu.
    - (h) Illumination: Permitted pursuant to Section 5-1903.
    - (i) Sign Type: Menu board signs shall not be an A-frame type sign. A-frame signs are only permitted in conjunction with Special Events.
- j. Alley Wall Sign.
- i. Alley Wall Signs shall be permitted along the walls or on rear door of premises facing an alley within the District.
  - ii. Design Standards:
    - (a) Location: Attached to the building wall or door.
    - (b) Number Permitted: One (1) per tenant.
    - (c) Sign Area: Eighteen (18) square feet per tenant.
    - (d) Information: Tenant name or logo or both tenant name and logo.
    - (e) Lettering Height: Eight (8) inches maximum.
    - (f) Illumination: Permitted pursuant to Section 5-1903, except neon signs shall not be allowed.

## ARTICLE 4 - ZONING DISTRICTS

- k. Prohibited Signs.
  - i. No food displays shall be permitted outside of the establishment.
  - ii. No advertising signs or tenant signs shall be permitted on the public right-of-way except as otherwise allowed under this Section.
- 2. Special Event Signs. Timing: Only permitted in conjunction with a special events permit such as a Farmer's Market, Festival, Gallery Walk, etc. May not be used outside of approved timeframe for special event.
  - a. A-frame Signs.
    - i. Design Standards.
      - (a) Location: Private property.
      - (b) Number permitted: One (1) per tenant.
      - (c) Sign Area: Six (6) square feet maximum.
      - (d) Sign Length: No limit.
      - (e) Lettering Height: Six (6) inch maximum.
      - (f) Sign Height: Three (3) foot, six (6) inch maximum from the sidewalk to the top of the sign.
      - (g) Distance Requirement: Must be located on the tenant's private property.
      - (h) Information: Tenant name or logo or both tenant name and logo.
      - (i) Illumination: Permitted pursuant to Section 5-1903. No projecting lights, neon signs, or backlit signs are permitted.
    - b. Banner.
      - i. Design Standards.
        - (a) Location: Attached to Building Face and/or perpendicular to the façade.
        - (b) Number permitted: One (1) per tenant.
        - (c) Sign Area: Ten (10) square feet maximum.
        - (d) Sign Length: Five (5) feet maximum.
        - (e) Lettering Height: No limit.
        - (f) Sign Height: Minimum clearance of seven (7) feet from the sidewalk to the bottom of the banner.
        - (g) Distance Requirement: Minimum five (5) feet from the side property line.
        - (h) Information: Tenant name or logo or both tenant name and logo.
        - (i) Illumination: Permitted pursuant to Section 5-1903.
- 3. Hours of Operation – modified regulation for establishments fronting Miracle Mile and Giralda Plaza.
  - a. Hours of Operation and Music Outdoors:
    - i. Sunday night into Monday morning through Thursday night into Friday morning, the hours of operation of public outdoor portions of restaurants, lounges, and/or entertainment establishments is prohibited from 12:00 AM (midnight) to 8:00 AM; no live music shall be played outdoors from 11:00 PM to 10:00 AM.
    - ii. Friday night into Saturday morning and Saturday night into Sunday morning, the hours of operation of public outdoor portions of restaurants, lounges, and/or entertainment establishments shall be extended to 1:00 AM the following day; no live music shall be played outdoors from 12:00 AM (midnight) to 10:00 AM.
    - iii. Recorded music shall be prohibited outdoors at all times.
    - iv. Amplified music, including amplified live music, shall be prohibited outdoors at all times.

## ARTICLE 4 - ZONING DISTRICTS

- b. Hours of Operation and Music Indoors:
    - i. The hours of operation of indoor portions of bars, lounges, and/or entertainment establishments is prohibited between the hours of 2:00 AM to 7:00 AM. All times must comply with the City Code General Noise Ordinance. All alcohol sales shall require Certificate of Use for Alcohol Sales.
  - c. Alcohol Sales. Permitted in accordance with the State of Florida Laws. All alcohol sales shall require Certificate of Use for Alcohol Sales.
  - d. Outdoor Noise Levels. Noise levels shall be governed by the City of Coral Gables Municipal Codes. All noise, including music, must comply with the City Code General Noise Ordinance. Special Exceptions may be granted on a case by case basis as a Temporary or Special Events Permit.
  - e. Rooftop Terraces.
    - i. Outdoor Dining areas and Lounges may occupy rooftop terraces in accordance with the Hours of Operation, Noise Regulations and Building Code Regulations.
4. Outdoor Dining – Pre-approved outdoor dining locations and design for restaurants fronting Miracle Mile and Giralda Plaza; expedited process
- a. Miracle Mile and Giralda Plaza Expedited Approval Process. The Development Review Official shall serve as a point of contact for applicants for the Miracle Mile and Giralda Plaza. Applications that meet the Pre-Approved Design Standards below shall be subject of Expedited Review and shall be processed within one (1) month of receipt.
    - i. Location. Expedited Review will be provided for outdoor dining for the Pre-Approved Design Standards below on both private property and public right-of-way for properties abutting the following streets:
      - (a) Miracle Mile.
      - (b) Giralda Plaza.
    - ii. Pre-Approved Design Standards. The Development Review Official will maintain a Miracle Mile and Giralda Plaza Outdoor Dining Plan with pre-approved locations, configurations, and a menu of pre-approved furniture options for Expedited Outdoor Dining Permits. The menu of pre-approved furniture options may be amended from time to time to include outdoor dining furniture that has been previously approved by the Board of Architects. Applications that comply with the Outdoor Dining Plan shall be reviewed and approved administratively by the Development Review Official.
    - iii. Special Design Review. For Applicants seeking unique outdoor dining locations, configurations, and furniture not addressed in the Miracle Mile and Giralda Plaza Outdoor Dining Plan, Board of Architects approval shall be required as per the Zoning Code.
    - iv. Insurance Requirements. Insurance requirements for Outdoor Dining within the public right-of-way on Miracle Mile and Giralda Plaza shall be covered by the Property Owner and/or the Applicant in coordination with the City.
    - v. Public Works and/or City of Coral Gables Public Services Restrictive Covenant. A Uniform Miracle Mile and Giralda Plaza Restrictive Covenant for right-of-way encroachments shall be available to applicants. Restrictive Covenants shall be coordinated by the Development Review Official.
    - vi. Fees. As set forth in the Fee Schedule.
    - vii. Applicant. The Applicant for an outdoor dining permit shall be the business that will operate the restaurant and corresponding outdoor dining.
      - (a) Standards, Criteria and Conditions:
        - (i) The area covered by a sidewalk cafe permit, and the sidewalk and street immediately adjacent to it, shall be maintained in a clean, neat and orderly

## ARTICLE 4 - ZONING DISTRICTS

appearance at all times by the permittee. The area of the sidewalk, curb and gutter immediately adjacent to the sidewalk cafe shall be cleared of all debris during hours of operation, and again at the close of each business day, or as may otherwise be determined by the Development Review Official.

- (ii) Outdoor dining furniture shall be located at least five (5) feet from the storefront or façade of the building. If the building is set back then a five (5) foot clearance of the sidewalk shall be maintained.
- (iii) Tables, chairs, umbrellas and any other sidewalk cafe furniture shall be maintained in a clean, attractive, and orderly appearance, and shall be maintained and kept in good repair at all times.
- (iv) All sidewalk cafe furniture shall be of high quality, design, materials, and workmanship so as to ensure the safety and convenience of the public.
- (v) The stacking or piling up of chairs shall be prohibited on the right-of-way at all times.
- (vi) The Development Review Official may require a permittee to store its tables, chairs and/or umbrellas off of the right-of-way if, in his reasonable judgment and discretion, the Development Review Official determines that the sidewalk cafe permit area and immediately adjacent public right-of-way are not being adequately maintained in accordance with this division.
- (vii) No storage of dishes, silverware or other similar sidewalk cafe equipment shall be allowed in the permit area, or in any other portion of the public right-of-way, or outside the structural confines of the building in which the restaurant is located, during non-business hours.
- (viii) Live entertainment or speakers placed in permitted areas shall comply with noise regulations and hours of operation.
- (ix) No food preparation, food storage, refrigeration apparatus or equipment, or fire apparatus or equipment, shall be allowed on the right-of-way.
- (x) No food displays shall be permitted on the public right-of-way.
- (xi) No advertising signs or business identification signs shall be permitted on the public right-of-way except as otherwise allowed in this Section.
- (xii) No retail sales or displays shall be allowed on any public right-of-way areas, except as otherwise approved by the City Manager or his/her designee on a conditional and revocable basis where said displays are found to be compatible with, and further, City objectives.
- (xiii) Umbrellas shall be fire-retardant, pressure-treated or manufactured of fire-resistant material. No portion of an umbrella shall be less than six (6) feet eight (8) inches above the right-of-way. Two (2) or more umbrellas may not be clipped, zipped or otherwise fastened together in order to form a tent like structure. Clear plastics or other materials may not be fastened, rolled or otherwise be attached to umbrella edges in order to create an enclosure.
- (xiv) The Development Review Official may permit the use of planters with the material configuration, number, and size to be reviewed at time of application. Placement of planters within sidewalk cafe areas shall be set at a minimum of five (5) feet from the building frontage. Planters shall not block the normal pedestrian flow or impede handicap accessibility on any sidewalk area or street crossing. Planters shall not enclose portions of the sidewalk but may be used as buffers from vehicular traffic. Artificial planting materials (i.e. fake flowers and plants) shall be prohibited within planters. It shall be the permittee's responsibility to immediately remove planters, upon written and/or verbal notice from the City Manager, in case of emergency or other circumstances as provided in this division. Maximum size of planters shall not exceed the following:
  - (A) Rectangular planters: A maximum thirty (30) inches long, by fifteen (15) inches wide by twenty (20) inches high.
  - (B) Round planters: A maximum of twenty-four (24) inches diameter by twenty-four (24) inches high.

## ARTICLE 4 - ZONING DISTRICTS

- (C) Planters twenty (20) inches or higher shall be on rollers or on rolling bases.
  - (D) The combination of planters and plant height should not exceed a table height of thirty-four (34) inches.
  - (xv) All Outdoor Dining facilities on public rights-of-way shall be located at the same elevation as the adjoining sidewalk.
  - (xvi) Outdoor Dining shall not interfere with the free and unobstructed public access to any bus stop, crosswalks, public seating areas and conveniences, street intersections, alley, service easements, handicap facilities, access to adjacent commercial establishments, fire hydrants and/or other City utilities.
  - (xvii) Outdoor Dining shall comply with the standards set forth in Sections 5-119(A)(7) and (B)(10) of the City of Coral Gables Zoning Code.
  - (xviii) The Development Review Official may impose conditions, accept proffers and establish bonus programs to address potential harms and nuisances to serve the health, safety and welfare, and in particular, to ensure compatibility of the various uses within the right-of-way and adjoining areas.
  - (xix) Plants shall be properly maintained. Distressed plants shall be promptly replaced. Plant fertilizers which contain material that can stain the sidewalks shall not be allowed. Water drainage from any plants onto the sidewalk shall not be allowed. Potted plants shall have saucers or other suitable systems to retain seepage.
- b. Private Property. For locations within the District not listed in Section 4.a. above, the Zoning Code provisions for Outdoor Dining on private property shall apply.
  - c. Public Right-of-Way. For locations within the District not listed in Section 4.a. above, the Zoning Code provisions for Outdoor Dining in the public right-of-way shall apply. When Outdoor Dining is proposed on public and private property then both requirements for outdoor dining on public and private property shall apply.
  - d. A permit used for Outdoor Dining in the public right-of-way shall be issued for a period of two (2) years, renewable biannually by the Division of Planning and Zoning. Such permit shall be paid on a bi-annual basis.
  - e. Outdoor Dining shall be restricted to the frontage of the abutting business property frontage line. The utilization of space extending no more than fifty (50) linear feet on either side of the property frontage line may be authorized and transferable subject to a written consent between the neighboring Property Owners and/or Tenants in front of whose businesses the Outdoor Dining service shall occur. Said written consent must stipulate that, if any of the two (2) properties go Out-of-Business, the Property Owners and the Tenants must forfeit their written consent and the individual property/frontage bundle of rights shall revert back to the original state. Should obstacles in the public ROW prohibit a restaurant from being able to provide outdoor dining in front of, or adjacent to, their place of business, the Development Review Official may permit the restaurant to use other underutilized outdoor dining areas in close proximity to the restaurant, subject to the same written consent requirements provided above.
  - f. The City Manager may adopt administrative regulations to implement and enforce the standards for outdoor dining set forth herein.
- 5. Pop-Up Retail. Expedited administrative review and approval may be granted by the Development Review Official for temporary, short-term use of existing retail space (i.e. "pop-up retail") within a building.
  - 6. District Disclosure Form. Any real estate transfer of a residential unit within the District shall require the buyer or renter (applicable to residential leases of six (6) months or longer) to sign a District disclosure form prior to closing acknowledging that they have been made aware of the



## ARTICLE 4 - ZONING DISTRICTS

District's business operation standards, including, but not limited to, the high potential for street closures, regular events and noise within the District. The seller or landlord is responsible for transmitting the form to the City Clerk's Office, in the matter and time required by the City Administration.

7. Management/Maintenance Agreement. The City Commission may adopt a Management/Maintenance Agreement over the right-of-way and adjoining areas when the request is consistent with the aesthetic and economic development goals of the City.
8. It is the intent of the overlay district to be lively, vibrant and changing yet appropriate. The City Manager or his/her designee may approve temporary adjustments to these provisions to achieve these purposes consistent with the City Manager's authority over special events consistent with Ch. 62 of the City of Coral Gables Code.

### Division 3. Nonresidential Districts

#### Section 4-301. Commercial Limited (CL) District.

- A. Purpose and applicability. The purpose of the Commercial Limited (CL) District is to provide convenient access to goods and services of low and medium intensity without adversely impacting the integrity of residential neighborhoods, diminishing the scenic quality of the City or negatively impacting the safe and efficient movement of people and things within the City. This District also contains special provisions regarding nighttime commercial uses located in close proximity to residential districts which create special considerations with regard to the compatibility of adjacent land uses.
- B. Permitted uses. The following uses are permitted subject to the standards in this Section and other applicable regulations in Article 5:
  1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  2. Alcohol sales as an accessory use.
  3. Camps.
  4. Congregate care.
  5. Educational facilities of no more than fifty (50) student seats.
  6. Indoor recreation/entertainment.
  7. Live work.
  8. Medical clinic. Except that medical clinics shall not exceed ten-thousand-five-hundred (10,500) square feet of floor area when adjacent to an SFR, MF1, MF2, or MFSA district.
  9. Municipal facilities.
  10. Nursing homes.
  11. Offices.

## ARTICLE 4 - ZONING DISTRICTS

12. Overnight accommodations. Maximum of (8) rooms when adjacent to an SFR or MF1 district.

13. Parks, City.

14. Restaurants.

15. Retail, sales and services.

16. Swimming pools as an accessory use.

17. Temporary uses, in accordance with the provisions of Article 5, Division 21.

18. Utility/infrastructure facilities.

18. Building sites unified by a recorded Unity of Title filed prior to the enactment of this Zoning Ordinance and which, as a result of the enactment of this Zoning Ordinance, are zoned Commercial (C), in part, and Commercial Limited (CL), in part, are permitted to have Commercial (C) uses on the portions of the property designated Commercial Limited (CL), except for the following:

- a. Medical clinics in excess of ten-thousand-five-hundred (10,500) square feet of floor area.
- b. Drive through facilities.
- c. Sale of alcohol other than as an accessory use.
- d. Nightclubs.

Commercial (C) uses on Commercial Limited (CL) property may only be permitted pursuant to this provision on the condition that the property is maintained as one unified parcel and is adjacent to property designated Residential-Use Single-Family High-Density on the CP Map. All other provisions of the Zoning Ordinance shall be applicable.

C. Conditional uses. The following uses are permitted in the CL District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:

1. Assisted living facilities.
2. Automobile service stations (reconstruction only).
3. Community center.
4. Drive-through facilities if not adjacent to SFR or MF1 districts.
5. Educational facilities of greater than fifty (50) student seats.
6. Medical clinic greater than ten-thousand-five-hundred (10,500) square feet of floor area when adjacent to an SFR, MF1, MF2, or MFSA district.
7. Museum.
8. Nighttime uses within one-hundred-fifty (150) feet of a parcel of land designated as a residential districts.
9. Outdoor recreation/entertainment.

## ARTICLE 4 - ZONING DISTRICTS

10. Overnight accommodations greater than eight (8) rooms when adjacent to an SFR or MF1 district.

11. Parking lots as a principal use.

### D. Performance standards.

1. Minimum parcel of land:

- a. Less than forty-five (45) feet in height shall have a minimum of two-thousand-five-hundred (2,500) square feet.
- b. Greater than forty-five (45) feet in height shall have a minimum of two-hundred (200) feet of primary street frontage and minimum land area of twenty-thousand (20,000) square feet.

2. Minimum parcel dimensions:

- a. Width. Twenty (25) feet.
- b. Depth. One-hundred (100) feet.

3. Minimum setbacks. The following setbacks shall be provided for all buildings in the CL District:

- a. Front: None.
- b. Side:
  - i. Interior side: None.
  - ii. Side street: None.
- c. Rear:
  - i. Where there is a dedicated alley in the rear: Five (5) feet.
  - ii. Where there is no dedicated alley in the rear: Ten (10) feet.
- d. Setback from canal, waterway, lake or bay: On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted.

4. Floor area ratio: 3.0.

5. Height. The maximum permitted height is as follows:

- a. Pursuant to the Comprehensive Plan Map designation and/or Site Specific Zoning regulations.
- b. CL properties shall have a height limitation of three (3) floors or forty-five (45) feet, whichever is less, within one-hundred (100) feet of an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 property, as measured from the CL property line.

### E. Performance standards for nighttime uses.

1. Parking lots for nighttime uses shall be screened with opaque wall, fences or hedges to a

## ARTICLE 4 - ZONING DISTRICTS

minimum height of six (6) feet at time of planting so that vehicle headlamps cannot illuminate land which is designated as a residential district.

2. No patron or customer access for nighttime uses which is visible from land designated as a residential district shall be available from the hours of 8:00 PM to 6:00 AM.
3. No deliveries shall be accepted between the hours of 8:00 PM and 6:00 AM.
4. Windows and doors facing land designated as a residential district shall be opaque or shall be provided with shades, screens, or drapes to screen illumination from within the building.
5. A landscape buffer comprised of a continuous hedge, at a minimum height of six (6) feet at time of planting, and small trees with a height of at least fourteen (14) feet at intervals of not less than ten (10) feet on centers shall be located along any property line of a nighttime use which has a common property line with property designated as a residential district, or is separated only by an alley.
6. Signage which is visible from land designated as a residential district shall not be illuminated between the hours of 10:00 PM and 6:00 AM.
7. Additional criteria for medical clinics:
  - a. Overnight stays at a medical clinic shall not exceed twenty-four (24) consecutive hours.
  - b. Overnight stays shall be prohibited on Saturday or Sunday on property that abuts a residential district.
  - c. Patients shall not be admitted or discharged between the hours of 10:00 PM and 6:00 AM.
  - d. A maximum of six (6) beds or sleeping rooms shall be permitted, and a total of six (6) patients at one time may remain overnight in any medical clinic, regardless of the number of medical personnel affiliated with such clinic.
  - e. The medical clinic shall be closed to the public between the hours of 10:00 PM and 6:00 AM.
  - f. All doors in the medical clinic that face a residential district shall remain closed at all times between the hours of 10:00 PM and 6:00 AM.
  - g. No loitering of any kind shall be permitted in any area which is visible from land which is designated as a residential district.
  - h. Compliance with all applicable federal, state, and local laws, including, without limitation, all licensing requirements.
8. Overnight accommodations and restaurants.
  - a. No outdoor facilities, including pools, decks, outdoor dining or drinking facilities which are visible from land designated residential shall be used or operated between the hours of 10:00 PM and 8:00 AM weekdays and 10:00 PM and 8:00 AM on weekends.
  - b. No music (live or recorded) shall be performed or played except within an enclosed building between the hours of 8:00 PM and 6:00 AM.
  - c. No kitchen with outside venting shall be directed toward residential districts and shall not be operated between the hours of 10:00 PM and 6:00 AM.

## ARTICLE 4 - ZONING DISTRICTS

### Section 4-302. Commercial District (C).

- A. Purpose and applicability. The purpose of the Commercial (C) District is to provide convenient access to higher intensity goods and services throughout the City in conjunction with providing economic stability without adversely impacting the integrity of residential neighborhoods, diminishing the scenic quality of the City or negatively impacting the safe and efficient movement of people and things within the City.
- B. Permitted uses. The following uses are permitted subject to the standards in this Section and other applicable regulations in Article 5:
1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  2. Alcoholic beverage sales.
  3. Animal grooming and boarding.
  4. Automobile service station.
  5. Camps.
  6. Community center.
  7. Congregate care.
  8. Day care.
  9. Educational facilities.
  10. Funeral home.
  11. Government uses.
  12. Indoor recreation/entertainment.
  13. Medical clinic.
  14. Municipal facilities.
  15. Museum.
  16. Nighttime uses.
  17. Nursing homes.
  18. Offices.
  19. Overnight accommodations.
  20. Parking garages.
  21. Parking lots.

## ARTICLE 4 - ZONING DISTRICTS

22. Parks, City.
  23. Public transportation facility.
  24. Restaurants.
  25. Restaurants, fast food.
  26. Retail sales and services.
  27. Swimming pools as an accessory use.
  28. Temporary uses.
  29. TV/radio studios.
  30. Utility/infrastructure facilities.
  31. Vehicle sales/displays.
  32. Vehicle service, major.
  33. Veterinary offices.
- C. Conditional uses. The following uses are permitted as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and other applicable regulations in Article 5:
1. Assisted living facilities (ALF).
  2. Drive through facilities.
  3. Helistop.
  4. Marina facilities.
  5. Medical Marijuana Retail Center, unless prohibited under state or federal law, subject to all of the following additional requirements:
    - a. Application. In addition to meeting the application requirements for a Medical Marijuana Permit in Chapter 14 "Businesses," Article 5 "Marijuana Sales" of the City Code of Ordinances, an application for conditional use approval for a Medical Marijuana Retail Center shall:
      - i. Be a joint application by the property owner and the tenant, if the Medical Marijuana Treatment Center and the property are not owned by the same person or entity;
      - ii. Be accompanied by a lease identifying the specific use, if the Medical Marijuana Treatment Center and the property are not owned by the same person or entity;
      - iii. Include a survey sealed by a registered land surveyor who is licensed by the State of Florida. The survey shall indicate the distance between the proposed Medical Marijuana Retail Center and any other Medical Marijuana Retail Center, SFR or MF1 zoning district, elementary, middle or secondary school, child day care facility, county or municipal park, or place of worship, as identified in Section 4-302(C)4.b;
      - iv. Conduct the public information meeting required pursuant to Section 3-302(D). Notice of the public information meeting shall be provided to all property owners and tenants within 1,000 feet of the property on which the Medical Marijuana Retail Center is proposed; and

## ARTICLE 4 - ZONING DISTRICTS

- v. Provide, in addition to the quasi-judicial notice of conditional use hearings to property owners required by this Code, no later than 10 days prior to each and every public hearing, notice of the public hearing to all tenants within 1,000 feet of the property on which the Medical Marijuana Retail Center is proposed.
- b. Location requirements. A Medical Marijuana Retail Center shall not be located:
  - i. Within 500 feet of any SFR or MF1 zoning district;
  - ii. Within 1,000 feet of another Medical Marijuana Retail Center, whether it is located in the City or in another jurisdiction;
  - iii. Within 1,000 feet of a Medical Marijuana Treatment Center located in another jurisdiction (Medical Marijuana Treatment Centers are not allowed in the City);
  - iv. Within 1,000 feet of an elementary, middle or secondary school, child day care facility, county or municipal park, or place of worship; and
  - iv. Within the Central Business District.
- c. Effect of future uses on spacing. Where a Medical Marijuana Retail Center is located in conformity with the provisions of this Chapter, the subsequent locating of one of the uses listed in b. above within the specified distance of an existing Medical Marijuana Retail Center shall not cause a violation of this Section. Whenever a Conditional Use approval for a Medical Marijuana Retail Center has been lawfully procured and thereafter an elementary, middle or secondary school, child day care facility, county or municipal park, or place of worship be established within a distance otherwise prohibited by law, the establishment of such use shall not be cause for the revocation of the Conditional Use approval or related Medical Marijuana Permit or prevent the subsequent renewal of same.
- d. Measurement. Distances shall be measured using an airline measurement from the property line of the property on which the Medical Marijuana Retail Center is located to the nearest property line of the use or zone identified in b.i. through b.iv. that existed before the date the Medical Marijuana Retail Center submitted its initial application for approval.
- e. Building requirements and use.
  - i. If the Medical Marijuana Retail Center is located in a freestanding building the Center shall be the only use permitted on the property.
  - ii. If the Medical Marijuana Retail Center is located in a bay or multi-bay space within a multi-tenant structure, the Center shall be the only use permitted within the bay or multi-bay space it occupies.
  - iii. Odor and air quality. A complete air filtration and odor elimination filter and scrubber system shall be provided ensuring the use will not cause or result in dissemination of dust, smoke, or odors beyond the confines of the building, or in the case of a tenant in a multi-tenant building, beyond the confines of the occupied space. A double door system shall be provided at all entrances to mitigate odor intrusion into the air outside the Medical Marijuana Retail Center.
  - iv. Signage. Notwithstanding other provisions of this Code and the City Zoning Code, signage for a Medical Marijuana Retail Center shall be limited as follows:
    - (1) One (1) Wall Sign, not to exceed 18 square feet;
    - (2) No other signage, except as required by this subsection, shall be allowed;
    - (3) Graphics, symbols and logos are prohibited;
    - (4) Neon shall be prohibited;
    - (5) Signs shall not be internally illuminated;
    - (6) Signs may be externally illuminated only during hours of operation;
    - (7) A Medical Marijuana Retail Center shall post, at each entrance to the Medical Marijuana Retail Center the following language:

## ARTICLE 4 - ZONING DISTRICTS

ONLY INDIVIDUALS WITH LEGALLY RECOGNIZED MARIJUANA OR CANNABIS QUALIFYING PATIENT OR CAREGIVER IDENTIFICATION CARDS OR A QUALIFYING PATIENT'S LEGAL GUARDIAN MAY OBTAIN MARIJUANA FROM A MEDICAL MARIJUANA RETAIL CENTER.

The required text shall be a minimum one-half inch in height.

- f. Queuing of vehicles. The Medical Marijuana Retail Center shall ensure that there is no queuing of vehicles in the adjacent rights-of-way, the drive aisles of the Center's parking lot, or on any adjacent properties. The Medical Marijuana Retail Center shall take all necessary and immediate steps to ensure compliance with this paragraph.
- g. No drive-through service. No Medical Marijuana Retail Center shall have a drive-through service aisle. All activities will occur within an enclosed building.
- h. Prohibited activities. A Medical Marijuana Retail Center shall not engage in any activity other than those activities specifically defined herein as an authorized part of the use. The preparation, wholesale storage, cultivation, or processing of any form of Marijuana or Marijuana product and on-site consumption of any Marijuana or Marijuana product is specifically prohibited. On-site storage of any form of Marijuana or Marijuana product is prohibited, except to the extent reasonably necessary for the conduct of the on-site retail business.
- i. Conditional use duration. A conditional use approval for a Medical Marijuana Retail Center shall be valid for two (2) years, subject to compliance with the conditions of approval and all state and federal laws, licensing and operational requirements. A new conditional use approval must be obtained prior to expiration of the active approval to ensure continued operation.
- j. Revocation of conditional use approval. Any conditional use approval granted under this section shall be immediately terminated if any one or more of the following occur:
  - i. The Applicant provides false or misleading information to the City;
  - ii. Anyone on the premises knowingly dispenses, delivers, or otherwise transfers any Marijuana or Marijuana product to an individual or entity not authorized by state and federal law to receive such substance or product;
  - iii. An Applicant, Owner or manager is convicted of a felony offense;
  - iv. Any Applicant, Owner, manager or Employee is convicted of any drug-related crime under Florida Statutes;
  - v. The Applicant fails to correct any City Code violation or to otherwise provide an action plan to remedy the violation acceptable to the City Manager within 30 days of citation;
  - vi. The Applicant fails to correct any State law violation or address any warning in accordance with any corrective action plan required by the State within the timeframes and completion date the Applicant provided to the City;
  - vii. The Applicant's State license or approval authorizing the dispensing of Medical Marijuana expires or is revoked; or
  - viii. The Applicant fails to maintain a Medical Marijuana Permit as required by Chapter 14 "Businesses," Article 5 "Marijuana Sales" of the City Code of Ordinances.
- k. Transfer of Medical Marijuana Conditional Use Approval.
  - i. A Conditional Use Approval for a Medical Marijuana Retail Center shall not be transferred to a new Owner, or possession, control, or operation of the establishment surrendered to such other person until a new Medical Marijuana Permit has been obtained by the new Applicant in accordance with Chapter 14 "Businesses," Article 5 "Marijuana Sales" of the City Code.
  - ii. An application for a Conditional Use Approval transfer, meeting the requirements of Section 4-302.C.4.a., shall be filed with the City at the same time the new Applicant files its application for a Medical Marijuana Permit.



## ARTICLE 4 - ZONING DISTRICTS

- iii. The Application for a Conditional Use Approval transfer shall be accompanied by a Conditional Use Approval transfer fee to be set by resolution of the Commission.
  - iv. If the new Applicant is granted a Medical Marijuana Permit and the transfer application meets the material requirements of Section 4-302.C.4., the City Manager shall approve the Conditional Use Approval transfer.
  - v. A Conditional Use approval is particular only to the applicant at the approved location and shall not be transferred to another applicant, owner or location.
  - vi. An attempt to transfer a Conditional Use approval either directly or indirectly in violation of this Section is hereby declared void, and in that event the Conditional Use shall be deemed abandoned, and the related Medical Marijuana Permit shall be forfeited.
- 6. Mixed use building(s).
  - 7. Outdoor recreation/entertainment.
  - 8. Private yacht basin.
  - 9. Walk-up counter only as an accessory use to a restaurant.
- D. Performance standards.
- 1. Minimum parcel of land:
    - a. Less than forty-five (45) feet in height shall be a minimum two-thousand-five-hundred (2,500) square feet.
    - b. Greater than forty-five (45) feet in height shall have a minimum of two-hundred (200) feet of primary street frontage and minimum land area of twenty-thousand (20,000) square feet.
  - 2. Minimum parcel dimensions:
    - a. Width. Twenty (25) feet.
    - b. Depth. One-hundred (100) feet.
  - 3. Minimum setbacks. The following setbacks shall be provided for all buildings:
    - a. Front:
      - i. Up to fifteen (15) feet in height: None.
      - ii. The portion of a building above fifteen (15) feet shall be set back ten (10) feet from the property line at the lower of: a) a cornice line above fifteen (15) feet; b) the top of a parking pedestal; or c) forty (40) feet.
    - b. Side:
      - i. Interior side: Up to forty-five (45) feet in height – zero (0) feet, greater than forty-five (45) feet in height – fifteen (15) feet plus one (1) foot of additional setback for each three (3) feet of height above forty-five (45) feet.
      - ii. Side street: Fifteen (15) feet.
    - c. Rear:
      - i. Abutting a dedicated alley or street: None.
      - ii. Not abutting dedicated alley or street: Ten (10) feet.

## ARTICLE 4 - ZONING DISTRICTS

- d. Setback from canal, waterway, lake or bay: On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted.
  - e. Balconies: Cantilevered open balconies may project into the required setback areas a maximum of six (6) feet.
4. Floor area ratio: 3.0.
  5. Height. The maximum permitted height is as follows:
    - a. Pursuant to the Comprehensive Plan Map designation and/or Site Specific Zoning regulations.
    - b. C properties shall have a height limitation of three (3) floors or forty-five (45) feet, whichever is less, within one-hundred (100) feet of an adjacent, abutting or contiguous (including streets, waterways, or alleys) SFR and/or MF1 property, as measured from the C property line.
  6. Nighttime uses adjacent to a residential district.
    - a. Parking lots for nighttime uses shall be screened with opaque wall, fences or hedges to a height of a minimum of four (4) feet at time of installation so that vehicle headlamps cannot illuminate land which is designated as a residential district.
    - b. No patron or customer access for nighttime uses which is visible from land designated as a residential district shall be available for use from the hours of 8:00 PM to 6:00 AM.
    - c. No deliveries shall be accepted between the hours of 8:00 PM and 6:00 AM for nighttime uses.
    - d. Windows and doors facing land designated as a residential district shall be opaque or shall be provided with shades, screens, or drapes to screen illumination from within the building.
    - e. A landscape buffer comprised of a continuous hedge and small trees with a height of at least fourteen (14) feet at intervals of not less than ten (10) feet on centers shall be located along any property line of a nighttime use which has a common property line with property designated as a residential district, or is separated only by an alley.
    - f. Signage which is visible from land designated as a residential district shall not be illuminated between the hours of 10:00 PM and 6:00 AM.
    - g. Additional criteria for medical clinics.
      - i. Overnight stays at a medical clinic shall not exceed twenty-four (24) consecutive hours.
      - ii. Overnight stays shall be prohibited on Saturday or Sunday on property that abuts a residential district.
      - iii. Patients shall not be admitted or discharged between the hours of 10:00 PM and 6:00 AM.
      - iv. A maximum of six (6) beds or sleeping rooms shall be permitted, and a total of six (6) patients at one time may remain overnight in any medical clinic, regardless of the number of medical personnel affiliated with such clinic.
      - v. The medical clinic shall be closed to the public between the hours of 10:00 PM and 6:00 AM.
      - vi. All doors in the medical clinic that face a residential district shall remain closed at all times between the hours of 10:00 PM and 6:00 AM.
      - vii. No loitering of any kind shall be permitted in any area which is visible from land which is designated as a residential district.
      - viii. Compliance with all applicable federal, state, and local laws, including, without limitation, all licensing requirements.

## ARTICLE 4 - ZONING DISTRICTS

- h. Overnight accommodations.
  - i. No outdoor facilities, including pools, decks, outdoor dining or drinking facilities which are visible from land designated residential shall be used or operated after 10:00 PM.
  - ii. No music (live or recorded) shall be performed or played except within in an enclosed building between the hours of 8:00 PM and 6:00 AM.
  - iii. No kitchen with outside venting shall be operated between the hours of 10:00 PM and 6:00 AM.
- 7. Additional standards for mixed-use development.
  - a. Mix of uses. In order to encourage the creative mix of uses, all mixed-use developments shall have at least eight (8%) percent or the entire ground floor of retail commercial and/or office uses. The remaining portions of the building may be uses permitted in the underlying zoning designations.
  - b. Floor area ratio. When multiple uses are incorporated into a development of four (4) or more stories in height, the floor area ratio (FAR) for each use shall be individually determined and the highest of the individual FAR shall be applied to the entire development.
  - c. Ground floor treatment. Ground floor treatment for all Mixed-Use development shall be pedestrian oriented, and shall detail the percent glazing to solids, pedestrian-oriented landscaping and other features when submitting to the Board of Architects and Planning and Zoning Board.

### **Section 4-303. Industrial District (I).**

- A. Purpose. The purpose of the Industrial (I) District is to accommodate related industrial uses in the City.
- B. Permitted uses. The following uses are permitted subject to the standards in this Section and other applicable regulations in Article 5:
  - 1. Accessory uses, buildings or structures as provided in Article 4, Table No. 2. Accessory uses, buildings or structures customarily associated with permitted uses within this Zoning District and not listed within the Table No. 2 may be permitted subject to Development Review Official review and approval.
  - 2. Alcoholic beverage sales, including wine shops and similar uses.
  - 3. Animal grooming or boarding.
  - 4. Automobile service stations.
  - 5. Camps.
  - 6. Commercial laundry.
  - 7. Community center.
  - 8. Day care.
  - 9. Governmental uses.
  - 10. Indoor recreation/entertainment.

## ARTICLE 4 - ZONING DISTRICTS

11. Manufacturing.
  12. Medical clinic.
  13. Municipal facilities.
  14. Museum.
  15. Offices.
  16. Outdoor recreation/entertainment.
  17. Outdoor retail sales, display and/or storage.
  18. Overnight accommodations.
  19. Parking garages.
  20. Parking lots.
  21. Parks, City.
  22. Public transportation facility.
  23. Research and technology uses.
  24. Restaurants.
  25. Restaurants, fast food.
  26. Retail, sales and service.
  27. Self-storage warehouses.
  28. Swimming pools as an accessory use.
  29. Temporary uses.
  30. TV/radio studios.
  31. Utility/infrastructure facilities.
  32. Utility substations.
  33. Vehicle sales/displays.
  34. Vehicles sales/displays, major.
  35. Vehicle service, major.
  36. Veterinary offices.
  37. Wholesale/distribution/warehouse facility.
- C. Conditional uses. The following uses are permitted in the Industrial District as conditional uses, if approved under the provisions of Article 3, Division 4, subject to the standards in this Section and

## ARTICLE 4 - ZONING DISTRICTS

other applicable regulations in Article 5:

1. Adult uses.
2. Assisted living facilities (ALF).
3. Helistop.
4. Mixed use building(s).

### D. Performance Standards.

1. Minimum parcel of land:
  - a. Less than forty-five (45) feet in height shall provide a minimum of two-thousand-five-hundred (2,500) square feet.
  - b. Greater than forty-five (45) feet in height shall provide a minimum of two-hundred (200) feet of primary street frontage and area of twenty-thousand (20,000) square feet.
2. Minimum parcel dimensions:
  - a. Width. Twenty (25) feet.
  - b. Depth. One-hundred (100) feet.
3. Minimum setbacks. The following setbacks shall be provided for all buildings in the Industrial District:
  - a. Front:
    - i. Up to fifteen (15) feet in height: None.
    - ii. The portion of a building above fifteen (15) feet shall be set back ten (10) feet from the property line at the lower of: a) a cornice line above fifteen (15) feet; b) the top of a parking pedestal; or c) forty (40) feet.
  - b. Side:
    - i. Interior side: None.
    - ii. Side street: Fifteen (15) feet.
  - c. Rear:
    - i. Abutting a dedicated alley or street: None.
    - ii. Not abutting dedicated alley or street: Ten (10) feet.
  - d. Balconies: Cantilevered open balconies may project into the required setback areas a maximum of six (6) feet.
4. Height.
  - a. Any structure within one hundred (100) feet of single-family residential: Thirty-five (35) feet.
  - b. Other uses: Seventy-two (72) feet.
  - c. Manufacturing: Forty-five (45) feet.

## ARTICLE 4 - ZONING DISTRICTS

5. Floor area ratio (FAR): 3.0.

### **Division 4. Prohibited Uses**

#### **Section 4-401. Uses prohibited.**

The following uses shall not be permitted within the City:

- A. Nightclubs as a primary use.
- B. Nightclubs where alcoholic beverages exceed forty-nine (49%) percent of total quarterly gross sales receipts/revenues of a primary restaurant use pursuant to the State of Florida licensing requirements for restaurants. See Definition of "Nightclub" in Article 8.
- C. Crematory or furnace for cremation of human bodies.
- D. Electronic video entertainment centers and machines.
- E. Casinos.

#### **Section 4-402. Prohibited uses, certain streets.**

- A. Except as provided in Section 4-403(F), no service station, public garage, auto repair shop, machine shop, used car lot, or any business conducted outside a building shall be permitted on any lots or premises abutting Coral Way (a portion of which is known as Miracle Mile), or Biltmore Way, or upon lots or premises abutting Ponce De Leon Boulevard between Southwest 8th Street and Bird Road.
- B. No driveway for use by motor vehicles or any other purpose shall be permitted to be constructed across the sidewalks on properties abutting Miracle Mile from Douglas Road to LeJeune Road and/or on properties abutting Ponce de Leon Boulevard from Minorca Avenue to University Drive.
- C. No off-street parking shall be permitted to be located on the grade level of buildings constructed on properties abutting Miracle Mile from Douglas Road to LeJeune Road and/or on properties abutting Ponce de Leon Boulevard from Minorca Avenue to University Drive.
- D. No driveway for motor vehicle purposes or any other purposes shall be constructed across the sidewalk or in such yard areas of property abutting both sides of Ponce de Leon Boulevard from Malaga Avenue to Bird Road; driveways existing as of February 26, 1981 may be permitted to remain.

#### **Section 4-403. Business outside a building.**

No business shall be permitted unless such business is carried on within and under cover of a building or buildings according to the provisions of this and other ordinances of the City of Coral Gables; provided, however, that this section shall not apply to the following:

- A. Automobile service stations.
- B. Commercial nurseries for the growth and sale of trees, plants and flowers.
- C. Open-air cafes and/or restaurants when approved in accordance with the provisions of Article 5, Division 1.
- D. Open-lot Christmas tree sales, as provided in Article 5, Division 21.

## ARTICLE 4 - ZONING DISTRICTS

- E. Restaurant drive-in service windows or walk-up counters and bank drive-in or walk-up tellers when approved in accordance with the provisions of Article 5, Division 1.
- F. Used-car lots, when located in accordance with the provisions of Section 4-404.

### **Section 4-404. Used car lots.**

The business or occupation of used car lot shall not be conducted anywhere within the City of Coral Gables except upon premises in an Industrial District or as accessory use in C districts in association with a new car dealership.

### **Section 4-405. Adult book store, adult theater and massage salon.**

The business or occupation of an adult book store, adult theater or massage salon shall not be conducted or operated except upon premises in an Industrial District, and, provided further that the operation of such uses shall comply with all provisions of the Zoning Code and all other applicable rules and regulations.

### **Section 4-406. Fortune tellers, etc.**

The business or occupation of fortune teller, clairvoyant, palmist, astrologer, phrenologist, character reader, spirit medium, absent treatment healer, mind reader, hypnotist, mental healer, numerologist, and all other businesses and occupations of a similar nature shall not be conducted or operated except upon premises in an Industrial District.

### **Section 4-407. Commercial laundries.**

Commercial laundries shall not be permitted except in an Industrial District.

### **Section 4-408. Houseboats.**

- A. No boat, houseboat, vessel or watercraft of any kind may be used as a place of abode or dwelling while anchored, moored or tied up in any part of the Coral Gables waterway or canal, or within the City limits in Biscayne Bay.
- B. Except as provided in subsection C, no boat, houseboat, vessel or watercraft of any kind that is not propelled by its own power shall be allowed to be or remain in any of the waterways or canals or in Biscayne Bay within the City of Coral Gables for more than six (6) hours.
- C. The prohibition on non-powered boats shall not apply to properly permitted construction barges or recreational non-powered boats such as sailboats or kayaks.

### **Section 4-409. Recreational vehicle.**

- A. No recreational vehicle shall be kept or parked on public or private property within the City except for the purpose of loading or unloading for a continuous period not to exceed twenty-four (24) hours during any consecutive seven (7) day period unless such recreational vehicle is parked or stored within the confines of a garage and unoccupied.
- B. Under no circumstances and in no area, however zoned, shall any vehicle be used as living or sleeping quarters within the limits of the City.

### **Section 4-410. Tents or detached screened enclosures.**

No tent or detached screen enclosure of any kind shall be erected or maintained within the City limits of the City of Coral Gables, except in conjunction with a permitted temporary use. Screened enclosures, however, will be permitted as an accessory use in connection with a permitted principal use in a

## ARTICLE 4 - ZONING DISTRICTS

residential or special use district as provided for in Article 5, Division 1.

### **Section 4-411. Parking, loading or unloading in residential and neighboring districts.**

- A. It shall be unlawful for any person to park any vehicle displaying advertising signs or any truck, trailer, commercial vehicle, or recreational vehicle, in or upon any property, public or private, in any area of the City in a residential district. This prohibition, however shall not apply in the following cases:
1. Vehicles which are entirely enclosed within the confines of an enclosed garage.
  2. Vehicles used by licensed contractors or service establishments while actually doing work in such residential areas between the hours of 7:30 AM to 6:00 PM excluding Sundays and holidays, provided, however, that such vehicles shall contain written identification on both sides of the vehicle clearly indicating the name of the contractor or service establishment. Such identification shall be in conformance with the standards set forth in Section 8A-276(b), Commercial Vehicle Identification, of the Code of Metropolitan Dade County, Florida.
  3. Vehicles carrying a sign displaying only a noncommercial message, including, but not limited to, a sign dealing with the candidacy of individuals for elected office.
  4. The loading or unloading of recreational vehicles as provided for under this Section.
  5. Mobile cranes and other heavy equipment used during building construction.
  6. One pickup truck may be parked outside of a residence if all three of the following requirements are met:
    - a. There are no items in the bed of the vehicle.
    - b. The vehicle has no commercial markings or advertising, and no commercial equipment or appendage is attached to the exterior of the vehicle.
    - c. The vehicle is unmodified and has no more than four (4) wheels.
- B. Active loading or unloading of trucks, trailers or commercial vehicles is allowed, provided that such loading or unloading shall take no more than two (2) hours, and shall not be done between the hours of 7:00 PM of one day and 7:00 AM of the next day within residential districts or within one-hundred (100) feet of residential districts. If any portion of a property falls within one-hundred (100) feet of a residential district then the entire property shall be subject to these provisions.
- C. The two (2) hour time limit shall not apply to residential moving trucks loading or unloading during the hours of 7:00 AM and 7:00 PM. If a residential move is to occur between 7:00 PM and 7:00 AM, the property owner shall request a special waiver for good cause from the Development Services Director.
- D. If the active loading or unloading of a truck, trailer or commercial vehicle (other than a residential move) within a residential district or within one-hundred (100) feet of a residential district will take more than two (2) hours, or take place between 7:00 PM and 7:00 am, the property owner shall request a special waiver for good cause from the Development Services Director.



## ARTICLE 4 - ZONING DISTRICTS

### **Section 4-412. Trucks, trailers, commercial vehicles, and recreational vehicles--Parking upon streets and public places.**

Except as provided for in this Division, no trucks, trailers, commercial vehicles, or recreational vehicles, shall be parked upon the streets or other public places of the City between the hours of 7:00 PM on one day and 7:00 AM of the next day. This prohibition is in addition to the total prohibition covering residential areas as provided in Section 4-411.

### **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.

### **Section 4-414. Wild animals and reptiles, keeping.**

Except as provided herein, it shall be unlawful for any person or persons to keep any wild animal within the City of Coral Gables provided, however, this section shall not apply to zoos, pet shops, medical or scientific institutions, or other places licensed for the showing or keeping of wild animals.

#### **A. Standards for issuance of permit:**

1. In the City Manager's consideration of permits for animals subject to the provisions of this section, there shall be a presumption against the issuance of a permit for any animal or reptile falling within the following classifications:
  - a. Any lizard normally capable of inducing toxic effects through biting, including the Gila monster and the Mexican beaded lizard.
  - b. Any lizard in excess of eight (8) feet in length or of a weight in excess of twenty-five (25) pounds.
  - c. Any alligator, caiman, or crocodile in excess of four (4) feet in length.
  - d. Any ape, including the chimpanzee, gorilla, orangutan, gibbon, or simian.
  - e. Any true monkey but not including the smaller lower primates, such as lemurs, marmosets, etc., provided, however, it shall be unlawful to keep any monkey in such a place so as to be exposed to the public view.
  - f. All members of the flesh-eating order of Carnivore, including non-domestic dogs, cats, foxes, seals, raccoons, coatamundis, bears, civets, skunks, and related forms.
  - g. All horned or hoofed mammals.
  - h. Elephants.
2. There shall be a presumption in favor of the issuance of a permit to keep animals which do not fall within the classifications set forth in Section 4-414(A)(1) above; provided, however, the City Manager may still in the exercise of discretion deny a permit where the keeping of such animal is dangerous and harmful to human safety.

## ARTICLE 4 - ZONING DISTRICTS

### **Section 4-415. Domestic animal and fowl.**

It shall be unlawful for any person to keep, harbor, breed or feed any horses, ponies, cattle, goats, pigs or other livestock, or any pigeons, peacocks, chickens, ducks or roosters, or other fowl.

### **Section 4-416. Possession, harboring, sheltering or keeping of cats and dogs.**

- A. It shall be unlawful for any person to possess, harbor, shelter, or keep more than four (4) adult cats or four (4) adult dogs at any one time, except veterinary hospitals properly licensed by the City.
- B. It shall be unlawful to maintain any cat or dog so as to create a nuisance by way of noise, odor, menace to health, or otherwise.

### **Section 4-417. Marijuana businesses.**

The preparation, cultivation, storage, processing, manufacturing, delivering or dispensing of marijuana shall not be conducted for personal, business or occupational use anywhere within the City of Coral Gables. Specifically, the City will not allow a Medical Marijuana Retail Center if such use is unlawful in the opinion of the City Attorney under either state or federal law. Notwithstanding the foregoing, if permitted under both state and federal law, a Medical Marijuana Retail Center as defined herein, may be approved by the City Commission as a conditional use in the Commercial District, if the use obtains and maintains a Medical Marijuana Permit as required by Chapter 14 "Business" Article 5 "Marijuana Sales" of the City Code of Ordinances.