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ARTICLE 1 - GENERAL PROVISIONS

Section 1-101. Title.

This Code shall be known as and referred to as the Zoning Code ("Zoning Code" or "these regulations") of the City of Coral Gables, Florida.

Section 1-102. Authority.

These regulations are enacted pursuant to the requirements and authority of Section 163.3161 et seq., Florida Statutes (the Local Government Comprehensive Planning and Land Development Regulation Act), the Charter of the City of Coral Gables, and the powers and authority in Chapters 60, 162, 166, 171, 177, 286, 380 and 823, Florida Statutes.

Section 1-103. Purpose of the City of Coral Gables Zoning Code.

The purpose of the City of Coral Gables, Florida Zoning Code is to implement the Comprehensive Plan (CP) of the City pursuant to Chapter 163, Florida Statutes for the protection and promotion of the safety, health, comfort, morals, convenience, peace, prosperity, appearance and general welfare of the City and its inhabitants, and more specifically for the following purposes:

A. To protect the distinctive historic and architectural character of the City which is unique throughout South Florida and the world.

B. Continue to foster community pride and a sense of stewardship that have motivated the property owners and residents of the City in the improvement and maintenance of property in the City.

C. To preserve the basic comprehensive plan and layout of the City by its forefathers, more specifically George Merrick.

D. Insure the application and administration of these regulations imposed herein continue to improve the overall quality of life and promote development of the City as has been guided since its establishment.

E. To preserve residential properties to assure that future development will be in conformity with the foregoing distinctive character, with respect to type, intensity, design and appearance.

F. Provide for the preservation and protection of flora and fauna, more specifically the City's lush tree canopy.

G. Provide for efficiency and economy in the process of stable and orderly development, for the appropriate and best use (not necessarily the most economic use) of land in accordance with standards established by the will of the residents while protecting property values.

H. Promote preservation, protection, development and conservation of the natural resources of land, water and air, for convenience of traffic and circulation of people and goods, for the use and occupancy of buildings, for healthful and convenient distribution of population, in accordance with maximum densities of the CP.

I. Provide for adequate and efficient public utilities and facilities for the preservation and promotion of the natural and civic amenities of beauty and visual interest.

J. Establish zoning districts as a means of achieving unified civic design and proper relationship between the uses of land by regulating the location and use of buildings, signs and other structures, and land or water for trade, agriculture, industry and residence, by providing adequate buffers, by regulating and limiting or determining the height, bulk and access to light and air of buildings and structures, the area of yards, and other open spaces, and the density of use. To accomplish these objectives, the regulations and districts and accompanying maps have been designed with

reasonable consideration, among other things, to maintain the character of the districts, and their peculiar suitability for particular uses, and they are to be regularly reevaluated in order to best accomplish the above objectives.

K. To protect property values and the enjoyment of property rights by minimizing and reducing conflicts among various land uses through the application of regulations designed to assure harmonious relationships among land uses.

Section 1-104. Jurisdiction and applicability.

A. These regulations shall govern the development and use of land, buildings and structures within the corporate limits of the City.

B. No building, structure, water or land shall be used or occupied, and no building, structure or land shall be developed unless in conformity with all of the provisions of the zoning district in which it is located, all other applicable regulations and all development approvals.

Section 1-105. Annexed lands.

All lands which may be hereafter annexed to the City of Coral Gables shall be automatically zoned as a Single Family Residential District (SFR) until otherwise changed in accordance with the provisions of Article 3, Division 14.

Section 1-106. Comprehensive Plan and Future Land Use Map.

The Comprehensive Plan and Future Land Use Map of the City of Coral Gables are the official statements of policy of the City in regard to the use of land and all use or development of land undertaken pursuant to these regulations shall be consistent with the Comprehensive Plan and the Future Land Use Map.

Section 1-107. Official Zoning Map.

The Official Zoning Map is established and incorporated into these regulations by this reference. The Official Zoning Map shows the boundaries of all Zoning Districts as adopted by the City Commission pursuant to the procedures of these regulations. The Official Zoning Map, as amended from time to time, shall be kept on file and made available for public reference in the Office of the City Clerk.

Section 1-108. Transitional rules.

A. Existing unlawful uses and structures. A structure or use not lawfully existing at the time of the adoption of these regulations is lawful only if it conforms with all of the requirements of these regulations.

B. Existing approved uses. An existing use which is lawful on the date of adoption of these regulations, whether permitted as a “permitted use”, a “special use”, an “X use” or a “conditional use” in the zoning district in which it is located, shall not be deemed nonconforming solely because the procedure for approval has changed through the adoption of these regulations and shall hereafter be deemed a permitted conditional use in the district in which it is located. In the event the use was approved subject to one or more conditions, those conditions shall continue in full force and effect unless a new approval is obtained. If the existing use is nonconforming under either the prior Zoning Code or these regulations, then such use shall come into conformance with these regulations if required by the provisions of Article 6.

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

D. Previously granted variances. All variances granted under this, or any prior edition of the Zoning Code subject to a timeframe for construction which are still in effect on the adoption of these regulations shall remain in full force and effect, including any conditions attached thereto, and the recipient of the variance may proceed to develop the property in accordance with the plans previously approved. However, if the recipient of the variance has failed to commence construction before the variance expires, the provisions of these regulations shall govern and the variance shall have no further force and effect.

E. Previously approved conditional uses. All conditional uses approved prior to the adoption of these regulations, and any conditions attached thereto, shall remain in full force and effect, and the recipient of the approved conditional use may proceed to develop the property in accordance with the previous approval and shall hereafter be deemed a conditional use in the district in which it is located. However, if the recipient of the approved conditional use has failed to commence construction before the approval expires or if the approval is abandoned, the provisions of these regulations shall govern. No conditional use approved prior to the adoption of these regulations where no certificate of occupancy has been granted shall not be extended.

F. Previously approved special uses. All special uses approved prior to the adoption of these regulations, and any conditions attached thereto, shall remain in full force and effect, and the recipient of the approved special use may proceed to develop the property in accordance with the previous approval and shall hereafter be deemed to be a Special Use District. However, if the recipient of the approved special use has failed to commence construction before the approval expires or if the approval is abandoned, the provisions of these regulations shall govern. No Special Use approved prior to the adoption of these regulations but not constructed shall be extended.

G. Approved “X” uses. Any lawfully established permitted “X” use shall be considered to be a non-conforming approved conditional use under the provisions of these regulations, unless abandoned.

H. Prior zoning districts. Unless provided otherwise on the Official Zoning Map, upon the adoption of these regulations, land which is presently zoned within an existing zoning classification shall be classified within one of the zoning classifications set forth in Article 4 of these regulations, as follows:

Archived zoning districts	*New zoning districts*
R-1-2, R-3, R-4, R-5, R-6, R-6-7, R-7, R-8, R-9, R-9-10, R-11, R-12, R-14, R-14-15, R-16, R-17, R-18, R-19	Single Family Residential (SFR) District
R-TH Use Districts	Multi-Family 2 (MF2) District
D-Use Districts	Multi-Family 1 Duplex (MF1) District and Multi-Family Special Area (MFSA) District
A-Use Districts	Multi-family Special Area (MFSA) District and Multi-family 2 (MF2) District
Mixed Use District 1, 2 and 3	Mixed Use (MXD) District
CA-Use Districts	Commercial Limited (CL) District
CB* and CC-Use Districts	Commercial (C) District
M-Use Districts	Industrial (I) District
Downtown Overlay District	Downtown Overlay (DO) District
Planned Area Development (PAD) District	Planned Area Development (PAD) District
University of Miami Campus Area Development (UMCAD) District	University Campus (UCD) District
P-Use Districts	Preservation (P) District
S-Use District	Special Use (S) District
X-Uses	Conditional uses in various districts

*Prior CB zoning districts adjoining SFR districts shall be designated as new CL district.

Section 1-109. Construction rules.

For the purposes of these regulations, the following rules of construction apply:

A. In interpreting and applying the provisions of these regulations, they shall be held to be the minimum requirements for the promotion of the health, safety, morals, order, convenience and general welfare of the community.

B. The provisions of these regulations shall be construed to achieve the purposes and intent for which they are adopted.

C. Nothing in these regulations is intended to abrogate any easement, covenant, deed restriction or other private agreement; however, where the regulations of these regulations are more restrictive or impose higher standards or requirements than such easement, covenant, deed restriction or other private agreement, the requirements of these regulations shall govern.

D. In the event of a conflict between the text of these regulations and any caption, figure, illustration, table, or map, the text of these regulations shall control. In the event of a conflict between a chart and an illustration, the chart shall control. All illustrations included in these regulations are for illustrative purposes only.

E. In the event of any conflict in limitations, restrictions, or standards applying to an individual use or structure, the more restrictive provisions shall apply.

F. In the event of a conflict between these regulations and any federal, state, or county statute or provision, which pre-empts local regulation, the federal, state, or county statute or provision shall apply.

G. The words “shall,” “must,” and “will” are mandatory in nature, implying an obligation or duty to comply with the particular provision.

H. The word “or” is alternative in nature.

I. The word “may” is permissive in nature.

J. Words used in the present tense include the future tense.

K. The singular number includes the plural number and the plural, the singular.

L. Words utilizing the masculine gender include the feminine gender and use of the feminine gender includes the masculine.

M. The words used and occupied as applied to any land or building shall be construed to include the words “intended, arranged or designed to be used or occupied.”

N. The word “herein” means “these regulations.”

O. Any act authorized by these regulations to be carried out by a specific official or agency of the City is authorized to be carried out by a designee of such official or agency.

P. The time within which an act is to be done shall be computed by excluding the first and including the last day; if the last day is a Saturday, Sunday or a legal holiday, that day shall be excluded.

Q. Any words and terms not defined herein shall have the meaning indicated by common dictionary definition.

R. Any reference to Federal Statutes, Florida Statutes, Florida Administrative Code, Miami-Dade County Code, or any other official code shall be construed to be a reference to the most recent enactment of such statute, code or rule, and shall include any amendments as may, from time to time, be adopted.

S. Zoning district boundaries are usually along streets, alleys, property lines or extensions thereof. Where an uncertainty exists with respect to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.

2. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

3. Boundaries indicated as approximately following city limits shall be construed as following city limits.

4. Boundaries indicated as following shorelines shall be construed to follow such shorelines. In the event of a change in the shoreline, the zoning district boundary shall be construed as moving with the actual shoreline. Boundaries indicated as approximately following the centerline of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines.

5. Whenever any street, alley or other public way is vacated by official action of the City Commission of the City of Coral Gables, the zoning district of the property abutting upon each side of such street, alley or public way shall be automatically extended to the center of such vacation and all area included within the vacation shall thereafter be subject to all appropriate regulations of the extended districts.

6. Where land is built-up by fill upon areas formerly submerged under water, the district regulations applying to the land immediately adjoining such built-up land shall be automatically extended thereto.

Section 1-110. Severability.

A. It is the intent of the City Commission of the City of Coral Gables that the articles, divisions, sections, subsections, paragraphs, sub-paragraphs, sentences, clauses and phrases of this Code are severable, and if any of the articles, divisions, sections, subsections, paragraphs, sub-paragraphs, sentences, clauses and phrases of this Code are declared invalid or unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the balance of these regulations.

B. It is the further intent of the City Commission of the City of Coral Gables that all property within the City be regulated by these regulations. Therefore, if the zoning district of a particular parcel of land is declared invalid or unconstitutional, either on its face or as-applied, it is the intent of the City Commission that the zoning district applied to the parcel of land shall be the next more restrictive zoning district that is consistent with the future land use district within which the parcel of land is located.

Section 1-111. Time limitation of approvals.

A. Unless specified otherwise herein, approvals granted pursuant to these regulations shall submit an application for a building permit within eighteen (18) months from time of the approval. Failure to submit for a building permit shall render the approval null and void. Permitted time frames do not change with successive owners, provided however, one (1), six (6) month extension of time may be granted by the Development Review Official.

ARTICLE 2 – DECISION MAKING AND ADMINISTRATIVE BODIES

Division 1. City Commission

Section 2-101. Powers and duties.

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

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

Division 2. Planning and Zoning Board

Section 2-201. Powers and duties.

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

Powers and duties	*Applicable Standards/Procedures*
Abandonment and Vacations (including mitigation plan approval)	Article 3, Division 12
Annexation	See Florida Statutes
Comprehensive Plan Text and Map Amendments	Article 3, Division 15
Conditional Uses	Article 3, Division 4
Coral Gables Mediterranean Architectural Design Special Location Site Plan Review	Article 5, Section 5-604

Powers and duties	*Applicable Standards/Procedures*
Development Agreements	Article 3, Division 19
Developments of Regional Impact and Notice of Proposed Change	Article 3, Division 16
Moratorium	Article 3, Division 7
Planned Area Development Designation	Article 3, Division 5
Platting/Subdivision	Article 3, Division 9
Separation/Establishment of a Building Site	Article 3, Section 3-206, Article 3, Division 4
Site plan (MXD, PAD, other)	Article 3
Subdivision Review for a Tentative Plat and Variances	Article 3, Division 9
Transfer of Development Rights Receiving Site Plan Application	Article 3, Division 10
University Campus District Modification to the Adopted Campus Master Plan	Article 4, Section 4-202
Zoning Code Text and Map Amendments	Article 3, Division 14
Zoning in Progress Request	Article 3, Division 7

Section 2-202. Membership; Terms; Vacancies; Removal.

A. Membership.

1. The Planning and Zoning Board shall be composed of seven (7) members, five (5) of whom shall be appointed by the City Commission, one of whom shall be nominated by the City Manager, subject to approval of the City Commission, and one of whom shall be nominated by the six (6) members so appointed, subject to approval of the City Commission. In the event that the six (6) members shall fail to agree on the seventh (7th) member, such member shall then be nominated by the City Commission after a thirty (30) day waiting period.

2. In making appointments to the Planning and Zoning Board, membership shall be sought from a diverse economic, social and professional representation and shall include members qualified and experienced in the fields of architecture, planning, landscape architecture, engineering, construction, planning and land use law and real estate. Each member of the Board shall also be a citizen and/or an owner, or spouse of an owner, of real property located within the City of Coral Gables during the term of appointment and also for at least five (5) years prior to appointment.

3. A representative of the school district appointed by the school board as a non-voting member of the Planning and Zoning Board shall be invited to attend and participate in the Board meetings when Comprehensive Land Use Plan and Zoning Code Map amendments are on the agenda which would, if approved, increase residential density on the property that is the subject of the application and have a potential impact on a public school.

B. Terms. The members of the Planning and Zoning Board shall serve at the pleasure of the City Commission. All appointments shall be for a two (2) year period commencing June 1st, and ending on May 31st of the next odd year or until their successor is appointed. No member of the Planning and Zoning Board shall serve more than eight (8) consecutive years on the Board.

C. Vacancies. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term. Appointments to unexpired terms shall not count as one of the four (4) terms for which a member is eligible for appointment.

D. Removal. Any member of the Planning and Zoning Board may be removed with or without cause by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

Section 2-203. Meetings; Quorum; Required vote.

A. Meetings. The Planning and Zoning Board shall schedule one (1) regular meeting each month, and special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedures to be followed at meetings, shall be as prescribed by the Chairperson and the Secretary of the Board.

B. Quorum; Required Vote. Four (4) members of the Board shall constitute a quorum and the affirmative vote of four (4) members shall be necessary for the adoption of any motion. A workshop meeting where no business is conducted may be held without a quorum. If only four (4) members of the Board are present, an applicant may request and be entitled to a continuance to the next regularly scheduled meeting of the Board. If a matter is continued due to lack of a quorum, the Chairperson or Secretary of the Board may set a special meeting to consider such matter. In the event that four (4) votes are not obtained an applicant may request a continuance or allow the application to proceed to the City Commission without a recommendation.

Section 2-204. Officers; Staff.

A. Officers. The Planning and Zoning Board shall annually elect a chairperson and a vice-chairperson from among its members. All officers shall be elected for one (1) year terms and shall be eligible for re-election.

B. Staff/Secretary**.** The ex-officio member of the Board shall provide such support services to the Board as may be necessary to assist the Board in the performance of its duties and shall serve as the Secretary for the Board.

Section 2-205. Rules and records.

The Planning and Zoning Board may establish such rules of procedure as it may determine necessary to carry out its duties. Such rules of procedure shall be approved by the City Commission. All meetings shall be conducted in accordance with Florida law and written records of the proceedings shall be a public record maintained and filed with the Secretary of the Board.

Division 3. Board of Architects

Section 2-301. Powers and duties.

Pursuant to the City Charter, and subject to those provisions, a Board of Architects is a design review administrative board created to ensure that the City's architecture meets the design review standards of the Zoning Code, is consistent with the City's regulations and to preserve the traditional aesthetic character of the community. In addition to any power or duty delegated by the City Commission or the City Manager, the Board of Architects shall act as a recommending and a decision making Board for the following:

Powers and duties	*Applicable Standards/Procedures*
Appeals from decisions of the City Architect	Article 3, Division 6
Building Permit Review/Architectural Design Standards Compliance	Article 3, Divisions 2-4
Conditional Use Review	Article 3, Division 4
Recommend Historic Designations to Historic Preservation Board	Article 3, Division 11

Section 2-302. Membership; Terms; Vacancies; Removal.

A. Membership.

1. The Board of Architects shall be composed of at least seven (7) members who serve as either regular or alternate members, depending on their designation at appointment.

2. The City Manager, subject to the approval of the City Commission, shall appoint all regular and alternate members of the Board of Architects, considering the following qualifications:

   a. Each member shall have been a registered architect or landscape architect responsible for the design and construction of projects within the City of Coral Gables during the last five (5) years and shall have a minimum of ten (10) years experience in their profession.

   b. Each member shall either be a resident or have their principal place of business in the City of Coral Gables.

B. Terms. The members of the Board of Architects shall serve at the pleasure of the City Commission. The terms of the members shall be as follows:

   1. Two (2) years per term and not more than eight (8) consecutive years.

   2. The term of the members of the Board of Architects shall be so established that the terms of two (2) members of the Board will expire on June 30 and December 31 of each year, and two (2) new members will be appointed on July 1 and January 1 of each year.

C. Vacancies. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term. Appointments to unexpired terms shall not count as part of the term limit.

D. Removal. Any member of the Board of Architects may be removed with or without cause by a majority vote of the City Commission. Regular board members shall be automatically terminated for twelve (12) unexcused absences in a twelve (12) month period. Excused absences shall include illness and absence from the City.

Section 2-303. Meetings; Panel Review; Full by Full Board; Conflict Resolution Meeting; Special Master Quasi-Judicial Hearing.

A. Meetings. The Board of Architects may meet at least once each week, and such other times as the Board may determine, for the consideration of the business before the Board. All meetings shall be open to the public and the order of business and procedure to be followed shall be as prescribed by the Board. Rules of Procedure of the Board shall be approved by a majority of all Board members present. The Secretary for the Board shall be responsible for setting the agenda of the Board prior to a meeting of the Board. If a matter is postponed due to lack of a quorum, the Chairperson or the Secretary of the Board may set a special meeting as soon as practicable to consider such matter. Meetings of the Panel or the full Board are not quasi-judicial in nature, unless related to an appeal.

B. Panel Review. Any case brought before the Board may be heard by a panel of two (2) or three (3) members. A quorum of the full Board is not necessary to convene a Panel for official action. The approval of two (2) members on a two (2) or three (3) member Panel, signified by their signature on each set of plans and specifications required to be submitted with each application for a permit, shall be a prerequisite to the issuance of any permit required to be approved by the Board. The Board may review and recommend approval to another decision-making authority having jurisdiction or approve, approve with conditions or deny any application by use of a Panel.

C. Review by full Board. At any time before the meeting or during the Panel review, the City Architect, a Board member or the applicant may determine that the Panel should be expanded to include all Board members present, in which case all Board members present will serve as the Panel, with a majority vote of the expanded Panel required for any action. In the case of a tie vote, the Board shall

deliberate and revote to see if the motion to approve or deny carries. If there is still a tie vote, the motion fails and the decision is treated as a denial for failure to obtain a majority affirmative vote.

D. Conflict Resolution Meeting; Board of Architect Special Master Quasi-Judicial Hearing. In the event a person is aggrieved by a decision, a conflict resolution meeting shall be convened to address the aggrieved party's concerns. Such meeting shall be held with the City Attorney or designee, and any other member of the City Staff that the Planning and Zoning Director deems appropriate. Any settlement that is reached may then be presented to a Board of Architect Special Master as part of a quasi-judicial public hearing on the settlement. The qualifications of such Board of Architect Special Master shall be in accordance with Sec. 2-302 of the Zoning Code, and the appointment shall be for a two (2) year term by the City Manager, in consultation with the Board of Architects and approved by the City Commission. If the conflict resolution meeting does not result in a settlement, the Board of Architect Special Master shall hear the appeal in a quasi-judicial public hearing. The decision of the Special Master on the settlement or the appeal shall be final unless appealed directly to the City Commission in accordance with Sec. 3-606 of the Zoning Code.

Section 2-304. Officers; Staff.

A. Officers. The Board of Architects shall annually elect a chairperson and a vice-chairperson from among its members. All officers shall be elected for one (1) year terms and shall be eligible for re-election.

B. Staff/Secretary. The City Manager is authorized and empowered to appoint a Secretary for the Board.

Section 2-305. Rules and records.

The Board of Architects may establish such rules of procedure as it may determine necessary to carry out its duties. Such rules of procedure shall be approved by the City Commission. All meetings shall be conducted in accordance with Florida law and written records of the proceedings shall be a public record maintained and filed with the Secretary of the Board.

Division 4. Board of Adjustment

Section 2-401. Powers and duties.

Pursuant to the City Charter, and subject to those provisions, a Board of Adjustment is created to provide relief from hardships and errors in the application of the regulations. In addition to any power or duty delegated by the City Commission or the City Manager, the Board of Adjustment shall have the following powers and duties:

Powers and duties	*Applicable Standards/Procedures*
Appeals (from staff decisions, including interpretations of this code by the Director of Building and Zoning, other than the City Architect or Historic Preservation Officer)	Article 3, Division 6
Determinations of Compliance with Distance Requirements	Article 5, Division 7
Variances	Article 3, Division 8
Recommend Amendments to the Zoning Code to the City Commission	Article 3, Division 14

Section 2-402. Membership; Terms; Vacancies; Removal.

A. Membership.

1. The Board of Adjustment shall be composed of seven (7) members, five (5) of whom shall be appointed by the City Commission, one of whom shall be nominated by the City Manager, subject to approval of the City Commission and one of whom shall be nominated by the six (6) members so appointed, subject to approval of the City Commission. In the event that the six (6) members shall fail to agree on the seventh (7th) member, such member shall then be appointed by the City Commission.

2. In making appointments to the Board of Adjustment, membership shall be sought from a diverse economic, social and professional representation and shall include members qualified and experienced in the fields of architecture, planning, landscape architecture, engineering, construction, planning and land use law and real estate. Each member of the Board shall also be a citizen and/or an owner, or spouse of an owner, of real property located within the City of Coral Gables during the term of appointment and also for at least five (5) years prior to appointment.

B. Terms. The members of the Board of Adjustment shall serve at the pleasure of the City Commission. All appointments shall be for a two (2) year period commencing June 1, and ending on May 31st of the next odd year or until their successor is appointed. No member of the Board of Adjustment shall serve more than eight (8) consecutive years on the Board.

C. Vacancies. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term. Appointments to unexpired terms shall not count as one of the four (4) terms for which a member is eligible for appointment, unless the unexpired term is two (2) years or more.

D. Removal. Any member of the Board of Adjustment may be removed with or without cause by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

Section 2-403. Meetings; Quorum; Required vote.

A. Meetings. The Board of Adjustment shall hold one regular meeting per month, and special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Chairperson and the Secretary of the Board.

B. Quorum; Required vote. Four (4) members of the Board shall constitute a quorum and the affirmative vote of four (4) members of the Board present shall be necessary to authorize a variance or grant an appeal. A tie-vote shall result in the automatic continuance of the matter to the next meeting, which shall be continued until a majority vote is achieved. If only four (4) members of the Board are present, an applicant shall be entitled to a postponement to the next regularly scheduled meeting of the Board. If a matter is postponed due to lack of a quorum, the Chairperson or the Secretary of the Board may set a special meeting to consider such matter.

Section 2-404. Officers; Staff.

A. Officers. The Board of Adjustment annually shall elect a chairperson and a vice-chairperson from among its members. All officers shall be elected for one (1) year terms and shall be eligible for re-election.

B. Staff/Secretary. The ex-officio member of the Board shall provide such support services to the Board as may be necessary to assist the Board in the performance of its duties and shall serve as the Secretary for the Board.

Section 2-405. Rules and records.

The Board of Adjustment may establish such rules of procedure as it may determine necessary to carry out its duties. Such rules of procedure shall be approved by the City Commission. All meetings shall be

conducted in accordance with Florida law and written records of the proceedings shall be a public record maintained and filed with the Secretary of the Board.

Division 5. Historic Preservation Board

Section 2-501. Powers and duties.

Pursuant to the City Charter, and subject to those provisions, a Historic Preservation Board is created to preserve, protect and harmonize new development with the historic resources that serve as visible reminders of the history and cultural heritage of the City, state or nation. In addition to any power or duty delegated by the City Commission or the City Manager, the Historic Preservation Board shall have the following powers and duties:

Powers and duties	*Applicable Standards/Procedures*
Designation of Historic Landmarks and Historic Districts	Article 3, Division 11
Review of development applications affecting historic resources; Special Certificates of Appropriateness (including variances)	Article 3, Division 11; Article 3, Division 8
Delegate to the Historic Preservation Officer the authority to grant Standard Certificate of Appropriateness and other appropriate duties	Article 2, Section 2-705(B)(5); Article 3, Division 11
Participation in national register program	Article 3, Division 11
Enforcement of maintenance and repairs provisions	Article 3, Division 11
Unsafe structures	Article 7
Recommend to the City Commission concerning the transfer of development rights, facade easements and the imposition of other restrictions, and the negotiations of historical property contracts for the purposes of historic preservation	Article 3, Divisions 10 and 11
Increase public awareness of the value of historic conservation by developing and participating in public information programs	Article 3, Division 11
Make recommendations to the City Commission concerning the utilization of grants from federal and state agencies or private groups and individuals, and utilization of City funds to promote the preservation of archaeologically, historically and aesthetically significant sites, districts and zones	Article 3, Division 11
Evaluate and comment upon decisions of other public agencies affecting the physical development and appearance of archaeologically, historically and aesthetically significant sites, districts and zones	Article 3, Division 11
Contact public and private organizations and individuals and endeavor to arrange intervening agreements to ensure preservation of archaeologically, historically or aesthetically significant sites, districts and zones for which demolition or destruction is proposed	Article 3, Division 11
In the name of the City and with the approval of the City Commission, apply for, solicit, receive, or expend any federal, state, or private grant, gift, or bequest of any funding, property, or interest in property in furtherance of the purposes of historical, archaeological, and heritage conservation	Article 3, Division 11
Recommend approval of historic markers and plaques and give recognition to designated historic landmarks and historic landmark districts within the City	Article 3, Division 11
Advise the City Commission on all matters related to the use, administration and maintenance of City-owned designated historic landmarks and historic landmark districts	Article 3, Division 11

Section 2-502. Membership; Terms; Vacancies; Removal.

A. Membership.

1. The Historic Preservation Board shall be composed of nine (9) members to be confirmed/appointed by the City Commission: one (1) member shall be nominated by each member of the City Commission; two (2) citizen at large members shall be nominated by the Commission as a whole; one (1) shall be nominated by the City Manager; and one (1) shall be nominated by the Board as a whole.

2. In making appointments to the Historic Preservation Board, membership shall be sought from persons of knowledge, experience, mature judgment, and background, having ability and desire to act in the public interest and representing insofar as may be possible the various special professional training, experience, and interests required to make informed and equitable decisions concerning conservation and protection of the physical environment, and also as follows:

   a. The nominations made by the City Commission and City Manager shall include the following:

      i. One (1) architect or preservation architect registered in the state.
      ii. One (1) historian or architectural historian.
      iii. One (1) certified planner or registered landscape architect.
      iv. One (1) professional in the field of real estate, development, or licensed general contractor.
      v. One (1) attorney-at-law.
      vi. Three (3) citizen at large members.

   b. The nomination made by the Board shall be an architect or preservation architect registered in the state.

   c. Each member of the Board shall be a resident of the City during the term of his appointment, and also for at least five (5) years prior to appointment unless waived by a four fifths (4/5) vote of the City Commission.

   d. Special advisors may be appointed by the City Commission upon recommendation by the Historic Preservation Board.

B. Terms. The members of the Historic Preservation Board shall serve at the pleasure of the City Commission. All appointments shall be for a two (2) year period commencing June 1, and ending on May 31 of the next odd year or until their successor is appointed. No member of the Historic Preservation Board shall serve more than eight (8) consecutive years on the Board.

C. Vacancies. Appointments to fill any vacancy on the Historic Preservation Board shall be for the remainder of the unexpired term. Appointments to unexpired terms shall not count as one (1) of the four (4) terms for which a member is eligible for appointment, unless the unexpired term is two (2) years or more.

D. Removal. Any member of the Historic Preservation Board may be removed with or without cause by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

Section 2-503. Meetings; Quorum; Required vote.

A. Meetings. The Historic Preservation Board shall hold regular meetings and may hold special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary

thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Chairperson and Secretary of the Board.

B. Quorum; Required Vote. Five (5) members of the Board shall constitute a quorum and the affirmative vote of a majority of the full Board shall be required for the adoption of any motion. A workshop meeting where no business is conducted may be held without a quorum. A tie vote or the lack of a majority vote shall result in the automatic continuance of the matter to the next meeting, which shall be continued until a majority vote is achieved. If a matter is postponed due to lack of a quorum, the Chairperson of the Board or the Historic Preservation Officer may set a special meeting as soon as practicable to consider such matter.

Section 2-504. Officers; Staff.

A. Officers. The Historic Preservation Board annually shall elect a chairperson and a vice-chairperson from among its members, as well as any other officers determined necessary by the Board. The Secretary of the Board shall be the Historic Preservation Officer who shall not be eligible to vote. All officers shall be elected for one (1) year terms and shall be eligible for re-election.

B. Staff. The City Manager shall appoint a Historic Preservation Officer to assist the Board. The appointee shall be experienced and knowledgeable in respect to architectural history, urban design, local history, landscape materials, site planning and land use regulations and shall have the duties specified in Section 2-705.

Section 2-505. Rules and records.

The Historic Preservation Board may establish such rules of procedure as it may determine necessary to carry out its duties. Such rules of procedure shall be approved by the City Commission. All meetings shall be conducted in accordance with Florida law and written records of the proceedings shall be a public record maintained and filed with the Secretary of the Board.

Division 6. Code Enforcement Board

Section 2-601. Powers and duties.

Pursuant to the City Charter and Chapter 162 of the Florida Statutes, and subject to those provisions, a Code Enforcement Board is created to enforce the codes and regulations in effect in the City. The Code Enforcement Board shall have the following powers and duties:

Powers and duties	*Applicable Standards/Procedures*
Code Violations	Article 7
Issue Subpoenas	Article 7

Section 2-602. Membership; Terms; Vacancies; Removal.

A. Membership.

1. The Code Enforcement Board shall be composed of seven (7) members, appointed by the City Commission.

2. In making appointments to the Code Enforcement Board, membership shall be sought from persons residing in the City who have experience or interest in the fields of zoning and building control. Whenever possible, membership shall consist of an architect, a businessman, an engineer, a general contractor, a subcontractor and a realtor, but shall not be limited to these professions if there are no qualified persons available.

B. Terms. The members of the Code Enforcement Board shall serve at the pleasure of the City Commission. All appointments shall be for three (3) year staggered terms.

C. Vacancies. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term. Appointments to unexpired terms shall not count as one of the three (3) terms for which a member is eligible for appointment, unless the unexpired term is three (3) years or more.

D. Removal. Any member of the Code Enforcement Board may be removed with or without cause by a majority vote of the City Commission. Board members shall be automatically terminated for three (3) unexcused absences in a two (2) year period. Excused absences shall include illness and absence from the City.

Section 2-603. Meetings; Quorum; Required vote.

A. Meetings. The Code Enforcement Board shall hold regular meetings at least once every two (2) months and may hold special meetings at such times as the Board may determine or at the call of the Chairperson or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Chairperson and Secretary of the Board.

B. Quorum; Required vote. Four (4) members of the Board shall constitute a quorum and the affirmative vote of a majority of the full Board shall be required for the adoption of any motion. If a matter is postponed due to lack of a quorum, the Chairperson or Secretary of the Board may set a special meeting to consider such matter. If only four (4) members of the Board are present, an applicant shall be entitled to a postponement to the next regularly scheduled meeting of the Board.

Section 2-604. Officers; Staff.

A. Officers. The Code Enforcement Board annually shall elect a chairperson and a vice-chairperson from among its members. All officers shall be elected for one (1) year terms and shall be eligible for re-election.

B. Staff. A Code Enforcement Officer shall be appointed by the City Manager to assist the Board and initiate enforcement actions.

Section 2-605. Rules and records.

The Code Enforcement Board may establish such rules of procedure as it may determine necessary to carry out its duties. All meetings shall be conducted in accordance with Florida law and written records of the proceedings shall be a public record maintained and filed with the Secretary of the Board.

Division 7. Administrative decision makers and enforcement officers

Section 2-701. City Manager.

The City Manager is the chief executive officer for the City of Coral Gables with ultimate authority over the implementation of these regulations. The City Manager has the authority to delegate his authority to City staff as necessary for the effective administration and enforcement of the regulations.

Section 2-702. City Attorney.

The City Attorney serves as the final authority with regard to legal issues involving interpretation and implementation of these regulations. An action to review any decision of the City Attorney may be taken

by any person or persons, jointly or separately, aggrieved by such decision by filing with the Circuit Court in the manner and within the time prescribed by the Florida Rules of Appellate Procedure.

Section 2-703. Building and Zoning Department.

The Building and Zoning Director is the official charged with the administration of certain provisions of these regulations:

Powers and duties	*Applicable Standards/Procedures*
Building Permits	Article 3, Division 2
Certificates of Use	Article 3, Division 2
Determination of Compliance with Development Standards	Articles 3, 4
Enforcement of Zoning Code	Article 7
Interpretation of provisions of these regulations within the jurisdiction of the Building and Zoning Department, Board of Adjustment and Board of Architects	Articles 3, 4
Preparation of reports and recommendations for the Board of Adjustment and Board of Architects	Article 3, Divisions 6, 8
Coordination of Concurrency Management Program	Article 3, Division 13

Section 2-704. Planning Department.

The Director of the Planning Department is the official charged with the administration of certain provisions of these regulations:

Powers and duties	*Applicable Standards/Procedures*
Building Site Determination	Article 3, Section 3-206
Comprehensive Plan (CP) Text and Map Amendments	Article 3, Division 15
Conditional Uses	Article 3, Division 4
Developments of Regional Impact (DRI)	Article 3, Division 16
Ensure Compliance with the CP	
Interpretation of provisions of these regulations within the jurisdiction of the Planning and Zoning Board	Articles 3, 4
Planned Area Developments	Article 3, Division 5
Preparation of reports and recommendations to the City Commission and the Planning and Zoning Board	Articles 3, 4
Platting/Subdivisions	Article 3, Division 9
Development Agreements	Article 3, Division 19
Transfer of Development Rights	Article 3, Division 10
Zoning Code Text Amendments	Article 3, Division 14
Zoning Code Map Amendments	Article 3, Division 14
Zoning in Progress Resolution	Article 3, Section 3-703

Section 2-705. Historical Resources Department and Historic Preservation Officer.

A. The Historical Resources Department shall be responsible for and enforce the provisions of these regulations as they relate to the historical resources of the City.

B. The City Manager shall appoint a person to serve as Historic Preservation Officer to serve as secretary to the Historic Preservation Board. The appointee shall be experienced and knowledgeable in respect to architectural history, local history, landscape materials, site planning and land use regulations. The Historic Preservation Officer shall:

1. Schedule meetings of the Historic Preservation Board, prepare agendas, ensure that proper notice is carried out by persons or departments assigned to such duties, and provide the Board with such support as may be required to perform their duties .

2. Prepare designation reports, which establish and define the historic significance and character of the proposed designated historic landmarks and historic landmark districts and all other items as described in Section 3-1103 et seq. for designation reports.

3. Prepare national register of historic places nomination proposals.

4. Provide applicable advice, standards, guidelines and procedures to prospective applicants for Certificates of Appropriateness for historic landmarks and historic landmark districts.

5. Upon receipt of a complete application for a Certificate of Appropriateness for a designated historic landmark and for properties within an historic landmark district, review such application, which may include a field check of the site and referral to other departments or agencies as necessary, to determine any adverse effect upon the public welfare; and approve or deny standard Certificates of Appropriateness.

6. Develop and maintain a survey and record of unique historically or archaeologically significant sites, districts or zones within the City.

7. Maintain and update an official inventory delineating historic landmarks and a photographic documentation of all officially designated historic landmarks and historic landmark districts.

8. Prepare summary reports of all decisions on applications for all Certificates of Appropriateness for designated historic landmarks and historic landmark districts including criteria and conditions for approval or denial.

9. Issue standard Certificates of Appropriateness and certificates of transferable development rights in accordance with the provisions of Article 3, Divisions 10 and 11.

10. Issue all approved Certificates of Appropriateness for designated historic landmarks and for properties within historic landmark districts.

11. Review and approve all final development plans for designated historic landmarks and historic landmark districts, for compliance with terms and conditions of applicable Certificates of Appropriateness, prior to issuance of any building permit.

12. Recommend to the Board concerning façade easements and the importance of other restrictions for the purpose of historic preservation.

13. Commencement of enforcement of maintenance and repair provisions pursuant to Article 7.

14. Work with state, county, other local governments, other city departments, public agencies, and private groups as required to provide a continuing effort to protect and preserve significant elements of the manmade and the natural environment through public education and encouragement of sound conservation policies.

15. Issue letters determining the historical significance of a property. Such determinations do not constitute development orders and are valid for a period of six (6) months. In the case where the Historic Preservation Officer or designee determines that the property does not meet the minimum eligibility criteria for designation, a permit for the demolition of the property must be issued within the six (6) month period. Whenever the six (6) month period has elapsed without action by the applicant, the applicant shall be required to file a new application.

Section 2-706. City Architect.

The City Architect shall be a registered architect who is responsible for reviewing and submitting recommendations regarding the design of new buildings and structures and modifications to existing structures in the City in accordance with the procedures in Article 3 and the standards in Article 5, Division 6 of these regulations. The City Architect serves on the Development Review Committee.

Section 2-707. Development Review Official.

The Development Review Official (DRO), who shall be qualified pursuant to the requirements of the position, is responsible for the overall coordination of the administration of these regulations. Specifically, the DRO is responsible for receiving applications for development approval, determining whether they are complete, and coordinating the review of the Development Review Committee. If it is determined appropriate by the City Manager, more than one (1) Development Review Official may be appointed.

Section 2-708. Building Official.

The Building Official is responsible for the implementation of the various building codes adopted pursuant to the Florida Building Code and other applicable state statutes. The Building Official issues building permits and certificates of occupancy, upon a determination by the City of compliance of such applications with the City's regulations and any prior approvals by the City.

Section 2-709. Zoning Official.

The Zoning Official is the Building and Zoning Department representative responsible for the Department's duties under this Code.

Section 2-710. Public Works Director.

The Public Works Director is charged with the implementation, development and maintenance of the technical standards for site development relating to platting in the City.

Section 2-711. Code Enforcement Officer.

The Code Enforcement Officer is charged with the initiation of and prosecution of enforcement actions pursuant to Article 7 of these regulations. The Code Enforcement Officer prepares reports and recommendations for the Code Enforcement Board.

Division 8. Development Review Committee.

Section 2-801. Purpose and intent.

The Development Review Committee (DRC) is an administrative staff committee, which reviews projects of varying scope that may benefit from staff input before the projects are presented to the City Commission and/or the various development review Boards appointed by the City Commission (the "Boards"). The DRC is also an administrative and technical committee that provides input on technical issues raised by a development project for consistency with policies established by the City Commission. The DRC is intended to streamline and coordinate the review of the development process by identifying and addressing all of the issues that will subsequently be heard by the City Commission and/or other Boards of the City, therefore, minimizing the number of reviews by the City Commission and the Boards, and providing applicants with a single administrative committee at which they can be provided input, advice and comments regarding all applicable provisions and regulations applicable to the development applications, projects or similar reviews. The comments and input provided by the DRC is not meant to be an exhaustive technical review and additional comments may be raised upon formal submittal of more

detailed development plans. Although the DRC meetings are open to the public, no decision is made at the meeting and public comment is not intended to be solicited.

On all applications referenced in this article, the DRC shall conduct a public review of projects. Public review by the DRC shall occur when the application is filed with the appropriate department for review. The review of projects and comments on development proposals by the DRC shall not be construed to be an approval of any project presented to the development review committee.

Section 2-802. Applications requiring review.

A. The following development applications shall require DRC review:

1. All new buildings other than single family residences and duplexes;
2. All plats, re-plats and subdivisions;
3. Designations of overlay districts;
4. Planned area developments (PADs);
5. Transfer of development rights (TDRs);
6. Conditional Uses;
7. Street and alley vacations;
8. Amendments to the University of Miami Campus Master Plan;
9. Developments of Regional Impact (DRIs);
10. Development Agreements;
11. Applications for properties requiring site plan review by the Planning and Zoning Board and other administrative reviews and/or approvals that may be included or amended; and
12. Other reviews as determined by the City Manager or the Development Services Director.

B. The following development applications may be scheduled at the discretion of the DRC Chairperson:

1. Commercial, multi-family and industrial projects;
2. Additions to commercial, multi-family, industrial, and mixed-use projects;
3. Administrative review of off-site landscaping mitigation;
4. Interior building renovation for uses permitted within the property's zoning district;
5. Change of use otherwise permitted by code, when additional parking is required; and
6. Encroachments permitted by resolution of the City Commission.

Section 2-803. Membership.

The DRC shall be composed of representatives from every department/division of the City Administration, which reviews an application for development approval, including the Planning and Zoning Division,

Building Division, Fire Department, Police Department, Public Services Division, Historical Resources Department, Parking Division, Public Works Department, and other departments as may be necessary and as determined by the City Manager. The Chairperson of the DRC shall be designated by the Development Services Director.

Section 2-804. Responsibilities.

The DRC reviews applications for development approvals for compliance with all applicable city, local, regional, state, and federal regulations. The DRC Chairperson coordinates all comments from each member of the DRC and provides input and comments on the application to assist the applicant in the development review process.

The DRC may identify changes and/or modifications on any plan(s) and or specification(s) presented as may be necessary to conform to the provisions of all applicable local, regional, state and federal requirements under the city authority. Technical review for all DRC members shall be in written form and shall cite relevant code sections, if appropriate. The DRC may also suggest or recommend such changes on any plans and specifications as may be requisite or appropriate to the maintenance of a high standard of construction, architecture, historic preservation, traffic and pedestrian circulation, landscape and open space, fire protection, public safety, engineering, infrastructure, planning, and zoning, in keeping with the protection and maintenance of the general health safety and welfare of the community and City of Coral Gables.

Section 2-805. Applications.

Applications for review by the DRC shall be submitted to the Planning and Zoning Division and shall be accompanied by an application fee as required herein and as adopted by the City Commission by separate Resolution. All plans, documents and support materials required to be submitted with the application shall be determined by the DRC Chairperson at the pre-application meeting. A listing of general information required to be submitted with the application is provided on the application form, unless determined otherwise by DRC Chairperson to be inapplicable. The DRC application shall be maintained and updated by the Planning and Zoning Division.

Section 2-806. Pre-application meeting.

All applicants are required to schedule a pre-application meeting with the Planning and Zoning Director, or designee, a minimum of seven (7) days prior to the DRC meeting submittal deadline to review the application requirements and determine the specific plans, documents and support materials that are required to be filed with the application.

Section 2-807. DRC meetings.

The DRC shall meet on the last Friday of every month, unless conflicting with a designated holiday in which case the meeting will be scheduled on the Friday before the last Friday of the month. Nothing contained herein precludes the Chairperson from calling a special meeting to be held outside the time prescribed in this section. Applications for review by the DRC shall be submitted a minimum of twenty-one (21) calendar days prior to the DRC meeting. The DRC Chairperson shall provide the applicant with copies of all comments submitted by the members of the DRC following the meeting. Action minutes shall be maintained by the DRC Chairperson.

The subject property shall be posted by the applicant at least ten (10) days prior to the DRC meeting. Such posting shall consist of a sign that shall be provided to the applicant by the Planning and Zoning Director, the surface of which shall not be larger than forty (40) square inches in area.

ARTICLE 3 - DEVELOPMENT REVIEW

Division 1. Purpose and Applicability

Section 3-101. General.

The purpose of this Article is to establish the requirements for each type of development approval, beginning with general procedures which are applicable to all levels of approval and followed by specific procedures which are applicable to each process, including a graphic describing the process for each type of approval.

These regulations on the following page establish the following types of procedures required to obtain development approval.

ARTICLE 3 - DEVELOPMENT REVIEW

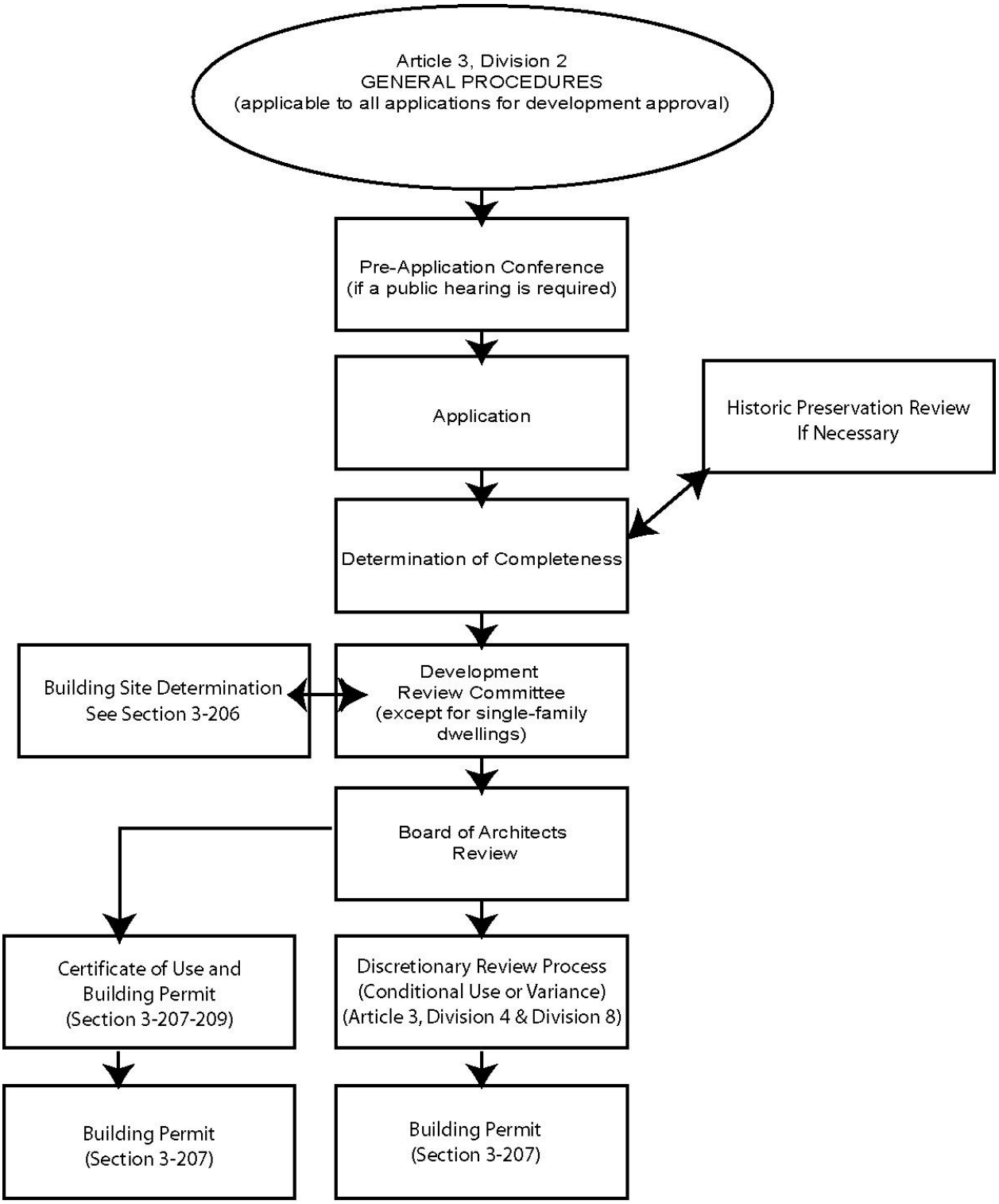
Development approvals	*Refer to Article 3, Divisions 2 and 3 See also ...*	*Preliminary review*	*Recommendation after public hearing of …*	*Final decision made by …*
Abandonment and Vacations	Division 12	Development Review Committee	Planning and Zoning Board	City Commission
Appeals				
Appeals from City Architect	Division 6		Not Required	Board of Architects
Appeals from City Officials (other than HPO)	Division 6		Not Required	Board of Adjustment
Appeals from Decisions of the Board of Architects	Division 6		Not Required	City Commission
Appeals from Decisions of the Board of Adjustment	Division 6		Not Required	City Commission
Appeals from Historic Preservation Board	Divisions 6 & 11		Not Required	City Commission
Appeals from Historic Preservation Officer	Divisions 6 & 11			Historic Preservation Board
Comprehensive Plan (CP)				
Map Change	Division 15	Planning Department	Planning and Zoning Board	City Commission
Text Change	Division 15	Planning Department	Planning and Zoning Board	City Commission
Conditional Uses	Division 4	Development Review Committee, Board of Adjustment	Board of Architects, Planning and Zoning Board	City Commission
Development Agreement	Division 19		Board of Architects, Planning and Zoning Board	City Commission
Development of Regional Impact	Division 16	Development Review Official	Planning and Zoning Board	City Commission
Historic Preservation				
Historic Designation	Division 11	Historical Resources Department, Historic Preservation Officer	NA	Historic Preservation Board
Standard Certificate of Appropriateness	Division 11	Historic Preservation Officer	NA	Historic Preservation Officer
Special Certificate of Appropriateness	Division 11	HPO, Building and Zoning Department	NA	Historic Preservation Board

ARTICLE 3 - DEVELOPMENT REVIEW

Development approvals	*Refer to Article 3, Divisions 2 and 3 See also ...*	*Preliminary review*	*Recommendation after public hearing of …*	*Final decision made by …*
Planned Area Development	Division 5		Planning and Zoning Board	City Commission
Separation or Establishment of a Building Site	Section 3-206; Article 3, Division 4	Development Review Official	Planning and Zoning Board	City Commission
Subdivision/Platting	Division 9	Development Review Official	Planning and Zoning Board	City Commission
Transfer of Development Rights	Division 10	Development Review Committee, Board of Adjustment	Planning and Zoning Board & Historic Preservation Board	City Commission
Variances	Division 8	Historical Resources Department or Department of Building and Zoning	Not Required	Board of Adjustment or Historic Preservation Board
Vested Rights	Division 18	Development Review Official	Planning and Zoning Board	City Commission
Zoning in Progress / Moratorium	Division 7	Planning Department		
Zoning Code				
Map Amendment	Division 14	Development Review Official	Planning and Zoning Board	City Commission
Text Amendment	Division 14	Development Review Official	Planning and Zoning Board	City Commission

ARTICLE 3 - DEVELOPMENT REVIEW

Division 2. General Development Review Procedures



Section 3-201. Pre-application conference.

A. All applicants for development review when the applications require a public hearing for approval shall schedule a pre-application conference with the appropriate Development Review Official to discuss the

nature of the application, applicable standards, application information requirements, application format requirements, and the timing of review and approval. Such required pre-application conference may be conducted after the submittal of an initial application. Any other applicant for development approval may request a pre-application conference with the appropriate Development Review Official.

B. Prior to the scheduling of the pre-application conference, the applicant shall provide information requested on a pre-application form provided by the appropriate Development Review Official.

C. At the pre-application conference, the appropriate Development Review Official shall determine whether the proposed application contains a parcel with a buildable lot, provide the applicant with all required application forms and a checklist that sets forth all of the information that will be required of the applicant in order to review the application for compliance with these regulations. This determination by the Development Review Official shall not constitute a development order.

Section 3-202. Application.

A. Form of application. All applications for development approval shall be submitted on a form approved by the City and as provided by the applicable Department's "Development Review Handbook."

B. Payment of application fee. The application fee required by the City Code shall accompany all applications.

C. Proof of ownership or authorized agency. All applications shall include sworn proof of ownership of the property in question or sworn proof that they are the owner's agent on a form approved by the City.

D. All applications for single-family dwellings shall be reviewed to determine if there is a buildable lot.

E. Plans and specifications. Such plans and specifications as are required by the City shall be prepared by a registered architect, registered landscape architect and/or registered engineer, qualified under the laws of the State of Florida to prepare such plans and specifications.

F. Simultaneous applications. If more than one (1) approval is requested for a particular development proposal, with the exception of an application for a building permit, certificate of completion/occupancy or certificate of use, an applicant is required to submit all applications for development review at the same time.

Section 3-203. Determination of completeness.

A. Upon receipt of the application, the designated Development Review Official shall review the application to determine whether:

1. All required information is provided in an acceptable format;

2. The required fee is paid;

3. Whether the information is technically competent to proceed forward with additional City review; and

4. Whether the application needs to be initially reviewed by the Historic Preservation Officer in accordance with the provisions of Article 3, Division 11.

B. If any required information is not provided, the applicable fee not paid and/or if the application or any part of the application is determined not technically competent, then:

1. The Development Review Official shall notify the applicant of the specific deficiency in the application; and

2. The applicant shall either:

a. Submit the specifically identified information in a technically competent form; or

b. Withdraw the application.

Failure to comply with either 2(a) or (b) above within one hundred and twenty (120) days of the date of notification of the deficiencies by the Development Review Official shall constitute a withdrawal.

Section 3-204. Review by Development Review Committee.

After an application for development approval is determined to be complete and technically competent, the Development Review Committee (DRC) shall review the application pursuant to Sections 2-801 through 2-807.

Section 3-205. Permitted uses.

A. Except as provided in Article 3, Division 11, for historic properties, any use listed as a permitted use in a single-family or duplex residential district may be permitted subject to City Architect or Board of Architects review and subject to obtaining a certificate of use and a building permit.

B. Prior to the issuance of a building permit, the Board of Architects shall review plans for additions, exterior alterations and/or all new construction, except for the following which shall be reviewed and approved by the City Architect or the assigned Development Review Official:

1. Awnings.
2. Awning recovers.
3. Demolition of entire structures.
4. Door replacement.
5. Driveway replacement with different materials.
6. Fences.
7. Fountains.
8. Flagpoles.
9. Hurricane shutters.
10. Landscaping.
11. Miscellaneous minor revisions to permits.
12. Painting (using colors on Board of Architects' approved color pallet).
13. Patio.
14. Planters.
15. Re-roofs.
16. Recreation equipment.

17. Reflecting pools.

18. Screen enclosure.

19. Screen walls for mechanical equipment.

20. Spas in association with an existing swimming pool.

21. Tiling.

22. Trellis.

23. Walkways.

24. Window replacement.

25. Wood decks.

26. Any other matter, as determined by the Board of Architects.

The City Architect or assigned Development Review Official may refer any item provided in this section to the Board of Architects for review.

C. Preparation, approval and revision of architectural drawings. The following procedures shall be followed in preparing, obtaining approval and revising preliminary and final working drawings:

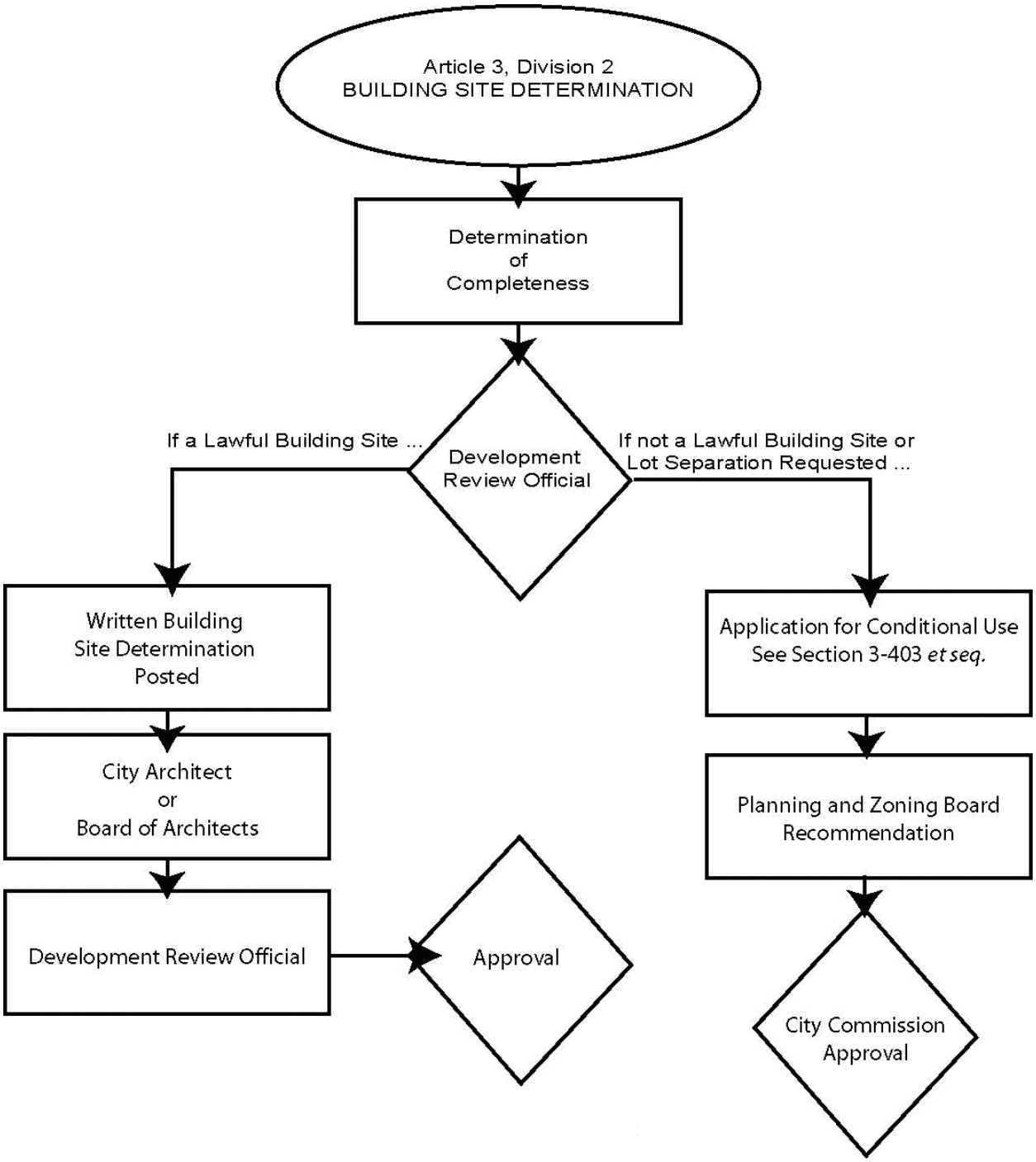
1. Architectural drawings. All architectural drawings for new residential buildings or alterations or additions to existing residential structures shall be prepared by and bear an impression seal of a registered architect qualified under the laws of the State of Florida to prepare such plans and specifications. All other architectural drawings shall be prepared by and bear an impression seal of a registered architect or registered engineer qualified under the laws of the State of Florida to prepare such drawings.

2. Approval in principle. Preliminary approval in principle shall be obtained from the Board of Architects before proceeding with the final working drawings. The drawings for approval in principle shall preferably be single-line plan or plans and shall have a plot plan, floor plan and shall show all affected elevations. Photographs of adjoining properties shall be presented with the preliminary plans. Plans for additions or exterior alterations to existing buildings shall show all elevations of all facades of the building where the alterations occur, or to which the addition is attached. Whenever the estimated cost of construction of any addition, exterior alteration and/or new construction will exceed seventy-five-thousand ($75,000) dollars, such preliminary plans shall be submitted in duplicate.

3. Revisions to preliminary plans. When the designing architect and/or engineer revises preliminary plans in accordance with the suggestions of the Board of Architects, the applicant shall present the original drawings showing the Board's suggestions with the revised drawings.

4. Revisions to final working drawings. After plans have been approved, no deviations from the approved design shall be permitted without the approval of the Board of Architects except for properties designated historic which shall require Historic Preservation Board review and approval in accordance with the provisions of Article 3, Division 11.

Section 3-206. Building site determination.



A. Except as provided in subsection I below, prior to the issuance of a building permit for a single-family dwelling or duplex building, an application for a building site determination shall be submitted to the Building and Zoning Department in writing upon an application form approved by the City and shall be accompanied by applicable fees.

B. An application for building site determination shall be reviewed in accordance with the provisions of Sections 3-202 and 3-205 of these regulations.

C. If the Development Review Official determines that the parcel proposed for development is a lawful building site, a written site determination shall be issued to the applicant and posted in the Office of the City Clerk and on the property which is the subject of the determination and the application for development approval shall proceed to be reviewed in accordance with the procedures established in Sections 3-203-205.

D. In the event that an application for a building site determination is denied by the Development Review Official or any change is proposed for the purpose of creating a new building site, the applicant shall submit an application for conditional use approval, together with a proposed site plan, and such application shall be reviewed in accordance with the procedures established in Article 3, Division 4 of these regulations and the applicable standards in subsection F below.

E. Standards for approval.

1. All buildings or structures located in Districts 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. Building site requirements. Wherever there may exist a single-family residence(s), duplex building(s) or any lawful accessory building(s) or structure(s) which was heretofore constructed on property containing one (1) or more platted lots or portions thereof, such lot or lots shall thereafter constitute only one (1) building site and no permit shall be issued for the construction of more than one (1) single-family residence or duplex building. Such structures shall include but not be limited to swimming pools, tennis courts, walls, fences or other at grade and above ground improvements. Only one (1) single-family residence or duplex shall be constructed upon any one (1) building site having not less than the minimum street frontage required by this code.

3. Removal of buildings. If a single-family residence or duplex building is demolished or removed, whether voluntarily or involuntarily or by an act of God or casualty, no permit shall be issued for the construction of more than one (1) building on the building site.

4. Any application which meets all of the following criteria shall be deemed a lawful building site:

a. That no more than one (1) building or structure is located on a building site, except as may be provided for herein concerning lawful accessory buildings for accessory use.

b. That no building site shall be reduced or diminished such that the street frontage of the parcel is less than prescribed by the Zoning Code.

c. That no encroachments including but not limited to fences, walls and other associated improvements (excluding primary and accessory habitable structures) occupy the site or tie any site together. For purposes of determining whether a lawful building site exists, the Building and Zoning Department may advise a property owner of an encroachment by an abutting property, but shall only consider encroachments created by the current property owner of their predecessor interest.

d. That the building site created, separated or established will not result in existing structures becoming non-conforming as it relates to setbacks, lot area, lot width and depth, ground coverage and other applicable provisions of the Zoning Code and/or City Code.

e. That none of the following exist on the subject property:

i. Unity of title preventing the separation of the parcels or property; or
ii. Any declarations of restrictive covenants that prevent the establishment of a building site.

f. If applicable, the analysis of the permit history identifies exceptional or unusual circumstances unique to the property.

g. No structure on the proposed site is an accessory use to a structure on an adjacent parcel.

5. Approval of a building site.

a. The Building and Zoning Department shall issue a building site determination in written form and posted within the Department and City Clerk's Office. Within thirty (30) calendar days of the expiration of the sixty (60) day appeal period, the applicant shall complete the following:

i. Record the City determination letter and accompanying survey (signed and sealed) or any other information utilized by the City in its determination.
ii. Provide one (1) copy of the recorded documents to the Department. Failure of the applicant to complete the above shall render the determination void.

b. If the property is determined to be a building site, the Department may prescribe conditions, restrictions or safeguards deemed necessary, to satisfy the provisions within this Code.

F. When reviewing and providing a recommendation on an application for conditional use for a building site determination, the Planning and Zoning Division, Planning and Zoning Board and the City Commission shall consider and evaluate the request together with a proposed site plan and provide findings that the application satisfies the following criteria:

1. That the building site(s) created would have a lot area equal to or larger than the majority of the existing building sites of the same zoning designation within a minimum of one thousand (1,000) feet of the perimeter of the subject property. The Development Review Official may determine that the comparison of building sites within one thousand (1,000) feet of the subject property shall be based on one (1) or more of the following: building sites located on the same street as the subject property; building sites with similar characteristics such as golf course frontage, water frontage, cul-de-sac frontage; and, building sites within the same platted subdivision.

2. That exceptional or unusual circumstances exist, that are site specific such as unusual site configuration or partially platted lots, or are code specific such as properties having two (2) or more zoning or land use designations, multiple facings or through-block sites, which would warrant the separation or establishment of a building site(s).

3. That the proposed building site(s) maintains and preserves open space and specimen trees, promotes neighborhood compatibility, preserves historic character, maintains property values and enhances visual attractiveness of the area.

4. That the application satisfies at least three (3) of the following four (4) criteria:

a. That the building site(s) created would have a street frontage, golf course frontage (if applicable), and water frontage (if applicable) equal to or larger than the majority of the existing building sites of the same zoning designation within a minimum of one thousand (1,000) feet of the perimeter of the subject property. For a cul-de-sac building site(s), the comparison of street frontages and water frontages (if applicable) shall include those similarly situated cul-de-sac building sites within one thousand (1,000) feet. If no cul-de-sac building sites exist within one thousand (1,000) feet then the comparison may be expanded to include all cul-de-sac building sites within the platted subdivision and any adjacent platted subdivision.

b. That the building site(s) separated or established would not result in any existing structures becoming non-conforming as it relates to setbacks, lot area, lot width and depth, ground coverage and other applicable provisions of the Zoning Code, Comprehensive Plan and City Code. The voluntary demolition of a building or structure within the last ten (10) years which eliminates any of the conditions identified in this criterion shall result in non-compliance with this criterion.

c. That no restrictive covenants, encroachments, easements, or the like exist which would prevent the separation of the site. The voluntary demolition of a building or structure within the last ten (10) years which eliminates any of the conditions identified in this criterion shall result in non-compliance with this criterion.

d. That the building site(s) created has been owned by the current owner continuously for a minimum of ten (10) years prior to an application submittal for conditional use for a building site determination.

G. Conditions of approval (if applicable). If an application is recommended for approval, the Planning and Zoning Division, Planning and Zoning Board, and City Commission may prescribe conditions, restrictions or safeguards deemed necessary to satisfy the provisions within this Section. The following conditions are the minimum required for an approval:

1. The total square footage of the residences allowed on the separated building sites shall be equal to or less than the total square footage that could be constructed on the property if developed as a single building site.

2. The new single-family residences constructed on the separated building sites shall meet all applicable requirements of the Zoning Code, and no variances shall be required or requested.

3. The plans depicting the site plans and elevations of the residences on the separated building sites and submitted as part of the conditional use application shall be made part of the approval with any instructions or exceptions provided by the City Commission. Any changes to the plans are subject to Sec. 3-410 of the Zoning Code.

4. A bond shall be required, as determined by the building official, to ensure the timely removal of any non-conformities as a result of the building site separation approval.

H. Exemptions.

1. Construction of a new building(s) on an existing building site. Property owners who demolish an existing lawful building shall be presumed to have a lawful building site and may build on such site improvements permitted by the current Code provisions for such site.

2. Involuntary destruction of building(s). Parcels which are occupied with existing lawful and/or legally nonconforming building and accessory structure(s) on platted parcels or partially platted parcels if involuntarily destroyed either by an act of God or casualty shall not be required to undergo the building site determination process but shall be presumed to have a lawful building site provided the following are satisfied:

a. The property owner provides evidence in the form of a survey, aerial, etc. to substantiate existence of a building or accessory structure(s) prior to the event.

b. The Department after reviewing the evidence provided determined that the property was a lawful building site.

3. Sale of the property to adjoining property owner. The sale of property between two (2) previously lawfully established building sites which results in an increase/decrease of the size of the properties shall be determined to be lawfully established building sites if all existing structures do not become nonconforming as they relate to all applicable provisions of the Zoning Code for the zoning district in which the property is located and all other applicable Comprehensive Plan and City Code provisions.

4. Involuntary destruction of building(s) in association with the sale of property to adjoining property owner. When a parcel that at one time complied with the laws governing building sites, is

diminished by the property owner through the sale of a portion or portions of the building site thus creating a nonconforming parcel, the property owner may only rebuild the structure(s) previously located on the property if said destruction was involuntary. All new improvements shall be required to comply with all applicable codes in effect at the time.

I. A determination that a parcel is a lawful building site by the Department of Building and Zoning shall be effective for a period of one (1) year. If a building permit is not obtained in this one (1) year period, such determination shall be null and void.

Section 3-207. Building permit.

A. Permit required.

1. Where required by the Florida Building Code, a permit must be obtained before commencement of any construction, demolition, modification or renovation of a building, structure, awning or canopy, unless this requirement is waived by the Building Official, except that the Building Official may not waive any required approvals by the Board of Architects.

2. All building permits and sign permits shall be in conformity with these regulations and any applicable development approval related to the parcel proposed for development.

3. Applications for permits will be accepted only from persons currently licensed in their respective fields and for whom no revocation or suspension of license is pending, provided, however, a sole owner may make application, and if approved, obtain a permit and supervise the work in connection with the construction, maintenance, alteration or repair of a single-family residence or duplex for his own use and occupancy and may make application for, and if approved, obtain a permit for maintenance and minor repairs on any type building. The construction of more than one (1) residence or duplex by an individual owner in any twelve (12) month period shall be construed as contracting, and such owner shall then be required to be licensed as a contractor. Such licensed contractor or owner shall be held responsible to the Building Official for the proper supervision and conduct of all work covered thereby.

4. All general contractors or owner/builders shall submit a list of all subcontractors to be employed on the project. The Building and Zoning Department will review the list to insure that all subcontractors are properly certified, licensed, and insured. Should the general contractor or owner/builder change subcontractors during the project, it will be necessary for the Building and Zoning Department to be notified prior to permitting the new subcontractor to commence work on the project. Any project found to be using unauthorized subcontractors is subject to a stop work order until the Building Official is satisfied that proper conditions exist and all permitting conditions are met.

B. Procedure. All applications for building permits shall be submitted to the Building and Zoning Department. Upon receipt of an application, the Development Review Official shall determine whether the application conforms to these regulations and any applicable development approval. If the Development Review Official determines that the application does not conform, the Development Review Official shall inform the applicant of the decision. If the Building Official determines that the application does conform, the building permit may be issued. If the Building Official determines that the application does not conform, he shall identify the application's deficiencies and deny the application.

C. Posting of bond. Before any building permit shall be issued, the owner of the affected property of the contractor shall deposit with the city that amount which in the opinion of the Building Official and/or the City Manager shall be adequate to reimburse the City, or any neighboring property owner, for damage which may result to sidewalks, parkways, parkway trees and shrubs, street pavement of other municipal or private property, or improvement from such work and the equipment and materials used in connection therewith, and for the removal of debris or excess material upon the completion of said work, and shall sign an undertaking to the City to pay the amount of any deficiency between the amount of said deposit and the cost of repairing any such damage or removal of any such debris or

excess materials. Upon completion of the work, the Building Official, or such other person as may be designated by the City Manager, shall make final inspection and if the person shall find that no damage has resulted, and no debris or material remains on the site, the said deposit shall be returned to the depositor, or, if any damage shall be repaired by the City, or any debris or excess material be removed by the City, and the cost thereof shall be less than the deposit, then the difference between such cost and the amount of the deposit shall be returned to the depositor. Such bonds shall not be refunded until all code requirements are completed including necessary driveways and sidewalks.

D. Incomplete buildings. No building not fully completed in substantial compliance with plans and specifications upon which a building permit was issued shall be permitted to be maintained on any land for more than one (1) year after the commencement of erection of any building, addition or renovation. A building site inspection shall be conducted six (6) months after the commencement of construction at which time evidence that work is proceeding shall be provided by the contractor. Work shall be considered to have commenced and be in active progress when, in the opinion of the Building and Zoning Director, a full complement of workmen and equipment is present at the site to diligently incorporate materials and equipment into the structure throughout the day on each full working day, weather permitting. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due to an injunction or other court order.

Section 3-208. Zoning permit.

No person shall commence or cause to be commenced any miscellaneous work, which does not otherwise require a building permit, which affects the aesthetics, appearance, or architectural design of any structure, site or site improvements until an application for a zoning permit therefore has been previously filed with the Building and Zoning Department. No such miscellaneous work which affects the aesthetics, appearance, or architectural design of any structure, site or site improvements shall commence until a permit has been issued by the City in every case where the cost of such proposed work exceeds five hundred ($500) dollars in labor and materials. All work done under and pursuant to any zoning permit shall conform to the approved plans and/or specifications.

Section 3-209. Certificate of use.

Except for single family and multi-family uses, no person shall commence any use of any property, nor shall an occupational license or building permit be issued until an application for a Certificate of Use therefore has been filed with and approved by the Building and Zoning Department on a form provided by the Department. Any use of a property under and pursuant to any Certificate of Use shall conform to the Certificate of Use. Any use for which a Certificate of Use has been issued must commence within one-hundred and eighty (180) days of the issuance of the Certificate of Use, and is valid for a period not to exceed one (1) year from the date of the issuance. All Certificates of Use shall be renewed by the applicant each year.

Section 3-210. Resubmission of application affecting same property.

No application shall be accepted during the following time periods after the denial of a substantially similar application affecting the same property or any portion thereof:

A. Conditional uses and variances: six (6) months.

B. Change in zoning map, zoning text amendments, comprehensive plan text, future land use map, amendments and application for abandonment and vacation of non-fee interests: twelve (12) months.

Division 3. Uniform Notice and Procedures for Public Hearing

Section 3-301. Applicability.

The procedures set out in this Division shall be applicable to all public hearings required by any provision of these regulations.

Section 3-302. Notice.

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

Types of Public Notices [1, 2]

		Timing of Notice Before …		
Type of Application	***Type of Notice***	***Board Public Hearing (if required)***	***First Commission Public Hearing (if required)***	***Second Commission Public Hearing (if required)***
Abandonment and Vacations[3]	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Annexation	Publication	10 days		10 days
	Mail	10 days		
Appeals	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Board of Architects	Posting	5 days		
Comprehensive Plan Amendments				
Small Scale Map Amendments; city initiated	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Small Scale Map Amendments; initiated by other than the City	Publication	10 days		5 days
	Posting	10 days		
	Mail	10 days		
Compliance Agreement with the State	Publication	10 days	10 days	10 days
Comprehensive Plan Map and Text, other than Small Scale	Publication	10 days	7 days	5 days
Conditional Use	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Coral Gables Mediterranean Architectural Design Special Location Site Plan Review	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		

		Timing of Notice Before …		
Type of Application	***Type of Notice***	***Board Public Hearing (if required)***	***First Commission Public Hearing (if required)***	***Second Commission Public Hearing (if required)***
Development Agreement				
General	Publication	7 days	7 days	7 days
	Posting	10 days		
Affected Property Owners	Mail	10 days		
Development of Regional Impact and Notice of Proposed Change	Publication	10 days	60 days	5 days
	Posting	10 days		
	Mail	10 days		
Historic Preservation: Designations and Certificate of Appropriateness				
Designation of Landmark or District	Publication	10 days		
	Posting	10 days		
	Mail	10 days		
Certificate of Appropriateness (Special)	Publication	10 days		
	Posting	10 days		
Certificate of Appropriateness (Special) with Variance	Publication	10 days		
	Posting	10 days		
	Mail	10 days		
Moratorium and Zoning in Progress	Publication	10 days	7 days	5 days
Planned Area Development Designation	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Separation/Establishment of a Building Site				
Administrative Building Site Determination	Post DRO determination			
Conditional Use	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		

		Timing of Notice Before …		
Type of Application	***Type of Notice***	***Board Public Hearing (if required)***	***First Commission Public Hearing (if required)***	***Second Commission Public Hearing (if required)***
Site Plan (MXD, PAD, other)	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Subdivision Review for a Tentative Plat and Variances	Publication	10 days		
	Posting	10 days		
	Mail	10 days		
Subdivision Review for a Final Plat and Variances (Resolution)	Publication		10 days	
Transfer of Development Rights				
Sending Site Plan Application	Publication	10 days		
	Posting	10 days		
	Mail	10 days		
Receiving Site Plan Application	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
University Campus District Modification to the Adopted Campus Master Plan	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
Variances	Publication	10 days		
	Posting	10 days		
	Mail	10 days		
Zoning Code Text Amendment	Publication	10 days		10 days
Zoning Code Text Amendment (Use Changes) - Amendment to text that changes actual list of permitted, conditional, or prohibited uses within a zoning category	Publication	10 days	7 days	5 days

		Timing of Notice Before …		
Type of Application	***Type of Notice***	***Board Public Hearing (if required)***	***First Commission Public Hearing (if required)***	***Second Commission Public Hearing (if required)***
Zoning District Map Amendment				
Initiated by other than the City	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days		
< 10 contiguous acres; City initiated	Publication	10 days		10 days
	Posting	10 days		
	Mail	10 days	30 days	
> 10 contiguous acres; City initiated	Publication	10 days	7 days	5 days

[1] Applications which are not listed do not have public hearing notice requirements.
[2] The City may announce time and dates of future proceedings in notices or at noticed meetings.
[3] See City Code for additional advertising requirements per the City Code proceedings.

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

1. Notice shall be published at least one (1) time in a newspaper of general circulation published in the City of Coral Gables, Florida or in Miami-Dade County, Florida, at least ten (10) days prior to the date of final required public hearing, except as provided herein.

2. The notice shall state the date, time, and place of the meeting; the title or titles of the proposed ordinances or a description of the substance of the matter being considered; and the place within the City where the proposed ordinances or other materials may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the matter.

3. A copy of the notice shall be available for public inspection at the City Hall during the regular business hours.

4. Comprehensive Plan, Zoning Code text amendments and Zoning District map amendments >10 acres. Notice for ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category/use district, or ordinances initiated by the City that change the actual zoning map designation of a parcel or parcels of land involving ten (10) contiguous acres or more, shall be published at least ten (10) days prior to the Planning and Zoning Board public hearing, again at least seven (7) days prior to the first City Commission public hearing and again at least five (5) days prior to the second City Commission adoption hearing. Public notice shall be provided as described in the following subsections.

   a. The required advertisements shall be no less than two (2) columns wide by (10) ten inches long in a standard size or tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than eighteen (18) point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be placed in a newspaper of general paid circulation in the municipality, not one of limited subject matter, pursuant to Chapter 50 of the Florida Statutes. Whenever possible, the advertisement shall appear in a newspaper that is published at least five (5) days a week unless the only newspaper in the City is published less than five (5) days a week.

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

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

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

   c. In lieu of publishing the advertisement set out in this section, the City may mail a notice to each person owning real property within the area covered by the ordinance. Such notice shall clearly explain the proposed ordinance and shall notify the persons of the time, place, and location of any public hearing on the proposed ordinance.

5. Zoning District map amendment. Ordinances initiated by any person other than the City that change the actual zoning map designation of a parcel of land or parcels of land shall be read by title, in full, at two (2) separate City Commission hearings, and shall be published at least ten (10) days before the Planning and Zoning Board public hearing, and again at least ten (10) days before the City Commission adoption hearing.

6. Comprehensive Plan small-scale map amendments. Notice of small scale development amendments to the Comprehensive Plan, initiated by other than the City, shall be published at least ten (10) days before the Planning and Zoning Board public hearing, and again at least five (5) days before the City Commission adoption hearing.

7. Comprehensive Plan text and map amendments, other than small-scale. All Comprehensive Plan amendments, other than small-scale amendments, shall be published at least ten (10) days before the Planning and Zoning Board public hearing, and again at least seven (7) days before the first City Commission public hearing, and again at least five (5) days before the City Commission adoption hearing.

8. Development agreements. Notice of a proposed Development Agreement shall be published at least seven (7) days prior to each public hearing.

9. Failure to provide advertised notice as set forth in the foregoing notice requirements shall not affect any action or proceedings taken under this section, unless such notice is required by Florida Statutes.

B. Posting of property.

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

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

2. No posting shall be required for public hearings before the Board of Architects, unless the value of the proposed development exceeds seventy-five thousand ($75,000) dollars.

3. The sign shall be erected in full view of the public on each street side of such property. Where large parcels of property are involved with street frontages extending over considerable distances, additional signs may be erected on the street frontage as may be deemed adequate by the Development Review Official to inform the public.

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

C. Mail notices.

1. Except for public hearings before the Board of Architects, a courtesy notice of public hearings affecting specific properties containing general information as to the date, time, place of the hearing, property location and general nature of the application may be mailed to the property owners and tenants, if such names are indicated in the current tax rolls, whose addresses are known by reference to the latest ad valorem tax record, within a one thousand (1,000) foot radius. It is provided, however, that the radius for a courtesy notice of public hearings for applications for change in land use before the Planning and Zoning Board shall be one-thousand five-hundred (1,500) feet. This notification requirement is measured in feet from the perimeter boundaries of the subject property.

   The Development Review Official may require an additional area to receive a courtesy notice on any

application. If a public hearing application before the Planning and Zoning Board is continued for more than ninety (90) days then re-notification shall be required. Continued public hearing applications that have incurred substantial changes may require re-notification, as determined by the Development Review Official. The Development Review Official may also require courtesy notices on applications that are not typically required to be noticed if it is determined that such notification is desirable.

2. Courtesy notice shall be mailed at least ten (10) days prior to the date of the public hearing. For applications before the Planning and Zoning Board, the applicant shall be responsible for mailing the courtesy notice and is required to provide a sworn affidavit indicating completion.

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

4. Comprehensive Plan small-scale map amendments. Notice of small-scale development amendments to the Comprehensive Plan, initiated by the City, shall be mailed to each property owner and tenant of record in the current tax rolls. The notice shall state the substance of the proposed ordinance as it affects that property owner and tenant, if such name is indicated in the current tax rolls, and shall set a time and place for the public hearing on such ordinance. Such notice shall be given at least ten (10) days prior to the date of the Planning and Zoning Board public hearing, and again at least thirty (30) days prior to the date of the City Commission public hearing.

5. Comprehensive Plan and Zoning District map amendments >10 acres. Notice for ordinances initiated by the City that change the actual zoning map designation of a parcel or parcels of land involving ten (10) contiguous acres or more, shall be mailed at least ten (10) days prior to the Planning and Zoning Board public hearing, again at least seven (7) days prior to the first City Commission public hearing and again at least five (5) days prior to the second City Commission adoption hearing. However, the City at its sole discretion may require a mail notification of a Zoning Code text amendment as prescribed by this subsection if it serves a public benefit to notify affected property owners.

6. Development agreements. Notice of a proposed Development Agreement shall be mailed to all affected property owners and tenants, if such names are indicated in the current tax rolls, at least ten (10) days prior to the first public hearing.

7. A copy of mailed notices shall be available for public inspection during the regular business hours of the City Clerk and/or the City Department that is responsible for the required reviews provided for herein.

8. Failure to mail or receive courtesy notice shall not affect any action or proceeding taken under these regulations. The applicant shall be required to provide a mailing list and labels of the area within the radius prescribed above to the City. Individual courtesy notices are not required when the property being considered constitutes more than ten (10) contiguous acres.

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

etc. of pending applications under review by the City. As a minimum the following shall be completed and provided:

1. Notification to all surrounding property owners within the identified mail notification radius as provided within Section 3-302.C. or additional mail notification radius as determined by the Development Review Official.

2. The meeting is conducted on the subject property or in a location that is convenient to surrounding property owners.

3. Copy of forwarded notice.

4. Listing of all mailing addresses of all parties notified.

5. Meeting attendance records including the property owner addresses and other applicable contact information.

6. Meeting summary minutes or verbatim record as determined by the Development Review Official.

Above items 4 through 6 shall be provided to the Development Review Official seven (7) days after the public information meeting. It is recommended these meetings occur after the application has undergone preliminary review by City Staff. This will insure City review and comments are included as a part of the information provided to the interested parties. The Development Review Official may require additional public information meetings and notice to provide for further public input and dissemination of information.

Section 3-303. Reconsideration of City Architect administrative determination.

A. An applicant or aggrieved party may file a written Notice of Reconsideration with the Development Services Department designated Development Review Official within sixty (60) days of the City Architect administrative determination. The request shall be reviewed by a panel of the Board of Architects as provided for in Section 2-303(B). The request shall be considered by the Board of Architects at the next available meeting after receipt of the request. The panel may grant approval of the application, with or without conditions, deny the application or require further proceedings. The application submittal requirements and additional background information required for the filing shall be determined by the Development Services Director or designee.

B. After the final decision of the entire Board, the Applicant, an Aggrieved Party or the City Manager may seek an appeal in accordance with Sections 2-303.D and 3-606.

Section 3-304. Quasi-judicial procedures.

A. Purpose and applicability. The provisions of this Section apply to all quasi-judicial hearings held pursuant to these regulations.

B. Order of presentation. Quasi-judicial hearings shall be conducted generally in accordance with the following order of presentation:

1. Disclosure of ex parte communications and personal investigations.

2. Presentation by City Staff.

3. Presentation by the applicant.

4. Public comment in favor of the application.

5. Public comment in opposition to the application.

6. Cross-examination by City Staff.

7. Cross-examination by applicant.

8. Cross-examination by decision-making body.

9. Motion by decision-making body with explanation of positions of negative or denial.

10. Discussion among members of decision-making body.

11. Action by decision-making body and entry of specific findings.

C. Submission of evidence. Copies of all documentary evidence and written summaries of expert testimony to be presented in a quasi-judicial proceeding shall be submitted to the City Clerk at least five (5) days prior to the date of any hearing. In the event that documentary evidence is proffered at a public hearing which was not submitted to the City Clerk in accordance with this subsection, the body conducting the quasi-judicial proceeding shall, at the request of the City Manager or other party, grant a reasonable continuance to allow for an opportunity to review and respond to the evidence which was not submitted to the City Clerk as required in this subsection.

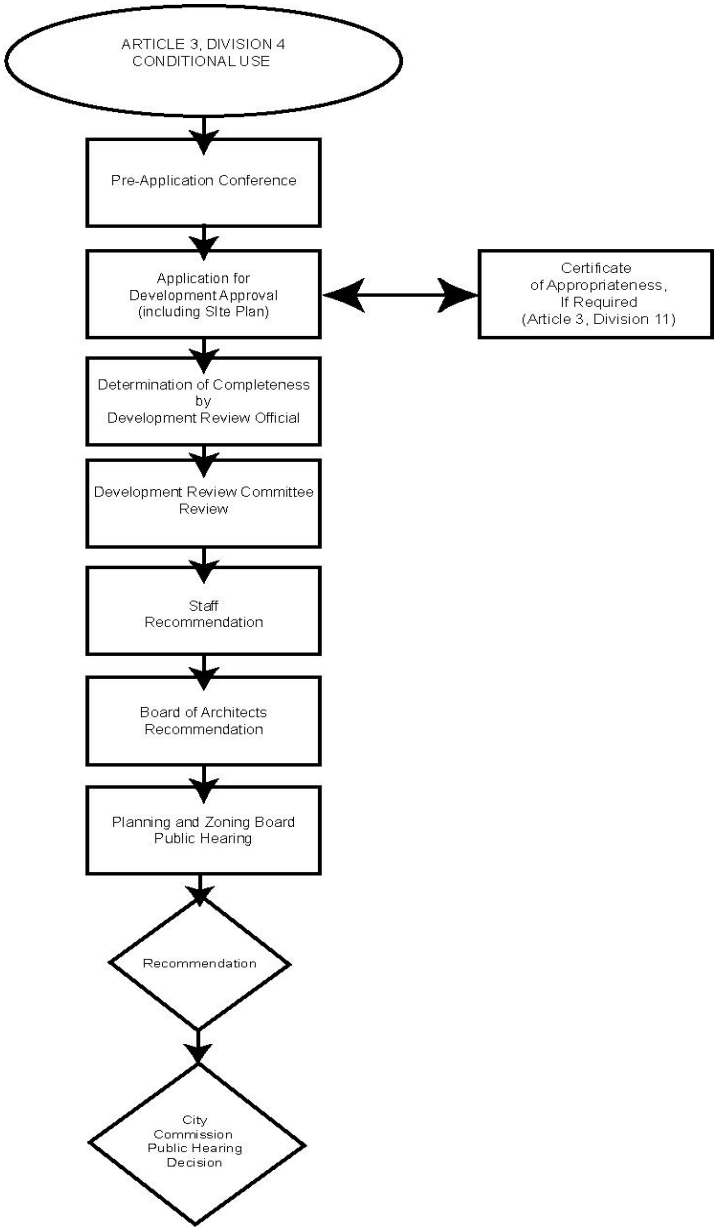
Division 4. Conditional Uses

Section 3-401. Purpose and applicability.

The purpose of providing for conditional uses within each zoning district is to recognize that there are uses which may have beneficial effects and serve important public interests, but which may, but not necessarily, have adverse effects on the environment, particularly residential areas, overburden public services, or change the desired character of an area. Individualized review of these uses is necessary due to the potential individual or cumulative impacts that they may have on the surrounding area or neighborhood. The review process allows the imposition of conditions to mitigate identified concerns or to deny the use if concerns cannot be resolved.

Section 3-402. General procedures for conditional uses.

The following graphic summarizes the procedures required to obtain conditional use approval:



Section 3-403. Application.

An application for conditional use approval shall be made in writing upon form approved by the City, including a site plan, and shall be accompanied by applicable fees.

Section 3-404. Staff review, report and recommendation.

A. City staff shall review the application for conditional use approval in accordance with the provisions of Article 3, Division 2 of these regulations and this Division. In the event that such application involves historic properties, it shall be referred to the Historic Resources Department for review and approval in accordance with Article 5, Division 11 prior to any further review under the provisions of this Division.

B. Upon completion of review of an application, City staff shall:

1. Provide a report that summarizes the application, including whether the application complies with each of the standards for granting conditional use approval in Section 3-408.

2. Provide written recommended findings of fact regarding the standards for granting conditional use approval in Section 3-408.

3. Provide a recommendation as to whether the application should be approved, approved with conditions, or denied.

4. Provide the report and recommendation, with a copy to the applicant, to the Planning and Zoning Board for review.

5. Schedule the application for hearing before the Planning and Zoning Board upon completion of the Board of Architect's review.

6. Provide notice of the hearing of a conditional use application before the Planning and Zoning Board in accordance with the provisions of Article 3, Division 3 of these regulations.

7. Schedule and provide notice before the City Commission of a conditional use application in accordance with the provisions of Article 3, Division 3 of these regulations.

Section 3-405. Board of Architects review and recommendation.

Upon receipt of the recommendation of City staff, the Board of Architects shall review the application and the recommendation of staff to determine if the application is consistent with the standards of these regulations and any design requirements set out in the zoning district in which the parcel is located. The Board of Architects approval is required prior to the Planning and Zoning Board's consideration of an application for conditional use approval.

Section 3-406. Planning and Zoning Board recommendation.

The Planning and Zoning Board shall review the application for conditional use approval, consider the recommendations of staff and the Board of Architects, conduct a quasi-judicial public hearing on the application and recommend to the City Commission whether they should grant the approval, grant the approval subject to specified conditions or deny the application. The Planning and Zoning Board may recommend such conditions to the approval that are necessary to ensure compliance with the standards set out in Section 3-408.

Section 3-407. City Commission decision.

The City Commission shall review the application, the recommendations of staff, the Board of Architects and the Planning and Zoning Board, and shall conduct a quasi-judicial public hearing and grant the approval, grant the approval subject to specified conditions or deny the application. The City Commission may attach such conditions to the approval that are necessary to ensure compliance with the standards set out in Section 3-408.

Section 3-408. Standards for review.

The Planning and Zoning Board and the City Commission shall provide findings of fact that a conditional use complies with the following standards and the criteria applicable to each conditional use:

A. The proposed conditional use is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan and furthers the purposes of these regulations and other City ordinances and actions designed to implement the Plan.

B. The available use to which the property may be put is appropriate to the property that is subject to the proposed conditional use and compatible with existing and planned uses in the area.

C. The proposed conditional use does not conflict with the needs and character of the neighborhood and the City.

D. The proposed conditional use will not adversely or unreasonably affect the use of other property in the area.

E. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or structures.

F. The parcel proposed for development is adequate in size and shape to accommodate all development features.

G. The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.

H. The design of the proposed driveways, circulation patterns and parking is well defined to promote vehicular and pedestrian circulation.

I. The proposed conditional use satisfies the concurrency standards of Article 3, Division 13 and will not adversely burden public facilities, including the traffic-carrying capacities of streets, in an unreasonable or disproportionate manner.

Section 3-409. Effect of decision.

Approval of a conditional use shall be deemed to authorize only the particular use for which it is issued and shall entitle the recipient to apply for a certificate of use or building permit or any other approval that may be required by these regulations, the City or regional, state or federal agencies. In the event an approval of a conditional use changes the design of the proposed building, final review of the design shall be conducted by the Board of Architects.

Section 3-410. Changes to conditional use approvals.

A. Minor revisions. The Development Review Official is authorized to allow minor revisions to an approved conditional use after receipt of comments from the Development Review Committee. A minor revision is one which:

1. Does not affect the conditional use criteria applicable to the conditional use.

2. Does not alter the location of any road or walkway by more than five (5) feet.

3. Does not change the use.

4. Does not change a condition of approval.

5. Does not increase the density of the development.

6. Does not increase the intensity of the development by more than ten (10%) percent.

7. Does not result in a reduction of setback or previously required landscaping.

8. Does not result in a substantial change to the location of a structure previously approved.

9. Does not result in a material modification or the cancellation of any condition placed upon the use as originally approved.

10. Does not add property to the parcel proposed for development.

11. Does not increase the height of the buildings.

B. Other revisions. Any other adjustments or changes not specified as "minor" shall be granted only in accordance with the procedures for original approval.

Section 3-411. Expiration of approval.

An application for a building permit shall be made within one (1) year of the date of the conditional use approval, and all required certificates of occupancy shall be obtained within one (1) year of the date of issuance of the initial building permit. Permitted time frames do not change with successive owners and an extension of time may be granted by the Development Review Official for a period not to exceed two (2) years but only within the original period of validity.

Division 5. Planned Area Development

Section 3-501. Purpose and applicability.

A. Purpose. The purpose of this Division is to encourage the construction of Planned Area Developments (PAD) by providing greater opportunity for construction of quality development on tracts and/or parcels of land through the use of flexible guidelines which allow the integration of a variety of land uses and densities in one development. Furthermore it is the purpose of the PAD to:

1. Allow opportunities for more creative and imaginative development than generally possible under the strict applications of these regulations so that new development may provide substantial additional public benefit.

2. Encourage enhancement and preservation of lands which are unique or of outstanding scenic, environmental, cultural and historical significance.

3. Provide an alternative for more efficient use and, safer networks of streets, promoting greater opportunities for public and private open space, and recreation areas and enforce and maintain neighborhood and community identity.

4. Encourage harmonious and coordinated development of the site, through the use of a variety of architectural solutions to promote Mediterranean architectural attributes, promoting variations in bulk and massing, preservation of natural features, scenic areas, community facilities, reduce land utilization for roads and separate pedestrian and vehicular circulation systems and promote urban design amenities.

5. Require the application of professional planning and design techniques to achieve overall coordinated development eliminating the negative impacts of unplanned and piecemeal developments likely to result from rigid adherence to the standards found elsewhere in these regulations.

B. Applicability. A PAD may be approved as a conditional use in any zoning district, except single family residential, in accordance with the standards and criteria of this Division, the procedures of Article 3, Division 4 and other applicable regulations.

Section 3-502. Standards and criteria.

The City Commission may approve a conditional use for the construction of a PAD subject to compliance with the development criteria and minimum development standards set out in this Division.

A. Uses permitted. Unless approved as a mixed use development, the uses permitted within a PAD shall be those uses specified and permitted within the underlying District in which the PAD is located.

B. Relation to general zoning, subdivision, or other regulations. Where there are conflicts between the PAD provisions and general zoning, subdivision or other regulations and requirements, these regulations shall apply, unless the Planning and Zoning Board recommends and the City Commission finds, in the particular case:

1. That the PAD provisions do not serve public benefits to a degree at least equivalent to such general zoning, subdivision, or other regulations or requirements, or

2. That actions, designs, construction or other solutions proposed by the applicant, although not literally in accord with these PAD regulations, satisfy public benefits to at least an equivalent degree.

C. Minimum development standards. Any parcel of land for which a PAD is proposed must conform to the following minimum standards:

1. Minimum site area. The minimum site area required for a PAD shall be not less than one (1) acre for residentially or commercially designated property.

2. Configuration of lands. The parcel of land for which the application is made for a PAD shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed use. The minimum lot width shall be two hundred (200) feet and minimum lot depth shall be one hundred (100) feet.

3. Floor area ratio for a PAD. The floor area ratio for a PAD shall conform to the requirements for each intended use in the underlying zoning districts; provided, however, that the total combined floor area ratio for all uses within the PAD shall be allowed to be distributed throughout the PAD.

4. Density for multi-family dwellings and overnight accommodations. The density requirements for multi-family dwellings and overnight accommodations shall be in accordance with the provisions of the applicable zoning district.

5. Transfer of density within a PAD. The density within a PAD may be permitted to be transferred throughout the development site provided that such transfer is not intrusive on abutting single family residential areas.

6. Landscaped open space. The minimum landscaped open space required for a PAD shall be not less than twenty (20%) percent of the PAD site. Landscaped or urban open space which is located on elevated portions of the site may count toward this requirement.

7. Height of buildings. The maximum height of any building in a PAD shall conform to the provisions of the underlying zoning district.

8. Design requirements. All buildings within a PAD shall conform to the following:

a. Architectural relief and elements (i.e. windows, cornice lines, etc.) shall be provided on all sides of buildings, similar to the architectural features provided on the front façade;

b. Facades in excess of one hundred and fifty (150) feet in length shall incorporate design features such as: staggering of the façade, use of architectural elements such as kiosks, overhangs, arcades, etc.;

c. Parking garages shall include architectural treatments compatible with buildings and structures which occupy the same street;

d. Where necessary and appropriate to enhance public pedestrian access, no block face shall have a length greater than two hundred and fifty (250) feet without a public pedestrian

passageway or alley providing through access; and

e. All buildings, except accessory buildings, shall have their main pedestrian entrance oriented towards the front or side property line.

9. Perimeter and transition. Any part of the perimeter of a PAD which fronts on an existing street or open space shall be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping and screening. Properties which are adjacent to residentially zoned or used land shall be limited to a maximum height of forty five (45) feet within one hundred (100) feet of the adjacent right-of-way.

10. Minimum street frontage; building site requirement, number of buildings per site, lot coverage and all setbacks. There shall be no specified minimum requirements for street frontage, building sites, number of buildings within the development, or lot coverage.

11. Platting and/or replatting of development site. Nothing contained herein shall be construed as requiring the platting and/or replatting of a development site for a PAD provided, however, that the Planning and Zoning Board and City Commission may require the platting or replatting of the development site when it determines that the platting or replatting would be in the best interest of the community.

12. Facing of buildings. Nothing in this Division shall be construed as prohibiting a building in a PAD from facing upon a private street when such buildings are shown to have adequate access in a manner which is consistent with the purposes and objectives of these regulations and such private street has been recommended for approval by the Planning and Zoning Board and approved by the City Commission.

13. Off-street parking and off-street loading standards and requirements. The off-street parking and off-street loading standards and requirements for a PAD shall conform to the requirements of the applicable zoning district. Off-street parking for bicycles shall be provided as may be required by the Planning and Zoning Board and approved by the City Commission. Where the parking for the development is to be located within a common parking area or a parking garage, a restrictive covenant shall be filed reserving within the parking area or the parking garage the required off-street parking for each individual building and/or use and such off-street parking spaces shall be allocated proportionately.

14. Boats and recreational vehicle, parking. No boats and/or recreational vehicles shall be parked on the premises of a PAD unless such boats and/or recreational vehicles are located within an enclosed garage.

15. Accessory uses and structures. Uses and structures which are customarily accessory and clearly incidental to permitted uses and structures are permitted in a PAD subject to the provisions of Article 5, Division 1. Any use permissible as a principal use may be permitted as an accessory use, subject to limitations and requirements applying to the principal use.

16. Signs. The number, size, character, location and orientation of signs and lighting for signs for a PAD shall be in accordance with Article 5, Division 19.

17. Refuse and service areas. Refuse and service areas for a PAD 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.

18. Minimum design and construction standards for private streets and drainage systems. The minimum design and construction standards for private streets in a PAD shall meet the same standards as required for public streets as required by the Public Works Department of the City of Coral Gables. The minimum construction standards for drainage systems shall be in accordance with the Florida Building Code.

19. Ownership of PAD. All land included within a PAD shall be owned by the applicant requesting approval of such development, whether that applicant be an individual, partnership or corporation,

or groups of individuals, partnerships or corporations. The applicant shall present proof of the unified control of the entire area within the proposed PAD and shall submit an agreement stating that if the owner(s) proceeds with the proposed development they will:

a. Develop the property in accordance with:

   i. The final development plan approved by the City Commission for the area.
   ii. Regulations existing when the PAD ordinance is adopted.
   iii. Such other conditions or modifications as may be attached to the approval of the special-use permit for the construction of such PAD.

b. Provide agreements and declarations of restrictive covenants acceptable to the City Commission for completion of the development in accordance with the final development plan as well as for the continuing operation and maintenance of such areas, functions and facilities as are not to be provided, operated or maintained at general public expense.

c. Bind the successors and assigns in title to any commitments made under the provisions of the approved PAD.

20. Compatibility with historic landmarks. Where an historic landmark exists within the site of a PAD the development shall be required to be so designed as to insure compatibility with the historic landmark.

21. Easements. The City Commission may, as a condition of PAD 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, and other public purposes which may be deemed necessary by the City Commission.

22. Installation of utilities. All utilities within a PAD including but not limited to telephone, electrical systems and television cables shall be installed underground.

23. Mixed-uses within a PAD. A PAD may be so designed as to include the establishment of complementary and compatible combinations of office, hotel, multi-family and retail uses which shall be oriented to the development as well as the district in which the development is located.

24. Common areas for PADs. Any common areas established for the PAD shall be subject to the following:

    a. The applicant shall establish a property owner's association for the ownership and maintenance of all common areas, including open space, recreational facilities, private streets, etc. Such association shall not be dissolved nor shall it dispose of any common areas by sale or otherwise (except to an organization conceived and established to own and maintain the common areas), however, the conditions of transfer shall conform to the Development Plan.

    b. Membership in the association shall be mandatory for each property owner in the PAD and any successive purchaser that has a right of enjoyment of the common areas.

    c. The association shall be responsible for liability insurance, local taxes, and the maintenance of the property.

    d. Property owners that have a right of enjoyment of the common areas shall pay their pro rata share of the cost, or the assessment levied by the association shall become a lien on the property.

    e. In the event that the association established to own and maintain commons areas or any successor organization, shall at any time after the establishment of the PAD fail to maintain the common areas in reasonable order and condition in accordance with the Development Plan, the City Commission may serve written notice upon such association and/or the owners

of the PAD and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing the City Commission shall call upon any public or private agency to maintain the common areas for a period of one year. When the City Commission determines that the subject organization is not prepared or able to maintain the common areas such public or private agency shall continue maintenance for yearly periods.

f. The cost of such maintenance by such agency shall be assessed proportionally against the properties within the PAD that have a right of enjoyment of the common areas and shall become a lien on said properties.

g. Land utilized for such common areas shall be restricted by appropriate legal instrument satisfactory to the City Attorney as common areas in perpetuity in accordance with the provisions of Article 5, Division 23. Such instrument shall be recorded in the Public Records of Dade County and shall be binding upon the developer, property owners association, successors, and assigns and shall constitute a covenant running with the land.

D. Exemptions to PAD minimum development standards for configuration of land requirements. Exemptions to minimum development standards may be considered for Assisted Living Facilities (ALF) and/or Affordable Housing Facilities that would allow parcels of land to be noncontiguous as prescribed herein. These exemptions shall only be available to PAD developments that satisfy all of the following criteria:

1. The project demonstrates that it would result in beneficial effects, serve important public interests, and not result in significant adverse impacts to the environment, residential areas, public services and facilities, or the desired character of an area.

2. A minimum of seventy five (75%) percent of the total gross square footage of all buildings and ancillary ALF support uses (including square footage of recreational areas, support services, mechanical, etc) is dedicated as an assisted living facility and/or affordable housing facility.

3. A maximum of two (2) noncontiguous parcels may be combined.

4. The two (2) noncontiguous properties have the following designations:

   a. Commercial land use designation(s) and commercial zoning designation(s); or

   b. Industrial land use designation and industrial zoning designation.

5. The proposed noncontiguous parcels are within one hundred and twenty (120) feet of one another. Such distance shall be measured by a straight line between the closest property lines of the properties.

Section 3-503. Required findings.

The Planning and Zoning Board shall recommend to the City Commission the approval, approval with modifications, or denial of the plan for the proposed PAD and shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth with particularity in what respects the proposal would or would not be in the public interest. These findings shall include, but shall not be limited to the following:

A. In what respects the proposed plan is or is not consistent with the stated purpose and intent of the PAD regulations.

B. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.

C. The extent to which the proposed plan meets the requirements and standards of the PAD regulations.

D. The physical design of the proposed PAD and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.

E. The compatibility of the proposed PAD with the adjacent properties and neighborhood as well as the current neighborhood context including current uses.

F. The desirability of the proposed PAD to physical development of the entire community.

G. The conformity of the proposed PAD with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Plan.

Section 3-504. Binding nature of approval for a PAD.

All terms, conditions, restrictive covenants, safeguards and stipulations made at the time of approval of the Development Plan for a PAD shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions, restrictions or safeguards imposed by the City Commission shall constitute a violation of these regulations.

Section 3-505. General procedures for plan approval.

a. Pre-application conference - Planning department. Before submitting an application for approval of a Planned Area Development the applicant or his representative shall confer with the City of Coral Gables Planning Department before entering into binding commitments or incurring substantial expense. The applicant is encouraged to submit a tentative land use sketch for review and to obtain information on any projected plans, programs or other matters that may affect the proposed development. The pre-application conference should address, but shall not be limited to, such matters as:

    1. The proper relationship between the proposed development and the surrounding uses and the effect of the plan upon the Comprehensive Plan of the City of Coral Gables.

    2. The adequacy of existing and proposed streets, utilities and other public facilities and services within the proposed Planned Area Development.

    3. The character, design and appropriateness of the proposed land uses and their adequacy to encourage desirable living conditions, to provide separation and screening between uses where desirable and to preserve the natural and scenic areas and vistas of property.

    4. The adequacy of open space and recreation areas existing and proposed to serve the needs of the development.

B. Pre-application review. The applicant shall distribute a copy of his plans or exhibits to the Director of Building and Zoning, Public Works Director, Public Service Director, Planning Director, Fire Chief and the Historical Resources Director (if applicable) and upon their review of the plans they shall advise the applicant of any recommended revisions, changes or additional information necessary before the filing of a formal application.

C. Board of Architects review. After preliminary review by the departments, and the Historical Resources Department (if applicable), the applicant shall revise the plans to incorporate all recommended revisions and changes and shall submit such plans to the Board of Architects for review and preliminary approval prior to filing a formal application for Planning and Zoning Board review.

D. Development plan--General requirements.

    1. Professional services required: plans for buildings or structures within a Planned Area Development shall

be prepared by a registered Architect with the assistance of a registered Engineer and a registered Landscape Architect, all being qualified under the laws of the State of Florida to prepare such plans.

2. Legal description of site: should the legal description of the site for a Planned Area Development contain a metes and bounds description, such description shall be prepared by a registered land surveyor. The legal description shall be accompanied by a map at a scale suitable for reproduction for advertising for public hearing, showing exact location of the development.

3. Development proposal: the Development Plan shall consist of a map or map series and any technical reports and supporting data necessary to substantiate, describe or aid the Development Plan. The plans for the development proposal shall include the following written and graphic materials:

   a. Site condition map: site condition map or map series indicating the following:

      i. Title of Planned Area Development and name of the owner(s) and developer.
      ii. Scale, date, north arrow and the relationship of the site to such external facilities as highways, roads, streets, residential areas, shopping areas and cultural complexes.
      iii. Boundaries of the subject property, all existing streets, buildings, water courses, easements, section lines and other important physical features within the proposed project. Other information on physical features affecting the proposed project as may be required.
      iv. Existing contour lines at one foot intervals. Datum shall be National Geodetic Vertical Datum (N.G.V.D.) (if required by City Staff).
      v. The location of all existing storm drainage, water, sewer, electric, telephone and other utility provisions.

   b. Plan of pedestrian and vehicular circulation showing the location and proposed circulation system of arterial, collector, local and private streets, including driveways, service areas, loading areas and points of access to existing public rights-of-way and indicating the width, typical sections and street names. The applicant is encouraged to submit one (1) or more companion proposals for a pedestrian system, transit system or other alternative for the movement of persons by means other than privately owned automobiles.

   c. Exterior facade elevations (if deemed appropriate or necessary by City Staff) of all proposed buildings to be located on the development site.

   d. Isometrics or perspective and/or massing model(s) (if deemed appropriate or necessary by City Staff) of the proposed development.

   e. Map of existing land use.

   f. Existing and proposed lot(s) lines and/or property lines.

   g. Master site plan--A general plan for the use of all lands within the proposed Planned Area Development. The plan shall serve as the generalized zoning for the development and shall guide the location of permissible uses and structures. Such plan shall show the general location, function and extent of all components or units of the plan, indicating the proposed gross floor area and/or floor area ratio of all existing and proposed buildings, structures and other improvements including maximum heights, types and number of dwelling units, landscaped open space provisions such as parks, passive or scenic areas, common areas, leisure time facilities, and areas of public or quasi-public institutional uses.

   h. Location and size of all existing and proposed signs.

   i. Existing and proposed utility systems including sanitary sewers, storm sewers and/or storm water drainage system and water, electric, gas and telephone lines. The applicant shall submit a statement indicating what proposed arrangements have been made with appropriate agencies for

the provision of needed utilities to and within the Planned Area Development including, water supply, sewer, storm drainage collection and disposal, electric power, gas, and telephone.

j. General landscape plan indicating the proposed treatment of materials used for public, private and common open spaces and treatment of the perimeter of the development including buffering techniques such as screening, berms and walls, significant landscape features or areas shall be noted as shall the provisions for same.

k. Description of adjacent land areas, including land uses, zoning, densities, circulation systems, public facilities, and unique natural features of the landscape.

l. Proposed easements for utilities, including water, power, telephone, storm sewer, sanitary sewer and fire lanes showing dimensions and use.

m. Location of proposed off-street parking. Smaller developments (as determined by the Planning Director) shall also be required to include stall size, aisle widths, location of attendant spaces, number of spaces by use, number of standard and compact spaces.

n. Location and designation of historic landmarks located within the development site which have been approved as provided within the Zoning Code or notation of those structures which may be worthy of historic designation.

o. Certified survey showing property boundary, existing buildings and their dimensions, setbacks from streets, (public and private) and property lines, easements, streets, alleys, topographical data, water areas, unique natural features, existing vegetation and all trees with an upright trunk of either nine (9) or more inches in circumference (as measured at the narrowest point below four and one-half (4½) feet above ground level) or twelve (12) or more feet in height (if required by City Staff).

p. Proposed development schedule indicating the appropriate date when construction of the development can be expected to begin and be completed, including initiation and completion dates of separate phases of a phased development and the proposed schedule for the construction and improvement of common areas within said phases, including any auxiliary and/or accessory buildings and required parking.

q. Location and designation of proposed traffic regulation devices within the development.

r. Statistical information including:

   i. Total square footage and/or acreage of the development site.
   ii. Maximum building coverage expressed as a percentage of the development site area.
   ii. The land area (expressed as a percent of the total site area) devoted to:
      (a) Landscaped open space; and
      (b) Common areas usable for recreation or leisure purposes.

s. Copies of any covenants, easements and/or agreements required by this section or any other ordinance and/or regulations for the Planned Area Development.

Section 3-506. Application and review procedures for approval of plans.

A. Application. The applicant for a Planned Area Development shall file a written application therefore with the Planning Department on forms prepared by such department. Such application shall be accompanied by fifteen (15) sets of required plans, technical reports, update reports and/or exhibits. All plans shall have the details needed to enable the department heads, Fire Chief, Boards and City Commission to determine whether the proposed development complies with this section and all other applicable ordinances and regulations of the City. The plans shall have the preliminary approval of the Board of Architects as provided for under Section 3-506(C) herein. Upon receipt of such completed

application, all supporting data and exhibits and payment of the required costs and fees, the time periods established in this subsection shall commence. Any application for approval of a plan for a Planned Area Development which meets the definition of a development of regional impact under Chapter 28 of the Florida Administrative Code and/or Development of County Impact as defined under Chapter 33A of the Code of Metropolitan Dade County must be accompanied by the reports, studies and recommendations required for Developments of Regional Impact and/or Development of County Impact provided, however, that the provisions of Development of County Impact does not apply where the development meets the requirement of a Development of Regional Impact.

B. Review of plans. Upon acceptance of the application, the Planning Department shall transmit the Plan Package to the Director of Building and Zoning, Public Works Director, Public Service Director, Fire Chief and the Historical Resources Director (if applicable) for their review and comments. Within sixty (60) days from the filing date, the Director of Building and Zoning, Public Works Director, Public Service Director, Planning Director, Fire Chief and the Historical Resources Director (if applicable) shall review the preliminary plan and shall submit in writing to the Planning and Zoning Board their comments concerning the proposed development. The comments shall include any changes which should be made to bring the plans in compliance with applicable rules and regulations.

C. Public hearing. The Planning and Zoning Board shall hold a public hearing within ninety (90) days from the date of filing the application. Such public hearing shall be in accordance with the provisions of Section 3-302 herein. The Planning and Zoning Board shall recommend to the City Commission the approval, approval with modifications, or denial of the plan for the proposed Planned Area Development and shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth particularly in what respects the proposal would or would not be in the public interest. These findings shall include, but shall not be limited to the following:

1. In what respects the proposed plan is or is not consistent with the stated purpose and intent of the Planned Area Development regulations.

2. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.

3. The extent to which the proposed plan meets the requirements and standards of the Planned Area Development regulations.

4. The physical design of the proposed Planned Area Development and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.

5. The compatibility of the proposed Planned Area Development with the adjacent properties and neighborhood.

6. The desirability of the proposed Planned Area Development to physical development of the entire community.

7. The conformity of the proposed Planned Area Development with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Plan.

D. Approval by the City Commission. The City Commission upon receipt of the recommendations of the Planning and Zoning Board shall approve, approve with modifications, or disapprove the Preliminary Development Plan for the proposed Planned Area Development. The approval of the Development Plan shall be by Ordinance. No building permits shall be issued, no construction shall be permitted and no plats shall be recorded on land within a Planned Area Development until the Final Development Plan has been approved by the City Commission.

Section 3-507. Amendments to the development plan.

Amendments to the Development Plan shall be considered as major or minor. Minor amendments as specified in Section 3-508(A) herein may be approved administratively by the Building and Zoning Department with recommendations from other departments, as needed. Major amendments as specified in Section 3-508(B) herein shall be subject to the review and approval process set forth in Section 3-507. The Building and Zoning Department, with recommendations from other departments, as needed, shall determine whether proposed changes are major or minor. Requests for major amendments may be made no more than once (1) per twelve (12) month period.

A. Minor amendments. Minor amendments are changes which do not substantially alter the concept of the Planned Area Development in terms of density, floor area ratio, land usage, height, provision of landscaped open space, or the physical relationship of elements of the development. Minor amendments shall include, but shall not be limited to, small changes in floor area, density, lot coverage, height, setbacks, landscaped open space, the location of buildings, parking, or realignment of minor streets which do not exceed twenty (20%) percent of the guideline limits contained within this Article specific to that type of development or that which is shown on the approved development plan.

B. Major amendments. Major amendments represent substantial deviations from the development plan approved by the City Commission. Major amendments shall include, but not be limited to significant changes in floor area, density, lot coverage, height, setbacks, landscaped open space, the location of buildings, or parking, which exceed twenty (20%) percent of the guidelines contained within this Article specific to that type of development or that which is shown on the approved Development Plan, or changes in the circulation system.

Section 3-508. Time limitation of approval and construction.

A. Approvals granted pursuant to this Division shall obtain a building permit and begin construction within eighteen (18) months from time of the approval. Failure to obtain a building permit and/or begin construction shall render the approval null and void. Permitted time frames do not change with successive owners, provided however, one (1), six (6) month extension of time may be granted by the Development Review Official.

B. If the Planned Area Development is to be developed in stages, the developer must begin construction of each stage within the time limits specified in the Development Plan (or subsequent updates). Construction in each phase shall include all the elements of that phase specified in the Development Plan.

Section 3-509. Monitoring construction.

The City Manager or his designee shall periodically monitor the construction within the Planned Area Development with respect to start of construction and Development Phasing. If the City Manager or his designee finds that either the developer has failed to begin construction within the specified time period or that the developer is not proceeding in accordance with the approved Development Phasing with respect to timing of construction of an approved mix of project elements, he shall report to the City Commission and the City Commission shall review the Planned Area Development and may extend the time for start of construction or the length of time to complete a phase, revoke approval of the Planned Area Development or recommend that the developer amend the Development Plan subject to procedures specified in Section 3-508 herein.

Section 3-510. Mediterranean Village Planned Area Development.

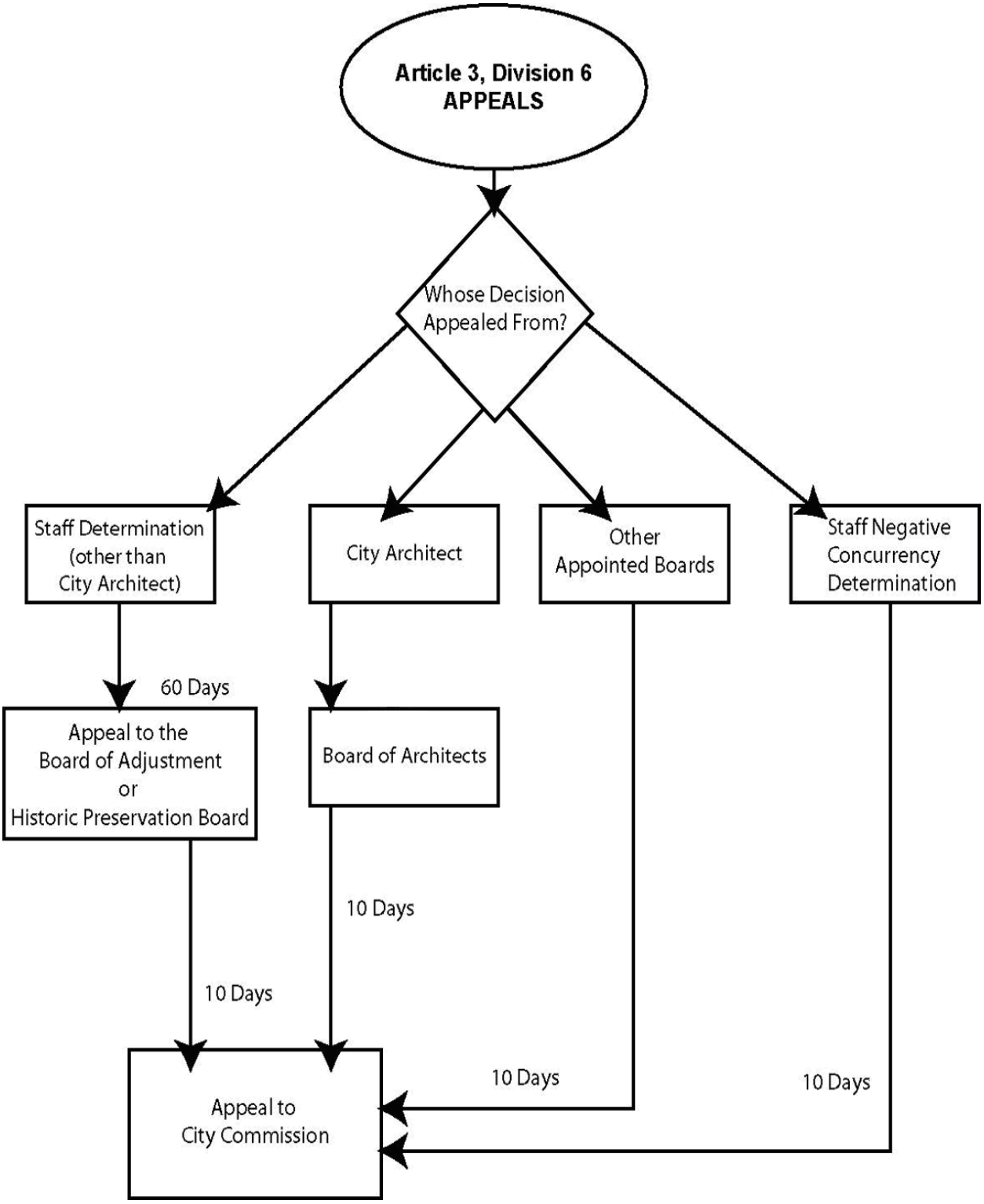
For rules and regulations regarding the approved PAD bounded by Ponce de Leon Boulevard on the west, Sevilla Avenue on the north, Galiano Street on the east, and Malaga Avenue on the south, see “Appendix C - Mediterranean Village Planned Area Development.”

Division 6. Appeals

Section 3-601. Purpose and applicability.

The purpose of this Division is to set forth procedures for appealing the decisions of City staff where it is alleged that there is an error in any order, requirement, decision or interpretation made in the enforcement or interpretation of these regulations and to set forth standard procedures for appealing the decisions of the City's decision making bodies.

Section 3-602. General procedures for appeals.



Section 3-603. Appeals from negative concurrency determinations.

An appeal from a negative concurrency determination shall be taken to the City Commission by any aggrieved party in accordance with the procedures of Section 3-606.

Section 3-604. Appeals from decisions of City Staff.

Other than a request for reconsideration of a decision of the City Architect, where it is alleged that there is an error in any order, requirement, decision or interpretation made in the enforcement or interpretation of these regulations by City Staff, an appeal shall be taken by an aggrieved party to the Board of Adjustment or the Historic Preservation Board, in the case of an appeal from a decision of the Historic Preservation Officer, no later than sixty (60) days after the decision has been made. Application for postponement of the public hearing of an appeal shall be considered according to the provisions stated in Sections 3-606 and 608(A). See Section 3-303 for City Architect reconsideration provisions.

Section 3-605. Appeals from decisions of the Board of Adjustment, Board of Architects, Historic Preservation Board, and Planning and Zoning Board.

An appeal from any decision of the Board of Adjustment, Board of Architects or Historic Preservation Board, and an appeal of a tentative plat decision of the Planning and Zoning Board, may be taken to the City Commission by any aggrieved party in accordance with the provisions of Section 3-606.

Section 3-606. Procedures for appeals.

The following procedures shall govern the filing of appeals:

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

B. Appeals of Board of Adjustment, Board of Architects, Historic Preservation Board, and Planning and Zoning Board. Any aggrieved party desiring to appeal a decision of the Board of Adjustment, Board of Architects or Historic Preservation Board, or a tentative plat decision of the Planning and Zoning Board, shall, within ten (10) days from the date of such decision, file a written Notice of Appeal with the City Clerk, whose duty it shall then become to send a written notice of such appeal to all persons previously notified by the Board in the underlying matter. The appeal shall then be heard by the City Commission at its next meeting, provided at least ten (10) days has intervened between the time of the filing of the Notice of Appeal and the date of such meeting; if ten (10) days shall not intervene between the time of the filing of the notice and the date of the next meeting, then the appeal shall be heard at the next regular meeting of the City Commission and the City Commission shall render a decision, without any unnecessary or undue delay, unless application for deferral has been made as permitted in Section 3-608 of this Division.

C. Stay of proceedings. An appeal shall stay all proceedings in the matter appealed from until the final disposition of the appeal by the City Commission or other Board with jurisdiction. The pendency of an appeal shall toll all time periods applicable to the decision which is subject to appeal until final disposition of the appeal by the Commission or other Board with regard to the appeal.

D. City Commission decision. The City Commission shall conduct a review of the decision of the Board of Adjustment, Board of Architects Special Master, Historic Preservation Board, or Planning and Zoning Board. The appeal shall be based on the record of the hearing, shall not be a de novo hearing, and no

new, additional testimony shall be taken. A full verbatim transcript of all proceedings which are the subject of the appeal shall be provided by the party filing the petition. The transcript shall be provided seven (7) days prior to the City Commission meeting at which the appeal will be heard with a sufficient number of copies for the City Commission, the City Attorney, the City Manager and the affected departments. The City Commission is authorized to affirm, affirm with conditions, override the decision of the Board of Adjustment, Board of Architects Special Master, Historic Preservation Board or Planning and Zoning Board, or remand for further proceedings to the applicable Board. Any decision by the Board of Adjustment, Board of Architects Special Master, Historic Preservation Board or Planning and Zoning Board can only be reversed by a majority vote of the City Commission. The granting of any appeal by the City Commission shall be by resolution.

Section 3-607. Appeals from decision of the City Commission.

A. An action to review any decision of the City Commission under these regulations may be taken by any person or persons, jointly or separately, aggrieved by such decision by presenting to the Circuit Court a petition for issuance of a Writ of Certiorari, duly certified, setting forth that such decision is illegal, in whole or in part, certifying the grounds of the illegality, provided same is done in the manner and within the time provided by Florida Rules of Appellate Procedure.

B. Challenges to development order decisions based on consistency or inconsistency of the development order with the City of Coral Gables Comprehensive Plan shall be governed by the provisions of Section 163.3215, Florida Statutes (2006).

C. The record of the Commission or any board or official from which appeal is taken shall include any application, exhibits, appeal papers, written objections, waivers or consents, considered by the Commission, or such board, as well as transcripts or stenographic notes taken at a hearing held before the Commission or any such board, the City Commission minutes or the board's minutes and resolution showing its decision or action, and if the record of a lower board is transmitted to the City Commission, the record of the City Commission shall include the record of the lower board. The record shall also include any and all applicable portions of these regulations and where applicable the City Code, the report and recommendations of City staff, the City's Comprehensive Plan, as well as applicable district boundary maps, aerial photographs and final zoning resolutions or ordinances. It shall also include the record made as a result of any prior applications for development approval on the same property. The City Clerk shall identify all exhibits used at the hearing. All exhibits so identified or introduced shall be a part of the City's record.

Section 3-608. Postponement of appeals.

A. Applicant or aggrieved party postponement. Applicants and/or aggrieved parties desiring postponement of an appeal before the City Commission shall adhere to the following provisions for postponements:

1. First postponement. Requests for initial postponement must be requested in writing to the Office of the City Manager. A copy of the request shall be forwarded to the appropriate board secretary and the City Clerk. The request shall include a specific time frame for postponement. No more than ninety (90) calendar days may be requested and will be automatically granted.

2. Second postponement. Requests for second postponement must be requested in writing to the Office of the City Manager. A copy of the request shall be forwarded to the appropriate board secretary and the City Clerk. The second postponement request may not exceed thirty (30) calendar days. The City Manager's Office shall evaluate the request and may administratively grant the request or schedule the request for City Commission review and approval.

3. Third postponement. If the appeal is not considered by the City Commission within the one hundred and twenty (120) calendar days as provided above, the application shall be scheduled for City Commission consideration at the next available City Commission meeting. The City Commission shall evaluate the application and determine if additional postponements are warranted. The

maximum time frame an appeal can be postponed from the initial date the application was scheduled for City Commission consideration is one hundred and eighty (180) days.

4. Appeal postponement fees. Applicants and/or aggrieved parties shall be required to pay all costs for all postponement requests including any fees established by the City Code. If the City Commission requests adjacent property owners be notified or advertised, all costs shall be the responsibility of the applicant or aggrieved party.

5. Applicant responsibility. It shall be the responsibility of the applicant to adhere to the requirements provided in this Division, which shall include monitoring and insuring the application proceeds forward for City Commission consideration. Failure of the applicant to follow the above provisions shall terminate the appeal.

6. Appeal review expiration. Appeals which do not secure City Commission consideration as provided in the above sections or are not considered by the City Commission within six (6) months shall be deemed abandoned and void.

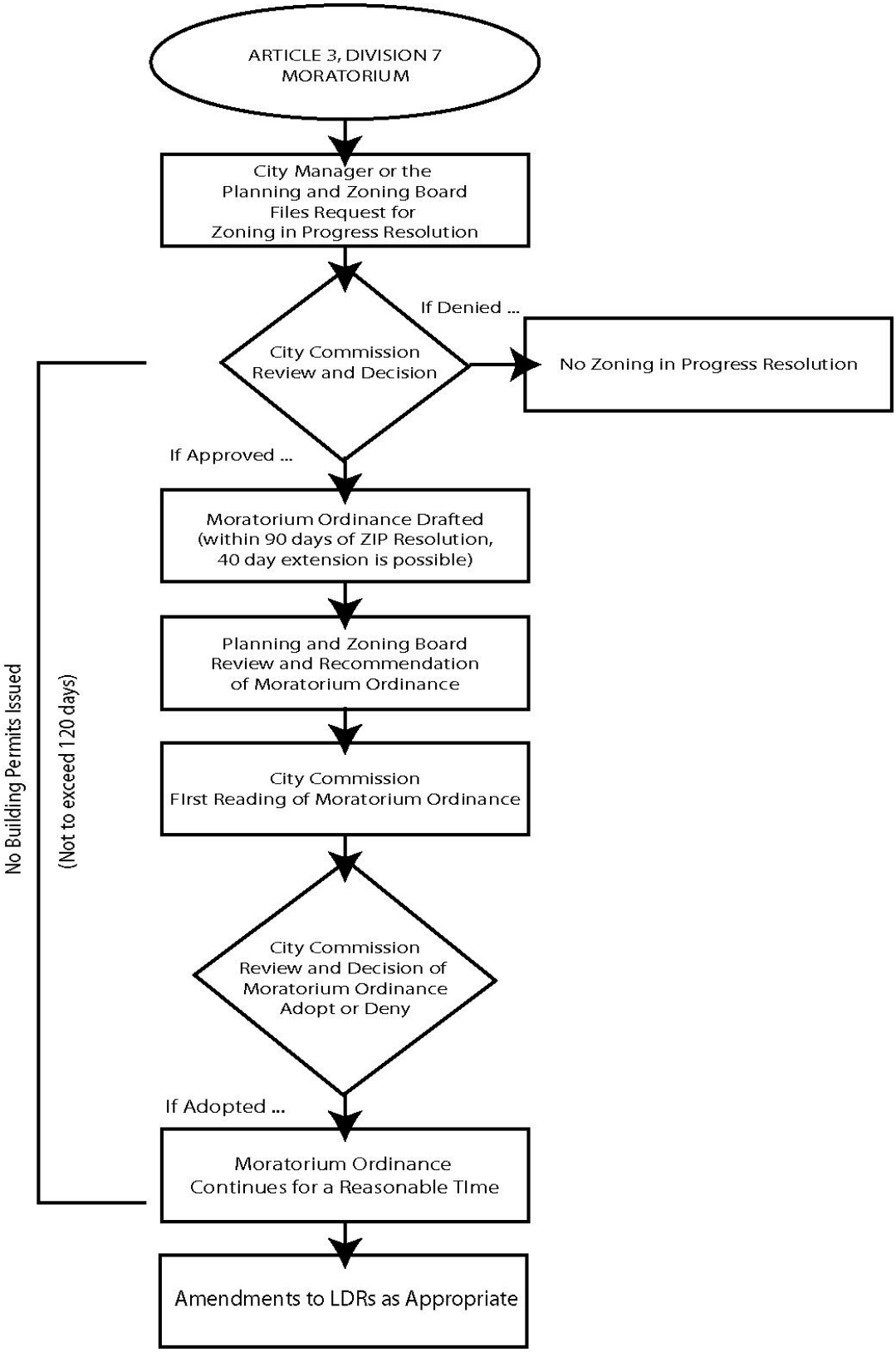
B. City postponement. The City Manager (or the Development Review Official) may postpone an appeal whenever it is deemed necessary to ascertain a complete record, to allow for the filing of a foreseeable related appeal (which would then be heard concurrently), to maintain an orderly hearing or in the best interests of the City but avoiding any unnecessary or undue delay. Postponement may be requested by the applicant or an aggrieved party as described in Section 3-608A or be at the initiative of the City Manager (or the Development Review Official). After the City Manager (or the Development Review Official) makes the decision regarding postponement, the applicant or aggrieved party may seek review of that decision to the City Commission within ten days and the matter will be scheduled for Commission consideration at one of the next two regularly scheduled meetings. The applicant or aggrieved party may request that a prior decision to hear appeals concurrently be modified where factual circumstances have changed so that the matter should be reconsidered. A request for modification will be handled in the same procedural manner as an application to hear appeals concurrently.

Division 7. Moratorium

Section 3-701. Purpose and applicability.

The purpose of providing for a moratorium on development is to preserve the status quo for a reasonable time while the City develops and adopts a land use strategy to respond to new or recently perceived problems. The moratorium, initiated by the adoption of a Zoning in Progress Resolution, prevents developers and property owners from developing land under current land use rules that the community is in the process of changing. By so doing, a moratorium helps to accomplish the purpose of the new rules by preventing outdated development and allowing time to conduct a comprehensive growth management study which will be used to assist the City Commission in implementing needed changes to these regulations.

Section 3-702. General procedures for moratoria.



Section 3-703. Zoning in progress request.

The City Manager or the Planning and Zoning Board may file a request with the City Commission for a Zoning in Progress Resolution. The request shall be made in writing and shall be accompanied by a City staff report summarizing the need for a revision to these regulations and the area or areas within the City that will be affected. Such report shall contain a determination concluding the need for a resolution of the City Commission declaring Zoning in Progress and for the adoption of a formal moratorium. The City Commission may consider a Zoning in Progress Resolution on its own initiative.

Section 3-704. City Commission zoning in progress resolution review and decision.

A. The City Commission shall review the Zoning in Progress Resolution at the next available regularly scheduled meeting following the submittal of the Zoning in Progress request.

B. The City Commission shall make preliminary findings and accordingly approve or deny the proposed Zoning in Progress Resolution.

C. Should the City Commission determine that a moratorium pending the preparation of a detailed and comprehensive analysis of the area in question is reasonably necessary or desirable, it shall:

   1. Approve the Zoning in Progress Resolution; and

   2. Order a fixed time, not to exceed ninety (90) days, within which City staff shall report to the Planning and Zoning Board and the City Commission with its report, a proposed ordinance amending these regulations, and recommendations relating to a potential moratorium.

D. The Zoning in Progress Resolution shall be for a period not to exceed the first regularly scheduled City Commission meeting after one hundred twenty (120) days, unless an extension not exceeding forty (40) days is ordered pursuant to section F below.

E. The City Commission on its own motion or otherwise may extend any Zoning in Progress Resolution for a longer period of time if reasonably necessary and the public interest requires.

F. Should City staff be unable to report back to the City Commission within the time prescribed by its order, upon timely request by City staff and after public hearing on the need, the City Commission may extend the time limitation one (1) time for a period not to exceed forty (40) days.

G. Upon adoption of the Zoning in Progress Resolution, the City Clerk shall publish the adopted resolution in a newspaper of general circulation published in the City of Coral Gables, or in Miami-Dade County, Florida, within ten (10) days following the date of adoption.

Section 3-705. Effect of zoning in progress resolution.

A. During the period of time that the Planning and Zoning Board and City Commission are considering a moratorium ordinance, no permit(s) or development order(s) of any kind shall be issued if issuance would result in the nonconforming or unlawful use of the subject property should the moratorium or text amendment or zoning district change be finally enacted by the City Commission.

B. During the period of time that the Planning and Zoning Board and City Commission are considering a moratorium ordinance, no permit(s) or development order(s) of any kind shall be issued if issuance would result in the nonconforming or unlawful use of the subject property should a moratorium ordinance be adopted by the City Commission.

C. The period of time of such moratorium on permits shall begin on the earlier of:

   1. City Commission adoption of Zoning in Progress Resolution; or

2. Notice has been given as required by law of the initial public hearing before the Planning and Zoning Board on the amendment to these regulations.

Section 3-706. City Staff review, report and recommendation.

A. In the event the City Commission determines a moratorium is necessary to give City staff sufficient time to complete planning studies or other analysis prior to instituting an amendment to the regulations, the City Commission, as part of the Zoning in Progress Resolution, shall direct City staff to prepare a moratorium ordinance.

B. Within the time fixed by the City Commission, City staff shall report to the Planning and Zoning Board and then the City Commission with its ordinance, amending these regulations and recommendations regarding the moratorium and its scope.

C. City staff shall:

1. Provide a detailed report indicating the necessity for zoning changes.

2. Provide a recommendation as to whether the proposed moratorium ordinance should be approved, approved with conditions, or denied.

3. Schedule the moratorium ordinance for hearing before the Planning and Zoning Board.

4. Provide notice of the Planning and Zoning Board hearing pursuant to Article 3, Division 3.

Section 3-707. Planning and Zoning Board review and recommendation.

The Planning and Zoning Board shall:

A. Review the proposed moratorium ordinance at a public hearing.

B. Make a written recommendation to the City Commission with regard to whether the proposed moratorium ordinance should be approved, approved with conditions, or denied.

Section 3-708. City Commission review and decision.

A. Upon receipt of the report and recommendation of City Staff and the Planning and Zoning Board, the City Commission shall review the report and recommendations at two (2) public hearings.

B. The City Commission shall read the moratorium ordinance by title, in full, on the first public hearing following receipt of the City staff's and the Planning and Zoning Board's recommendation.

C. The City Commission shall hold a second public hearing and following the hearing adopt or deny the proposed moratorium ordinance.

D. The City Commission may, upon request by City staff, amend the scope and timing of the moratorium as needed.

E. The City shall consider such amendments to these regulations as are appropriate in accordance with the provisions in Article 3, Division 14.

Section 3-709. Waivers.

If the City Commission has provided for waivers in the ordinance adopting a moratorium, the City Manager may grant a waiver of the moratorium where the applicant can show the following:

A. The proposed development complies with the existing land development regulations.

B. The proposed development satisfies the objective of the City Commission in ordering a moratorium. For example, if the City Commission is considering increasing the minimum setback in a residential zoning district by two (2) feet, and the applicant demonstrates that it complies with the proposed modification to the setback, the City Manager may grant a waiver of the moratorium.

C. The waiver will not hinder the intent of the City Commission in its proposed amendment to these regulations.

Section 3-710. Exemptions.

Notwithstanding the adoption of a moratorium ordinance, the City Manager may authorize the issuance of building permits for nondeleterious items including, but not limited to, fences, repairs and similar matters, where he determines that such permit will not affect the outcome of the planning study; provided, however, that with regard to any particular moratorium the City Commission may by ordinance increase or decrease allowable exemptions and may by ordinance provide either a supplemental or exclusive procedure for acting upon requests for exemptions. Such procedure may vest jurisdiction and responsibility for acting upon requests for exemptions in the City Manager or any City administrative or quasi-judicial body or board.

Section 3-711. Conditional uses, variances, change in land use, change of zoning or tentative plats during moratorium.

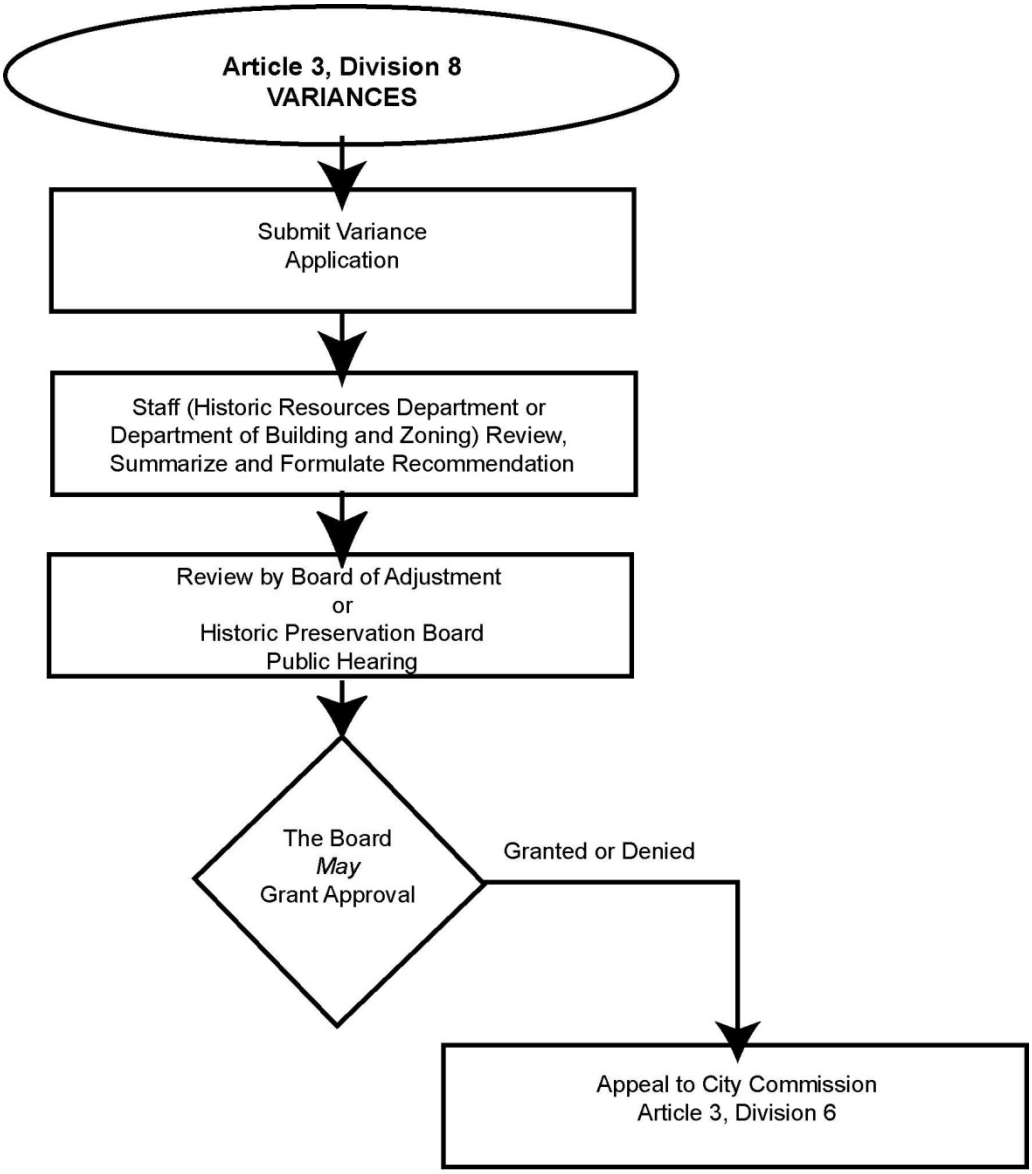
During the existence of any moratorium, no applications for conditional uses, variances, changes in land use, changes of zoning, development orders or tentative plats within the affected area shall be acted upon by the City, except as provided in Sections 3-709 and 3-710, or unless otherwise specifically provided by the City Commission by ordinance with regard to a specific moratorium.

Division 8. Variances

Section 3-801. Purpose and applicability.

Except as provided in Article 3, Division 9 for variances from platting standards, the purpose of this Division is to establish a procedure for granting variances from the literal terms of these regulations where there are practical difficulties or unnecessary and undue hardships so that the spirit of these regulations shall be observed, public safety and welfare secured, and substantial justice done.

Section 3-802. General procedures for variances.



Section 3-803. Application.

An application for a variance shall be made in writing upon an application form approved by the City staff, and shall be accompanied by applicable fees.

Section 3-804. City Staff review, report and recommendation.

A. City staff shall review the application in accordance with the provisions of Article 3, Division 2 of these regulations.

B. Upon completion of review of an application, City staff shall:

1. Provide a report that summarizes the application and the effect of the proposed variance, including whether the variance complies with each of the standards for granting variances in Section 3-806.

2. Provide written recommended findings of fact regarding the standards for granting variances as provided for in Section 3-806.

3. Provide a recommendation as to whether the application should be approved, approved with conditions, or denied.

4. Schedule the application for hearing before the Board of Adjustment or the Historic Preservation Board.

5. Provide notice of the hearing in accordance with the provisions of Article 3, Division 3 of these regulations.

Section 3-805. Review, hearing and decision on variances.

The Board of Adjustment or the Historic Preservation Board in the case of variance involving historic properties, shall review the application for a variance, the report, recommendation, and proposed findings prepared by City staff, conduct a quasi-judicial public hearing on the application in accordance with the requirements of Section 3-304 and render a decision, based upon written findings of fact, granting, granting with conditions, or denying the variance.

Section 3-806. Standards for variances.

A. In order to authorize any variance from the terms of these regulations, the Board of Adjustment or Historic Preservation Board, as the case may be, shall find:

   1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

   2. That the special conditions and circumstances do not result from the actions of the applicant.

   3. That granting the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.

   4. That literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations and would work unnecessary and undue hardship on the applicant.

   5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

   6. That granting the variance will not change the use to one that is not permitted in the zoning district or different from other land in the same district.

   7. That the granting of the variance will be in harmony with the general intent and purpose of these regulations, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

   8. That the granting of the variance is appropriate for the continued preservation of an historic landmark or historic landmark district.

B. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of land, structures, or buildings in other districts, shall be considered grounds for the issuance of a variance.

C. Under no circumstances shall the Board of Adjustment or the Historic Preservation Board grant a variance to permit the following:

   1. A use not permitted in the district involved, or any use expressly or by implication prohibited by the terms of these regulations in said district; and

2. The reduction or diminishing of a building site upon which a single-family residence or duplex has heretofore been constructed.

D. The Board of Adjustment or the Historic Preservation Board may impose such reasonable conditions on the grant of a variance in order to ensure that the variance will have a minimum impact on surrounding properties.

Section 3-807. Time limit for variances.

Any variance granted under this Code, or in effect on the date that this Code took effect, shall become null and void and of no effect twelve (12) months from and after the date of the approval granting the same, unless within such period of twelve (12) months a building permit for the building or structure involved embodying the substantive matter for which the variance was granted shall have been issued; or if the use or adoption of such variance does not require the issuance of a building permit, unless the requested action permitted by the variance shall have taken place within the said twelve (12) month period. One (1) additional extension of twelve (12) months may be granted by the Development Review Official for good cause shown.

Section 3-808. Effect of decision.

Approval of a variance shall be deemed to authorize only the particular use for which it is issued and shall entitle the recipient to apply for review by the Board of Architects, if applicable, a certificate of use or building permit or any other approval that may be required by these regulations, the City or regional, state or federal agencies.

Section 3-809. Appeals.

An appeal from any decision of the Board of Adjustment or the Historic Preservation Board regarding variances may be taken to the City Commission by an aggrieved party in accordance with the provisions of Article 3, Division 6 of these regulations.

Division 9. Platting/Subdivision

Section 3-901. Purpose and applicability.

The purpose of this Division is to provide application and review procedures for the platting and subdivision of land within the City. This Division shall be applicable to any subdivision or re-subdivision of land that creates one (1) or more parcels. No building permit shall be issued for construction of any improvements on a parcel that was not legally created in compliance with these regulations.

Section 3-902. Tentative plat.

A. Pre-application conference-sketch plan. Prior to filing an application for tentative plat approval, the applicant shall have a pre-application conference as set forth in Section 3-201.

B. Application. An applicant for plat approval shall submit an application for review of a tentative plat upon an application form approved by the City staff and shall be accompanied by all applicable fees. In addition, the application shall be accompanied by any application for a variance of the subdivision requirements as set forth more fully in Section 3-904 below.

C. Staff report and recommendation.

1. The staff shall review the application in accordance with the provisions of Article 3, Division 2 of these regulations. Any such review by the Development Review Committee shall, at a minimum, include a review and comment by the Public Works Department.

2. Upon completion of review of an application, the Development Review Official shall:

a. Prepare a report that summarizes the application, including whether the application complies with the platting standards set forth in Article 5, Division 15 and the requirement for the undergrounding of utilities in Article 5, Division 22 of these regulations.

b. Provide written recommendations as to whether the application should be recommended for approval, approval with conditions, or denied.

c. Provide a report and recommendation, with a copy to the applicant, to the Planning and Zoning Board at least one (1) week prior to the next scheduled meeting of the Planning and Zoning Board.

d. Schedule the application for hearing before the Planning and Zoning Board.

e. Provide notice of the hearing before the Planning and Zoning Board in accordance with the provisions of Article 3, Division 3 of these regulations.

D. Planning and Zoning Board review. Upon receipt of the recommendations of the Development Review Official, the Planning and Zoning Board shall conduct a public hearing on the tentative plat and shall review the plat to ensure that it conforms to the requirements of these regulations.

E. Planning and Zoning Board recommendation. Upon completion of its review, the Planning and Zoning Board shall either recommend the tentative plat for approval, approval with conditions, or disapprove the tentative plat.

F. Optional review of tentative plat by City Commission. Where the applicant desires to obtain an expression from the City Commission on the tentative plat as recommended by the Planning and Zoning Board before proceeding to prepare the final plat, the applicant shall submit a written request to the Director of the Department of Planning who shall schedule the item for an informal review by the City Commission at the next available Commission date. During such an informal review, the City Commission shall evaluate the tentative plat for conformance with these regulations. In addition, the City Commission may issue an advisory opinion as to the desirability of any requests for conditions or modifications to the tentative plat that were requested by the Planning and Zoning Board or the Development Review Official.

G. Expiration of tentative plat and variance. The tentative plat, and where applicable, any variance of these subdivision requirements shall expire and be of no further force and effect if a completed application for a final plat is not filed as set forth in Section 3-903 below within one hundred and eighty (180) days of the Planning and Zoning Board's approval. After the expiration of one hundred and eighty (180) days, the applicant will be required to re-submit the tentative plat for staff and Planning and Zoning Board review as set forth in this Section.

Section 3-903. Final plat.

A. Application. The application for final plat review shall be accompanied by all applicable fees and prepared on a form approved by the City's staff.

B. Incorporation of changes. The final plat shall have incorporated all changes or modifications recommended by the Planning and Zoning Board and (where applicable) the City Commission. To the extent that any such modifications have not been made, the applicant shall indicate in writing as part of the application the grounds for any such departure.

C. Development Review Official. Upon receipt of a complete application for final plat review, the Development Review Official shall review the submittal to ensure that all modifications requested by the Planning and Zoning Board and (where applicable) the City Commission have been made and that the final plat complies with these regulations and the Comprehensive Plan. Any such review by the Development Review Official shall, at a minimum, include a review and comment by the Public Works Department.

D. Development Review Official report. Upon completion of its review, the Development Review Official shall:

1. Prepare a report that summarizes the application, including whether the applicant has complied with the recommendations of the Planning and Zoning Board and (where applicable) the City Commission.

2. Provide written recommendations as to whether the final plat should be approved, approved with conditions, or denied.

3. Provide the report, recommendation, and a copy of all prior recommendations to the City Commission with a copy to the applicant, at least one (1) week prior to the next scheduled meeting of the City Commission.

4. Schedule the application for hearing before the City Commission.

5. Provide notice of the hearing before the City Commission in accordance with the provisions of Article 3, Division 3 of these regulations.

E. Preliminary approval of final plat. Preliminary approval of a final plat may be given by the City Commission where bonds, engineering plans, or specifications have not been completed by the subdivider, and conditions make it desirable for the subdivider to obtain an expression from the City Commission before proceeding further. Preliminary approval shall vest the subdivider for a period of six (6) months with the right to obtain final approval upon the terms and conditions under which said preliminary approval is given, The City Commission shall reserve discretion to disapprove the final plat in the event that missing items (bonds, engineering plans, or other specifications) do not comply with these regulations.

F. Final action on final plat. The City Commission shall review the final plat for conformance to these regulations and the Comprehensive Plan. The City Commission shall either approve, approve with conditions, or deny the final plat by resolution. Said resolution shall include any acceptance of dedications made on the plat. Where applicable, the City Commission shall approve, approve with conditions, or deny a variance of the subdivision requirements prior to approving or denying the final plat. Approval or denial of such a variance shall be by ordinance. When approved, the Mayor, City Clerk and Public Works Director shall affix their signatures to the plat together with the City Seal and resolution number. When disapproved, the City Clerk shall attach to the plat a statement setting forth the reasons for such action, and return it to the applicant.

G. Revisions after City Commission approval and prior to recordation.

1. Any changes, erasures, modifications or revisions to an approved plat prior to recordation may only be made by the Director of Public Works to correct scrivener's errors, reflect accurate legal descriptions and locate right-of-way dedications, drainage ways and easements. However, no such request shall be considered unless the application is made by the preparer of the final plat.

2. No other changes, erasures, modifications or revisions to an approved plat prior to recordation shall be made unless resubmitted for new approval; provided, however, that the City Commission may, after public hearing and based only upon a recommendation of the Public Works Department, change, modify or revise dedicated road rights-of-way or drainage easements. No such change, modification, or revision of the dedication of road rights-of-way, or drainage easements shall be reviewed unless the application is made by the preparer of the final plat.

H. Recording. Following final approval of the final plat by the City Commission, the City Clerk shall notify the applicant by letter who shall record the final plat in the public records of Miami-Dade County. The final plat shall be recorded within twenty (20) days of final approval by the City Commission. After recordation of the final plat, the City Clerk shall obtain from the subdivider five (5) eighteen (18) by twenty four (24) inch certified copies of the recorded final plat with one (1) copy going to the City Clerk's files, two (2) copies to the Public Works Director, one (1) copy to the Building and Zoning Director, one (1) copy to the Finance Director and one (1) copy to the Planning Director.

I. Building permits. No building permits for residential or residential accessory structures shall be issued until all subdivision improvements required in Article 5, Division 15 (e.g. monuments, streets, sidewalks, parks, fire hydrants) have either been completed or sufficiently bonded on a form to be reviewed and approved by the City Attorney. As set forth in Section 5-1513, the subdivider shall indemnify the City from liability for all injuries to person or property caused by their actions or the action of their authorized agents, which injuries result from the City's issuance of a building permit for a dwelling unit or its accessory structure pursuant to these regulations.

J. Withholding of public improvements. The City shall withhold all public improvements including, but not limited to the maintenance of streets, the furnishing of sewage facilities and water service from all subdivisions that have not been approved, and from all areas dedicated to the public which have not been accepted in the manner set forth herein.

Section 3-904. Variances from subdivision requirements.

A. Purpose and applicability**.** The City Commission may grant a variance of the subdivision requirements set forth in this Division and Article 5, Division 15, where the strict application of said requirements would cause an unnecessary and undue hardship on the property owner.

B. Application**.** An application for a variance of the subdivision standards shall be made in writing and shall accompany and be processed concurrently with the application for a tentative plat. The application for a variance shall be processed, noticed, and reviewed in the manner as the tentative plats as set forth in Section 3-902 above.

C. Standards for review. The City Commission shall provide findings of fact that such variance complies with the following standards:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

2. That the special conditions and circumstances do not result from the actions of the applicant.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by these regulations to other lands, buildings or structures in the same zoning district.

4. That literal interpretation of the provisions of these regulations would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of these regulations and would work unnecessary and undue hardship on the applicant.

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

6. That the granting of the variance will be in harmony with the general intent and purpose of these regulations, and that such variance will not be injurious to the area involved or otherwise be detrimental to the public welfare.

Section 3-905. Facing of lots and principal buildings.

A. All facing of lots and principal buildings constructed within an established building site(s) within the SFR, MF1, MF2, or MFSA zoning districts shall adhere to the provisions provided in this Section.

B. Facing of the lots and principal buildings. The facing of lots and principal buildings upon an abutting street shall be determined by the Development Review Official unless prescribed otherwise within Appendix A, Site Specific Zoning Regulations, or Section C below. The final determination shall be subject to satisfying one or more of the following criteria:

1. Identification of the shortest street line of platted lot(s).

2. Existing facing of principal buildings of adjoining lots.

3. Existing platting configuration of adjoining lots.

C. Required facing of lots and principal buildings in specific cases or certain streets. Except as provided otherwise in this Section, all principal buildings on a lot or corner lots shall face the following streets:

1. Alhambra Circle and South Alhambra Circle.

2. Country Club Prado.

3. DeSoto Boulevard.

4. Indian Mound Trail except in Block 20, Section D.

5. Maynada Street.

6. Ponce de Leon Boulevard.

7. East Ponce de Leon Boulevard shall be deemed to face on said Circle, Boulevard, Trail, Prado and Street, as the case may be.

8. Ponce de Leon Boulevard. All lots in the one hundred (100) foot strip on either side of Ponce de Leon Boulevard shall be governed by restrictions for lots facing that boulevard.

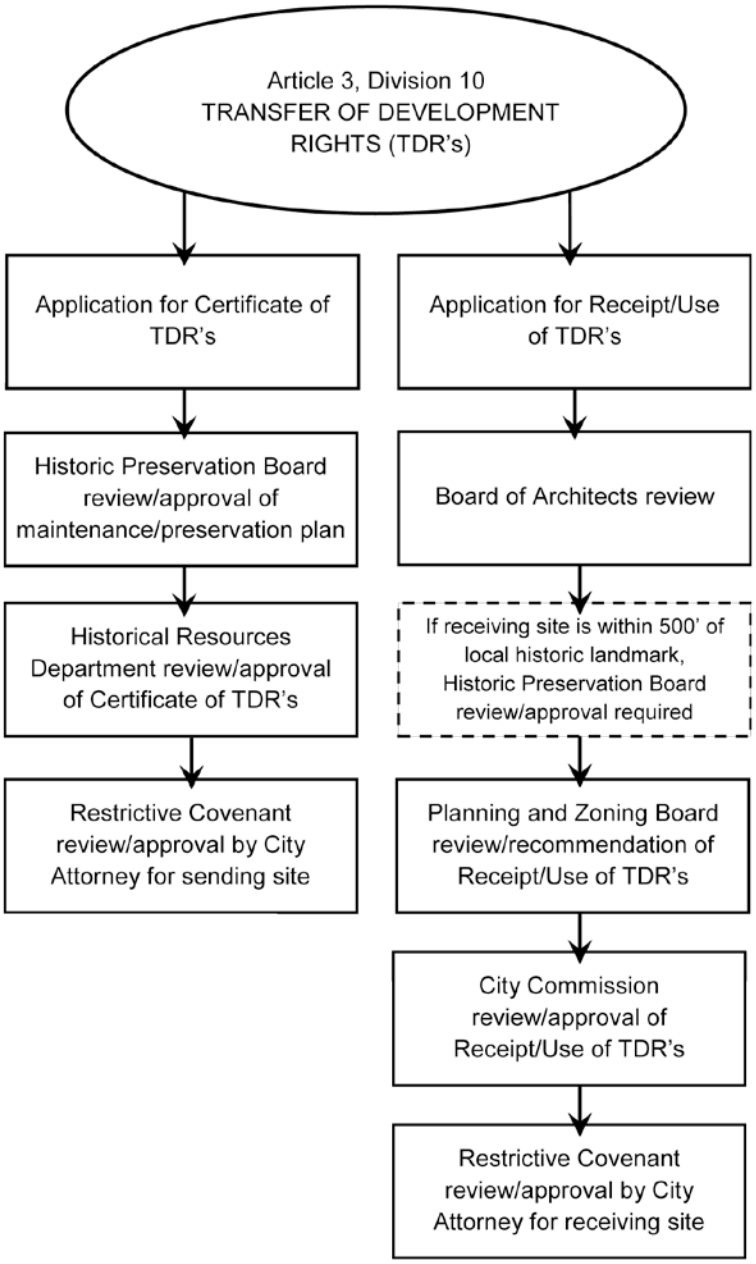
9. On Red Road. All lots abutting upon Red Road, from Coral Way to Southwest Eighth Street, shall be deemed to face both Red Road and Country Club Prado, and residences erected upon such lots may face either of such streets.

D. Setback requirements. Minimum front, side and rear setbacks and setback(s) from a canal, waterway, lake or bay shall be determined based upon City final determination of facing of the lot(s) and building(s). All minimum required setback requirements provided within the applicable assigned zoning districts shall be satisfied, unless specified otherwise in Appendix A, Site Specific Zoning Regulations.

Division 10. Transfer of Development Rights

Section 3-1001. General procedures for Transfer of Development Rights.

The following graphic summarizes the review and approval procedures for the Transfer of Development Rights (TDRs).



Section 3-1002. Purpose and applicability.

The purpose of these provisions are to allow the transfer/sending of unused development rights of local historic landmarks to other properties within the Central Business District (CBD) to encourage historic preservation and to provide an economic incentive to property owners to designate, protect, enhance and preserve historic properties.

Section 3-1003. Application.

An application to transfer/send and receive TDRs shall be made in writing upon an application form approved by the City. The application to transfer/send shall be filed with the Historical Resources Department and the application to receive TDRs shall be filed with the Planning Department.

Section 3-1004. Transfer/sending of TDRs and issuance of a Certificate of TDRs.

A. Transfer/sending of TDRs. The TDRs rights eligible to be transferred from the property calculated as follows: the difference between the existing gross floor area on the property and the maximum floor area permitted on the property by the applicable zoning district, including any available development bonuses.

B. Transfer/sending of TDRs from a sending site. The Historic Preservation Officer shall have the authority to grant approval to transfer/send TDRs if all of the following are satisfied:

1. The sending site has been designated as a local historic landmark or a contributing property within a local historic district pursuant to Article 3, Division 11.

2. The sending site is (i) located within the boundaries of the CBD and designated commercial zoning or (ii) located north of Navarre Avenue, east of LeJeune Road, west of Douglas Road, and south of SW 8th Street, is zoned MF2, and is developed with one of the following MF2 permitted land uses: duplex dwelling, multi-family dwelling, or bed and breakfast establishment.

3. The Development Services Department has calculated the unused development rights or TDRs eligible to be transferred from the property per Section 3-1004.A.

4. The property owner(s) have provided a maintenance/preservation plan prepared by a certified architect or engineer of the State of Florida, which sets forth a maintenance schedule and/or rehabilitation treatment if applicable for those architectural elements that contribute the historic integrity of the property or restoration of original features. Those features are identified by the "Review Guide," a section of the local designation report produced by the Historical Resources Department.

5. Inspection of the property may be completed by the Historic Resources Department to determine compliance with the above criteria.

6. Historic Preservation Board review and approval of the maintenance/preservation plan to determine compliance with Article 3, Division 11.

7. A property must not be subject to any Code Enforcement violations, City-imposed liens, unpaid fines, or overdue assessments or fees. The City Attorney, in consultation with City staff, may waive this requirement through a stipulation providing for correction of the Code Enforcement violation under appropriate conditions and settlement of the amounts due.

The approval to transfer/send shall be via the issuance of a Certificate of TDRs. The Historic Preservation Officer may recommend conditions of approval that are necessary to ensure compliance with the standards set out herein.

Section 3-1005. Use of TDRs on receiver sites.

A. Use of TDRs on receiver sites. The receiving sites shall be located within the boundaries of the CBD and designated Commercial zoning.

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

Section 3-1006. Review and approval of use of TDRs on receiver sites.

A. An application to transfer development rights to a receiver site shall be reviewed subject to all of the following:

1. In conformance with any applicable conditions of approval pursuant to the Certificate of TDRs.

2. Board of Architects review and approval subject to Article 5, Division 6, Design Review Standards.

3. If the receiving site is within five (500) hundred feet of a local historic landmark, Historic Preservation Board review and approval is required to determine if the proposal shall not adversely affect the historic, architectural, or aesthetic character of the property.

4. Planning and Zoning Board review and recommendation and City Commission review to determine if the application satisfies all of the following:

   a. Applicable site plan review requirements per Article 3, Division 2, General Development Review Procedures and conditional use review requirements per Article 3, Division 4, Conditional Uses.

   b. The extent to which the application is consistent with the Zoning Code and City Code otherwise applicable to the subject property or properties, including but not limited to density, bulk, size, area and use, and the reasons why such departures are determined to be in the public interest.

   c. The physical design of the proposed site plan and the manner in which the design makes use of adequate provisions for public services, provides adequate control over vehicular traffic, provides for and protects designated common open areas, and furthers the amenities of light and air, recreation and visual enjoyment.

   d. The conformity of the proposal with the Goals, Objectives and Policies of the City's Comprehensive Plan.

The Planning and Zoning Board and City Commission may recommend conditions of approval that are necessary to ensure compliance with the standards set out herein.

Section 3-1007. Approvals and restrictions.

A Restrictive Covenant shall be required on both the sending and receiving properties outlining any/all applicable conditions of approval pursuant to these provisions. The Restrictive Covenant(s) shall require review and approval by the City Attorney prior to recordation. The applicants shall be responsible for all costs associated herein.

Section 3-1008. TDRs list of local historic landmarks.

The Historical Resources Department shall maintain a list of local historic landmark properties eligible as TDRs transfer/sending sites.

Section 3-1009. Expiration of approvals.

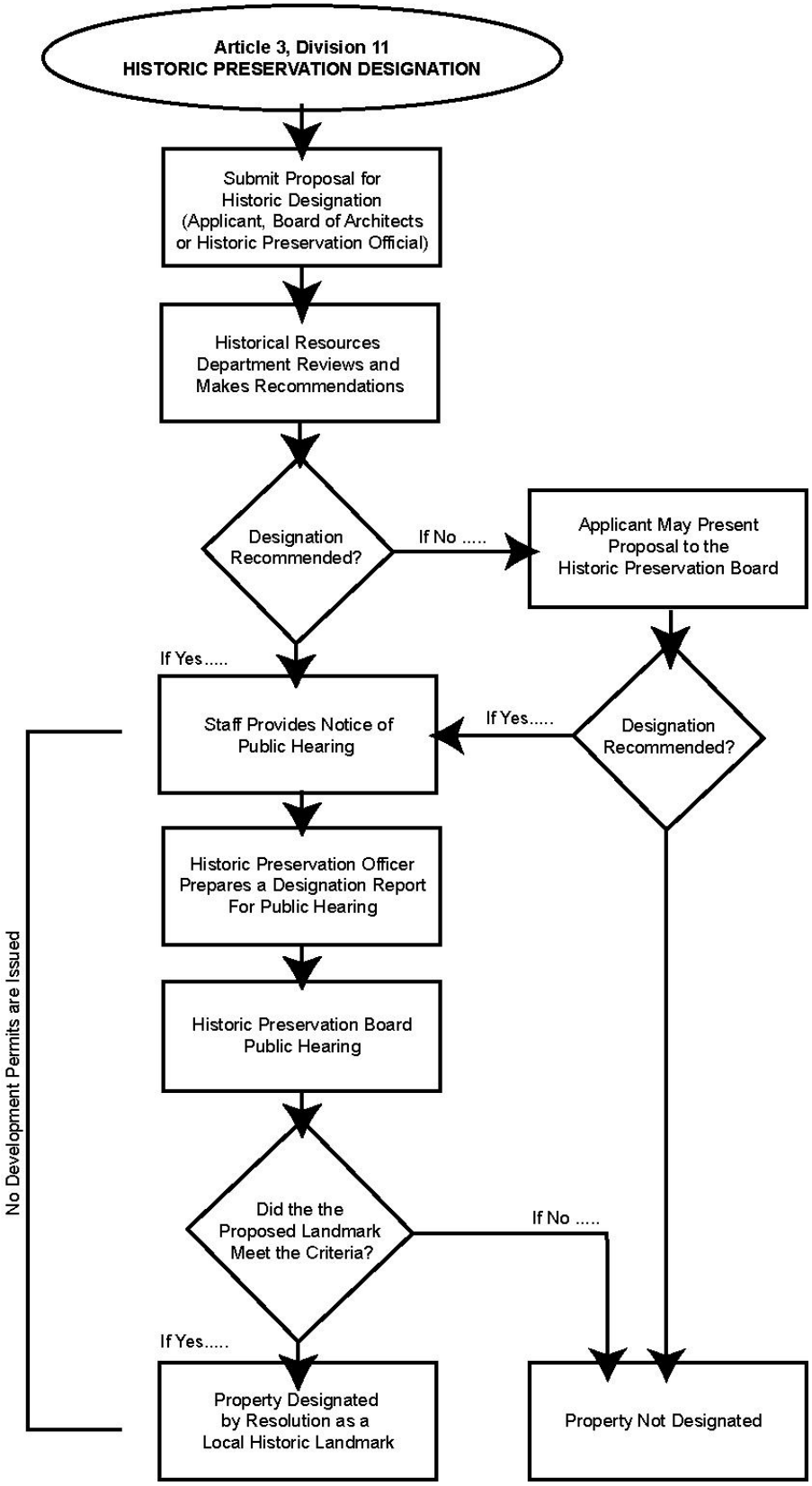
A. Certificates of TDRs shall be valid for up to two (2) years from date of issuance, in accordance with Section 1-111, Time limitation of approvals.

Division 11. Historic Preservation: Designations and Certificates of Appropriateness

Section 3-1101. Purpose and applicability.

The purpose of the designation of historic landmarks and districts is to promote the educational, cultural, and economic welfare of the public by preserving and protecting historic structures or sites, portions of structures, groups of structures, manmade or natural landscape elements, works of art, or integrated combinations thereof, which serve as visible reminders of the history and cultural heritage of the City, region, state or nation. Furthermore, it is the purpose of this Division to strengthen the economy of the City by stabilizing and improving property values in historic areas and to encourage new buildings and developments that will be harmonious with the existing historic attributes of the City including but not limited to buildings, entrances and fountains. In addition, the provisions of this article will assist the City and property owners to be eligible for federal tax incentives, federal and state grant funds and other potential property tax abatement programs for the purpose of furthering historic preservation activities.

Section 3-1102. General Procedures for Designation.



Section 3-1103. Criteria for designation of historic landmarks or historic districts.

Districts, sites, buildings, structures and objects of national, state and local importance are of historic significance if they possess integrity of location, design, setting, materials, workmanship, or association. In order to qualify for designation as a local historic landmark or local historic landmark district, individual properties must have significant character, interest or value as part of the historical, cultural, archaeological, aesthetic, or architectural heritage of the City, state or nation. For a multiple property nomination, eligibility will be based on the establishment of historic contexts, of themes which describe the historical relationship of the properties. The eligibility of any potential local historic landmark or local historic landmark district shall be based on meeting one (1) or more of the following criteria:

A. Historical, cultural significance:

1. Is associated in a significant way with the life or activities of a major historic person important in the past;

2. Is the site of an historic event with significant effect upon the community, city, state, or nation;

3. Is associated in a significant way with a major historic event whether cultural, economic, military, social, or political;

4. Exemplifies the historical, cultural, political, economic, or social trends of the community; or

5. Is associated in a significant way with a past or continuing institution, which has contributed, substantially to the life of the City.

B. Architectural significance:

1. Portrays the environment in an era of history characterized by one (1) or more distinctive architectural styles;

2. Embodies those distinguishing characteristics of an architectural style, or period, or method of construction;

3. Is an outstanding work of a prominent designer or builder; or

4. Contains elements of design, detail, materials or craftsmanship of outstanding quality or which represent a significant innovation or adaptation to the South Florida environment.

C. Aesthetic significance:

1. By being a part or related to a subdivision, park, environmental feature, or other distinctive area, should be developed or preserved according to a plan based on an historical, cultural, or architectural motif; or

2. Because of its prominence of spatial location, contrasts of siting, age, or scale, is an easily identifiable visual feature of a neighborhood, village, or the City and contributes to the distinctive quality or identity of such neighborhood, village, or the City. In case of a park or landscape feature, is integral to the plan of such neighborhood or the City.

D. Archaeological significance: Has yielded or may be likely to yield information important in prehistoric history or history.

E. Criteria considerations: Ordinarily cemeteries, birthplaces, or graves of historical figures, structures that have been moved from their original locations, reconstructed historic buildings, properties

primarily commemorative in nature, and properties that have achieved significance within the past fifty (50) years shall not be considered eligible for the Coral Gables Register of Historic Places. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories.

1. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with an historic person or event;

2. A birthplace or grave of an historical figure of outstanding importance if there is not appropriate site or building directly associated with his or her productive life;

3. A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;

4. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and no other building or structure with the same association has survived;

5. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or

6. A property achieving significance within the past fifty (50) years if it is of exceptional importance.

Section 3-1104. Designation procedures.

Properties which meet the criteria for local historic landmarks and local historic landmark districts set forth in Section 3-1103 shall be designated according to the following procedures:

A. Proposals for designation of potential local historic landmarks and local historic landmark districts:

1. Proposals for designation of potential local historic landmarks and local historic landmark districts may be submitted to the Historical Resources Department for recommendation to the Historic Preservation Board by the Board of Architects or any citizen or property owner who provides information, which illustrates that the property meets the criteria for listing as set forth in Section 3-1103. The information submitted must include sufficient preliminary information to enable the staff's review for an initial determination that the property meets the minimum eligibility criteria. The proposal shall include a legal description of the property and a statement explaining its historic, cultural, aesthetic or architectural significance. In addition to furnishing any necessary information, the applicant may be required to pay applicable fees, if any. If the department's initial determination is that the property does not meet the minimum eligibility criteria for listing, the applicant may present the proposal for designation to the Historic Preservation Board;

2. The Board may, on their own or upon the recommendation from staff or any citizen pursuant to Subsection (a) 1. of this section, direct staff to begin the designation process by preparing a designation report pursuant to Subsection (b) below of this section and any other standards the Board may deem necessary, submitting this report to the procedures described herein, and arranging for a public hearing before the Historic Preservation Board on this matter; or

3. Whenever a determination is made by either the Director of the Historical Resources Department or the Historic Preservation Board that an application for historic designation shall proceed to public hearing as provided in this Division, no development permits shall be issued until the public hearing is held and a determination made on the subject designation in accordance with the provisions of Section 3-1104(C). In the case where an owner seeks a demolition permit, the public hearing shall be held at the next regularly scheduled meeting where notice can be provided.

B. Preparation of historic landmark designation report. For every proposed designated historic landmark and historic landmark district, the Historic Preservation Officer shall prepare a designation report, which shall be presented to the Board at a regularly scheduled meeting. The report shall contain the following:

1. Proposed boundaries. Boundaries for individual historic sites shall generally include the entire property or tract of land, unless such tract is so large that portions thereof are visually and functionally unrelated to any significant historic improvement. Proposed historic district boundaries shall, in general, be drawn to include all appropriate properties reasonably contiguous within an area and may include noncontributing properties which individually do not conform to the historic character of the district, but which require regulation in order to control potentially adverse influences on the character and integrity of the district. Where reasonably feasible, historic district boundaries shall include frontage on both sides of streets and divide the proposed historic landmark districts from other zoning districts in order to minimize interdistrict frictions. Archaeological zone boundaries shall generally conform to natural physiographic features, which were the focal points for prehistoric and historic activities.

2. Optional internal boundaries. Internal boundaries may subdivide an historic landmark district into sub areas and transitional areas as appropriate for regulatory purposes. If a proposed historic landmark or historic landmark district is visually related to the surrounding areas in such a way that actions in the surrounding area would have potentially adverse environmental influences on its character and integrity, proposed boundaries for such transitional areas may be included within the historic landmark or historic landmark district.

3. Detailed regulations. Every historic landmark and historic landmark district may be assigned a set of detailed zoning district regulations. Such regulations may be designed to supplant or modify any element of existing zoning regulations, including but not limited to the following: use, floor area ratio, density, height, setbacks, parking, minimum lot size, and transfer of development rights, or create any additional regulations provided for in this section. The zoning amendment may identify individual properties, improvements, landscape features, or archaeological sites, or categories or properties, improvements, landscape features, or archaeological sites for which different regulations, standards and procedures may be required.

4. Significance analysis. A report shall be submitted establishing and defining the historic significance and character of the proposed historic landmark or historic landmark district, setting forth the criteria upon which the designation of the historic landmark, or historic landmark district, and its boundaries are based, and describing the improvements and landscape features of public significance, present trends and conditions, and desirable public objectives for future conservation, development, or redevelopment. The report shall include a review guide which identifies the major exterior features of any improvements or landscape features which contribute significantly to the historic character of the historic landmark site or historic landmark district. A designation report for an historic landmark shall also contain a location map and photographs of all designated exterior surfaces (and interior if applicable).

5. Optional designation of interiors. Normally interior spaces shall not be subject to regulation under this section; however, in cases of existing structures having exceptional architectural, artistic, or historical importance, interior spaces which are customarily open to the public may be specifically designated. The designation report shall describe precisely those features subject to review and shall set forth standards and guidelines for such regulations.

C. Procedures for notification and hearings on proposed designation. The Board shall hold a public hearing with notification as follows:

1. Notification of Owners. For each proposed designation of an historic landmark or historic landmark district, the Historical Resources Department is responsible for mailing a copy of the

designation report and a courtesy notice of public hearing to all property owners of record whose properties are located within the boundaries of the designation. This notice shall serve as notification of the intent of the Board to consider designation of the property at least ten (10) days prior to a public hearing held pursuant to this section. However, failure to receive such courtesy-notice shall not invalidate the action of the Board. The property shall be posted at least ten (10) days prior to the hearing.

2. Notice of Public Hearings. Additional notice of public hearings shall be provided in accordance with the provision of Article 3, Division 3 of these regulations.

3. Decision of the Board. If after a public hearing the Board finds that the proposed local historic landmark or proposed local historic landmark district meets the criteria set forth in Section 3-1103, it shall designate the property as a local historic landmark or local historic landmark district. All decisions of the Board shall be by Resolution. If zoning regulations are recommended to be changed in the designation report and the Historic Preservation Board agrees, then such recommendation shall be reviewed in accordance with the provisions of Article 3, Division 14 of these regulations.

4. Notification of the Board actions. The Historic Preservation Officer shall provide a courtesy notice to the following of its action with a copy of the Resolutions:

   a. Building and Zoning Department.

   b. Planning Department.

   c. City Clerk.

   d. Public Works Department.

   e. Owners of affected property and other parties having an interest in the property, if known.

   f. Any other municipal agency, including agencies with demolition powers that may be affected by this action.

5. Development permits suspended during consideration of designation.

   a. Upon the filing of a designation report by the staff with the Historic Preservation Board, the owner(s) of the real property which is the subject matter of the designation report or any individual or private or public entity shall not:

      i. Erect any structure on the subject property, or
      ii. Alter, restore, renovate, move or demolish any structure on the subject property until such time as a final administrative action, as provided by this division, is completed.

   b. Suspension of development review shall expire when:

      i. The Historic Preservation Board determines that the property is not significant and an appeal to the City Commission is denied;
      ii. An appeal to the City Commission for the designation of the property is upheld; or
      iii. A Certificate of Appropriateness is issued subject to the conditions herein.

6. Recording of designation. The City Clerk shall provide the circuit court clerk with all designations for the purpose of recording such designations in the public record.

7. Appeal of designation. Within ten (10) days from the date of a decision of the Historic Preservation Board, any resolution of the Historic Preservation Board may be appealed to the

City Commission, as provided for under Article 3, Division 6 otherwise the Resolution will be final.

Section 3-1105. Procedures for review of national register properties.

The City was granted Certified Local Government (CLG) status in November of 1986. Review of national register nominations is a function of a CLG and shall be governed by "Florida Guidelines for Certified Local Governments."

A. The Historic Preservation Officer will, within thirty (30) days after receipt of a national register nomination, determine whether the nomination is technically complete and notify the nomination's sponsor of such determination.

B. If the nomination is technically complete, the Historic Preservation Officer shall, at least thirty (30) days but not more than seventy-five (75) days prior to the Historic Preservation Board meeting at which the proposal is to be considered, notify the following:

   1. Owner(s) of record; and

   2. Appropriate local official(s).

C. Nomination proposals to be considered by the Historic Preservation Board shall be on file in the office of the Historic Preservation Officer for at least thirty (30) days but not more than seventy-five (75) days prior to the Board meeting at which they will be considered. A copy shall be made available by mail when requested by the public and shall be made available at a location of reasonable local public access so that written comments regarding a nomination proposal can be prepared.

D. Nomination proposals shall be considered by the Historic Preservation Board at a public hearing, and all votes shall be recorded and made part of the permanent record of that meeting. All nomination proposals shall be forwarded, with a record of official action taken by the Board and the recommendation of the appropriate local officials, to the state historic preservation officer within thirty (30) days of the Board meeting at which they were considered. If either the Historic Preservation Board or appropriate local officials or both support the nomination, the state historic preservation officer shall schedule the nomination for consideration by the Florida Review Board of the National Register as part of the normal course of business at the next regular meeting.

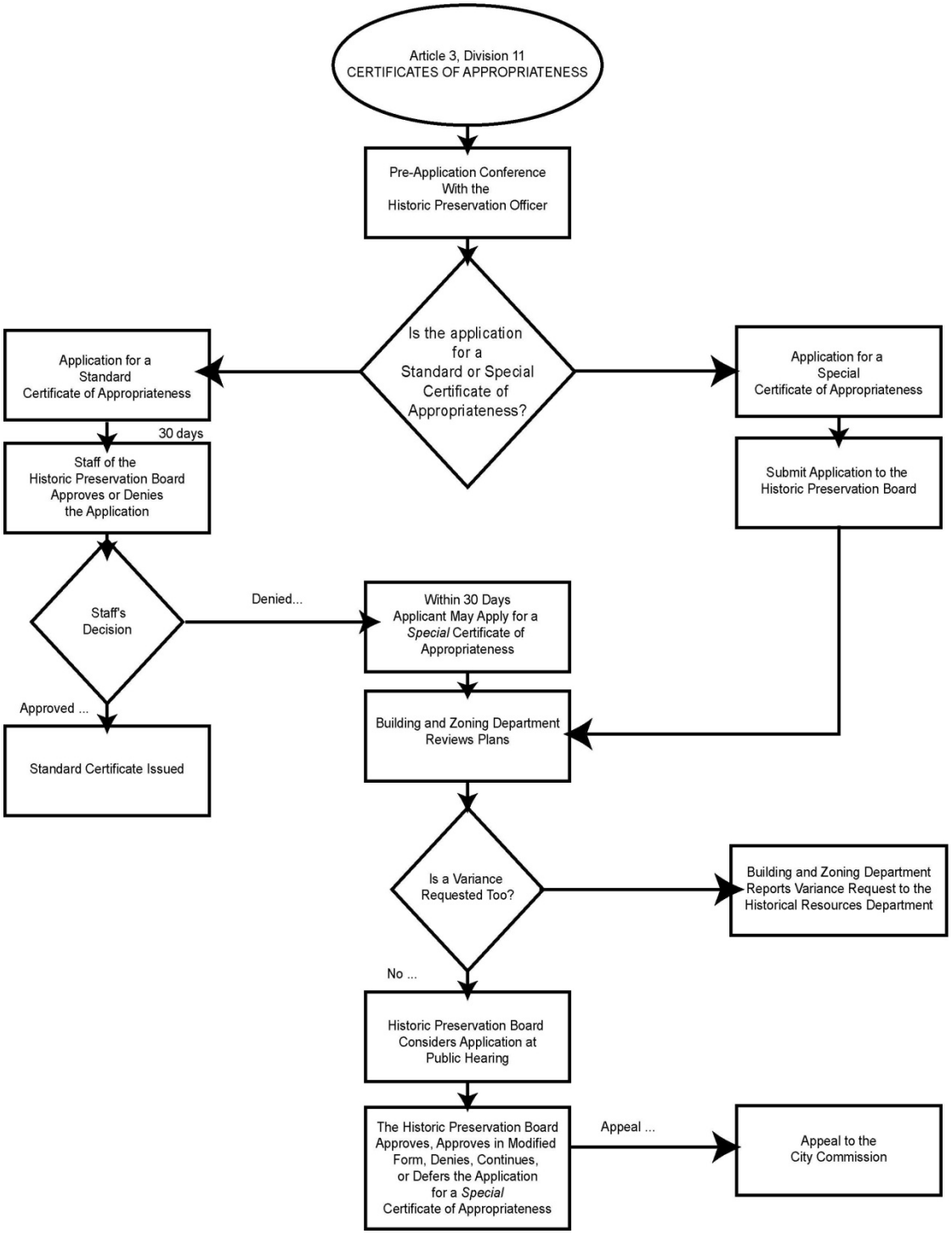
E. If both the Historic Preservation Board and appropriate local officials recommend that a property not be nominated to the national register, the state historic preservation officer shall take no further action on the nomination unless an appeal is filed with the state historic preservation officer. Any reports and recommendations that result from such a situation shall be included with any nomination submitted by the state historic preservation officer to the U.S. Secretary of the Interior.

F. Any person or organization which supports or opposes the nomination of a property to the national register shall be afforded the opportunity to make its views known in writing. An owner or owners of a private property who wish to object to the nomination shall provide the Historic Preservation Board with a notarized statement certifying that the party is the sole or partial owner of the property as appropriate. All correspondence regarding a nomination proposal shall become part of the permanent record concerning that proposal and shall be forwarded with approved proposals to the state historic preservation officer.

G. Appeals. Any person may appeal the decision of the Historic Preservation Board in its review of national register nominations. Appeals should be directed to the state historic preservation officer in writing within thirty (30) days of the decision of the Historic Preservation Board. Nominations or proposals which have been appealed shall be considered by the Florida Review Board for the National Register as part of the normal course of business at its next regular meeting. If the opinion is that the property or properties is or are significant and merit nomination to the national register, the state historic preservation officer shall notify the City's Historic Preservation Board within thirty (30)

days of the national register review Board meeting of its intent to forward the nomination to the national register with a recommendation that the property or properties be listed.

Section 3-1106. Certificates of Appropriateness.



A. Certificate Required.

No building, structure, improvement, landscape feature, or archaeological site within the City, which

has been designated an historic landmark or historic landmark district, shall be erected, altered, restored, rehabilitated, excavated, moved, reconstructed or demolished until an application for a Certificate of Appropriateness regarding any architectural features, landscape features, or site improvements has been submitted and approved pursuant to the procedures in this Division. Unless otherwise specified, exterior alterations, additions, demolitions, etc. to non-contributing structures or properties within historical landmark districts shall be reviewed and approved by the Historic Preservation Board and/or Historical Resources Department.

B. Guidelines for review of certificates.

1. The Historic Preservation Board has adopted the U.S. Secretary of the Interior's Standards for Rehabilitation as the standards by which applications for any Certificate of Appropriateness are to be measured and evaluated. In adopting these guidelines, it is the intent of the Board to promote maintenance, restoration, adaptive reuses appropriate to the property, and compatible contemporary designs which are harmonious with the exterior architectural and landscape features of neighboring buildings, sites and streetscapes. These guidelines shall also serve as criteria for staff to make decisions regarding applications for Standard Certificates of Appropriateness. From time to time, the Board may adopt additional standards to preserve and protect special features unique to the City.

2. For applications related to alterations or new construction, the proposed work shall not adversely affect the historic, architectural, or aesthetic character of the subject improvement or the relationship and congruity between the subject improvement and its neighboring improvements and surroundings, including but not limited to form, spacing, height, setbacks, materials, color, or rhythm and pattern of window and door openings in building facades; nor shall the proposed work adversely affect the special character of special historical, architectural or aesthetic interest or value of the overall designated historic landmark or historic landmark district. Except where special standards and guidelines have been specified in the ordinance creating a particular designated historic landmark or historic landmark district, or where the Board has subsequently adopted additional standards and guidelines for a particular designated historic landmark or historic landmark district, decisions relating to alteration or new construction shall be guided by the U.S. Secretary of the Interior's standards for rehabilitation.

C. Duration of approval of certificates. Unless otherwise provided in the Certificate of Appropriateness, both Standard and Special Certificates of Appropriateness shall expire after two (2) years if no building permit is issued. Staff may grant an extension of up to an additional one hundred and eighty (180) days for restoration or rehabilitation work subject to the following:

1. Request for the extension is submitted in writing to the Historical Resources Department.

2. The work completed is consistent with the approved scope of work.

D. Preapplication conference.

Before submitting an application for a Certificate of Appropriateness, an applicant shall confer with the Historic Preservation Officer to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys, and other data. The Historic Preservation Officer or his/her representative, may, at the request of the applicant, hold additional preapplication conference(s) with the applicant. The purpose of such conference(s) is to further discuss and clarify conservation objections and design guidelines in cases that do not conform to established objectives and guidelines. In no case, however, shall any statement or representation made prior to the official application review be binding on the Board, the City Commission or any City departments.

E. Standard certificates.

Based on the standards for rehabilitation, the designation report, a complete application for a Standard Certificates of Appropriateness, any additional plans, drawings or photographs to fully describe the proposed alteration and any other guidelines the Board may deem necessary, the Historic Preservation Officer (HPO) shall, within thirty (30) days from the date a complete application has been filed, approve or deny the application for a Standard Certificate of Appropriateness by the owner of an existing improvement or landscape feature within the boundaries of a designated historic landmark or historic landmark district. The findings of the staff shall be mailed to the applicant accompanied by a statement in full regarding the staff's decision. The applicant shall have an opportunity to challenge the staff's decision by applying for a Special Certificate of Appropriateness within thirty (30) days of the date of staff's findings.

F. Special certificates.

1. An applicant for a Special Certificate of Appropriateness, whether for alteration, addition, restoration, renovation, excavation, moving or demolition, shall submit his application to the Historic Preservation Board accompanied by full plans and specifications, site plan, and samples of materials as deemed appropriate by the Board to fully describe the proposed appearance, color, texture or materials, and architectural design of the building and any outbuilding, wall, courtyard, fence, landscape feature, paving signage, and exterior lighting. The applicant shall provide adequate information to enable the Board to visualize the effect of the proposed action on the applicant's building and its adjacent buildings and streetscapes. If such application involves a designated archaeological zone, the applicant shall provide full plans and specifications of work that may affect the surface and subsurface of the archaeological site. An applicant may apply for an accelerated Certificate of Appropriateness that is reviewed by the Historic Preservation Board at the same meeting as the public hearing for designation of the subject property.

2. The Building and Zoning Department shall review all plans for alterations, additions, restoration or renovation of Historic Landmarks prior to the Board's consideration of such Special Certificate of Appropriateness and shall report any variance items in connection with the proposed construction to the Historical Resources Department.

3. In the event the applicant is requesting a Special Certificate for demolition, the Board shall be provided with the details for the proposed disposition of the site. The Board may require architectural drawings of any proposed new construction.

4. An applicant requesting a Special Certificate of Appropriateness for a reconstructed building, whether for alteration, addition, restoration, renovation, excavation, moving or demolition shall follow the same process to receive the Board's approval. A reconstructed building will be clearly identified for the public.

5. A public notice of a request for a Special Certificate of Appropriateness shall be published one (1) time in a newspaper of general circulation published in the City of Coral Gables, or in Miami-Dade County, Florida, at least ten (10) days prior to the date of such hearing. All such notices published in a newspaper shall state in substance the request and shall give the date, time, and place of the public hearing. All properties being considered by the Historic Preservation Board for a request for a Special Certificate of Appropriateness shall be posted at least ten (10) days in advance of the public hearing. Such posting shall consist of a sign, the face surface of which shall be not be larger than forty (40) square inches and shall contain the following language:

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

6. The posting of the property shall comply with Article 3, Division 3 of these regulations.

G. Appeal of Decision of Board. An appeal from any decision of the Historic Preservation Board may be taken to the City Commission by any aggrieved party in accordance with the provisions of Article 3, Division 6.

H. Decision of the Board.

1. The decision of the Historic Preservation Board shall be based upon the guidelines set forth in Section 3-1106(B) as well as the general purpose and intent of this Division and any specific planning objectives and design guidelines officially adopted for the particular historic landmark or historic landmark district. No decision of the Board shall result in an undue economic hardship for the owner, provided, however, that the Board has determined the existence of such hardship in accordance with the provisions of Section 3-1115. The decision of the Board shall include a complete description of the reasons for such findings, and which details the public interest which is sought to be preserved, and shall direct one (1) or more of the following actions:

   a. Approval of a Special Certificate of Appropriateness for the work proposed by the applicant;

   b. Approval of a Special Certificate of Appropriateness with specified modifications and conditions;

   c. Denial of the application and refusal to grant a Special Certificate of Appropriateness for modification or demolition; or

   d. Approval of a Special Certificate of Appropriateness with a deferred effective date in cases of demolition or moving a significant improvement or landscape feature, pursuant to the provisions of Sections 3-1107, 3-1108 and 3-1109.

2. The Historic Preservation Board shall act upon an application within sixty (60) days of the Board's receipt of the completed application adequately describing the proposed action. The Board shall approve, approve in modified form, deny, continue or defer the application. The time limit may be waived at any time by mutual written consent of the applicant and the Board.

3. Evidence of approval of the application shall be by the recording in the minutes of the Certificate of Appropriateness granted by the Board.

4. When an application is denied, the Board's notice shall provide an explanation of the basis of the decision**.** When a Special Certificate of Appropriateness is granted, the proceedings of the Historic Preservation Board shall state the basis for granting the Special Certificate of Appropriateness. Such record shall be filed in the office of the Historical Resources Department, and shall be open for public inspection.

5. A written record of the proceedings of the Board shall be kept and produced, showing its action on each Special Certificate of Appropriateness considered. The record when pertaining to the record of the Board or official from which appeal is taken shall include any application, exhibits, appeal papers, written objections, waivers or consents, considered by the Board as well as transcripts or stenographic notes taken for the department at a hearing held before the Historic Preservation Board, the Board minutes, and resolution indicating its decision.

I. Changes in approved work. Any change in work proposed subsequent to the issuance of a Certificate of Appropriateness shall be reviewed by the Board's staff. If the Board's staff finds that the proposed change does not materially affect the historic character, or the proposed change is in accord with approved guidelines, standards and certificates of appropriateness, it may issue a supplementary Standard Certificate of Appropriateness for such change. If the proposed change is not in accordance with guidelines, standards, or certificates of appropriateness previously approved

by the Board, a new application for a Special Certificate of Appropriateness shall be required.

J. Ordinary maintenance and repair. Nothing in this Division shall be construed to prevent the ordinary maintenance or repair of any improvement which does not involve a change of design, appearance or material, or to prevent ordinary maintenance of landscape features.

Section 3-1107. Demolition.

A. No permit for demolition of a designated building, structure, improvement or site shall be issued to the owner thereof until an application for a Special Certificate of Appropriateness has been submitted and approved pursuant to the procedures in this Article. Denial of such application indefinitely and refusal by the Board to grant a Special Certificate of Appropriateness to demolish shall be evidenced by written order detailing the public interest which is sought to be served. The Historic Preservation Board shall be guided by the criteria contained in subsection (D) below.

B. The Board may grant a Special Certificate of Appropriateness to demolish with a deferred effective date. The effective date shall be determined by the Board based upon the significance of the structure and the probable time required to arrange a possible alternative to demolition. During the demolition deferral period, the Board may take such steps as it deems necessary to preserve the structure concerned, in accordance with the purposes of this division. Such steps may include, but shall not be limited to, consultation with civic groups, public agencies and interested citizens, recommendations for acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one (1) or more structures or other features. After the specified expiration of the deferred Special Certificate of Appropriateness, a demolition permit shall be issued if requested forthwith by the appropriate administrative officials.

C. As a condition of granting any Certificate of Appropriateness, standard or special, for demolition of buildings or improvements designated as historic landmarks or located in an historic landmark district, the Board may require at the owner's expense, salvage and preservation of specified classes of building materials, architectural details and ornaments, fixtures, and the like for reuse in restoration of other historic properties. The Board may also require, at the owner's expense, the recording of the improvement for archival purposes prior to demolition. The recording may include, but shall not be limited to, photographs and scaled architectural drawings.

D. In addition to all other provisions of this Division, the Board shall consider the following criteria in evaluating applications for a Special Certificate of Appropriateness for demolition of designated properties:

1. The degree to which the building, structure, improvement or site contributes to the historic and/or architectural significance of the historic site or district;

2. Whether the building, structure, improvement or site is one of the last remaining examples of its kind in the neighborhood, the county or the region;

3. Whether the loss of the building, structure, improvement or site would adversely affect the historic and/or architectural integrity of the historic site or district;

4. Whether the retention of the building, structure, improvement or site would promote the general welfare of the City by providing an opportunity for study of local history, architecture, and design or by developing an understanding of the importance and value of a particular culture and heritage;

5. Whether architectural plans have been presented to the Board for the reuse of the property if the proposed demolition were to be carried out, and the appropriateness of said plans to the character of the historic site or district, if applicable; and demonstration as well as the posting of a bond requirement that there are sufficient funds in place to carry out such plans;

6. Whether the building, structure, improvement or site poses an imminent threat to the public health or safety;

7. Whether the applicant has demonstrated that retention of the building, structure, improvement or site would create an unreasonable or undue economic hardship as described in Section 3-1115; and

8. Whether there is a compelling public interest requiring the demolition.

E. As a condition of granting a Certificate of Appropriateness for demolition, the Historic Preservation Board may require that no building permit be issued for the demolition of said structure until a building permit for the construction of a new building has been issued.

F. The owner of the property shall permit access to the subject property for the purpose of inspections and/or appraisals required by the Historic Preservation Board or Historic Preservation Officer.

G. All demolition permits for non-designated buildings and/or structures must be approved by the Historic Preservation Officer or designee. The approval is valid for eighteen (18) months from issuance and shall thereafter expire and the approval is deemed void unless the demolition permit has been issued by the Development Services Department. The Historic Preservation Officer may require review by the Historic Preservation Board if the building and/or structure to be demolished is eligible for designation as a local historic landmark or as a contributing building, structure or property within an existing local historic landmark district. This determination of eligibility is preliminary in nature and the final public hearing before the Historic Preservation Board on Local Historic Designation shall be within sixty (60) days from the Historic Preservation Officer determination of "eligibility." Consideration by the Board may be deferred by mutual agreement by the property owner and the Historic Preservation Officer. The Historic Preservation Officer may require the filing of a written application on the forms prepared by the Department and may request additional background information to assist the Board in its consideration of eligibility. Independent analysis by a consultant selected by the City may be required to assist in the review of the application. All fees associated with the analysis shall be the responsibility of the applicant. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; archeological assessments; and historic assessments.

H. The damage, destruction, or demolition of any building, structure, improvement or site or portion thereof protected by this Division (a) for which a certificate of appropriateness for demolition has not been granted, or (b) which was carried out in violation of the provisions for demolition and demolition by neglect under the provisions of this Section, shall cause the City to reject an application for a building permit until the following criteria have been met:

1. A pre-application shall be submitted to the Historical Resources Department containing the following information:

   a. A detailed sworn explanation outlining the facts surrounding the unlawful damage, destruction, or demolition.

   b. Evidence that any and all code enforcement fines have been paid.

   c. Evidence that all violations on the property have been corrected or a stipulation outlining the agreed upon steps to correct all outstanding violations.

2. Review and approval of the Historical Resources Department checklist by the following departments so that the applications for issuance of a building permit may proceed.

   a. Building and Zoning.

b. Planning.

c. Public Works.

d. Public Service.

e. Historic Resources.

f. City Manager.

g. City Attorney.

3. All approvals issued within the parameters of this section shall not be construed to be a development order and shall not be evidence of approval by any of the City's departments of the building permit.

I. The ad valorem tax exemption provided for under Sections 3-1118-1120 does not apply to buildings, structures, improvements or sites that have been demolished in violation of this Section.

Section 3-1108. Demolition by neglect.

A. Demolition by neglect is any failure to comply with the minimum required maintenance standards of this Section, whether deliberate or inadvertent.

B. The owner of any building, structure, landscape feature, improvement, site or portion thereof which has been historically designated pursuant to the Historic Preservation provisions of this Division shall be required to properly maintain and preserve such building or structure in accordance with the standards set forth in the applicable sections of the Florida Building Code, and this Division.

1. It is the intent of this Section to preserve from deliberate or inadvertent neglect, the interior, exterior, structural stability and historic and architectural integrity of any historically designated building, structure, landscape feature, improvement, site or portion thereof. All such properties, building and structures shall be maintained in accordance to minimum maintenance standards, preserved against decay, deterioration and demolition and shall be free from structural defects through prompt and corrective action to any physical defect which jeopardizes the building's historic, architectural and structural integrity; such defects shall include, but not be limited to, the following:

a. Deteriorated and decayed facades or façade elements, including but not limited to, facades which may structurally fail and collapse entirely or partially;

b. Deteriorated or inadequate foundations;

c. Defective or deteriorated flooring or floor supports or any structural members of insufficient size or strength to carry imposed loads with safety;

d. Deteriorated walls or other vertical structural supports, or members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration;

e. Structural members of ceilings, roofs, ceiling and roof supports or other horizontal members which sag, split or buckle due to defective material or deterioration;

f. Deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken or missing windows or doors;

g. Defective or insufficient weather protection which jeopardizes the integrity of exterior or interior walls, roofs or foundations, including lack of paint or weathering due to lack of paint or other protective covering;

h. Any structure which is not properly secured and is accessible to the general public;

i. Any fault or defect in the property that renders it structurally unsafe or not properly watertight; and

j. The spalling of the concrete of any portion of the interior or exterior of the building.

2. A City code enforcement official who finds a violation of this Section shall issue a written warning to the violator to immediately correct the violation. If any building, structure, landscape feature, improvement, site, or portion thereof which has been historically designated pursuant to the Historic Preservation provisions, in the opinion of the Historic Preservation Board, or the Historic Preservation Officer in this Division, or the City's Building Official, falls into a state of disrepair so as to potentially jeopardize its structural stability and/or architectural integrity, and/or the safety of the public and surrounding structures, the Historic Preservation Officer or the City's Building Official shall have right of entry onto the subject property and may inspect the subject property after forty-eight (48) hours notice to the owner of intent to inspect. In the event the property owner refuses entry of any City official onto the subject property, the City may file an appropriate action to allow such officials access to the subject property for an inspection. The City may require that the property owner retain a professional structural engineer with comprehensive experience with historically designated properties registered in the state, to complete a structural evaluation report to be submitted to the City. Upon receipt of such report, the property owner shall immediately take steps to effect all necessary remedial and corrective actions to restore the structure's or building's compliance with the required minimum maintenance standards herein; remedial action in this regard shall include, but not be limited to, the structural shoring, stabilization and/or restoration of any or all exterior walls, including their original architectural details, interior load bearing walls, columns and beams, roof trusses and framing, the blocking of openings and securing of existing windows and door openings, as well as sealing of the roof surface against leaks, including holes, punctures, mechanical systems, and/or roof penetrations as necessary to preserve the building or structure in good condition. The owner shall substantially complete such remedial and corrective action within thirty (30) days of receipt of the report, or within such time as deemed appropriate by the building official, in consultation with the Historic Preservation Officer. Such time may be extended at the discretion of the City's building official, in consultation with the Historic Preservation Officer.

3. If the owner of the subject property, in the opinion of the City's Building Official and Historic Preservation Officer, fails to undertake and substantially complete the required remedial and corrective action within the specified time frame, the City may, at the expense of the owner, file an action seeking an injunction ordering the property owner to take the remedial and corrective action to restore the structure or building into compliance with the required minimum maintenance standards herein and seeking civil penalties, such civil action may only be initiated at the discretion of the City Manager or designee. The court shall order an injunction providing such remedies if the City proves that the property owner has violated the required minimum maintenance standards or any portion of this section or this code.

4. Any historically designated building, structure, landscape feature, improvement, site, or portion thereof which requires an application for a certificate of appropriateness for demolition shall not have its architectural features removed, destroyed or modified until the certificate of appropriateness is granted. Owners of such property shall be required to maintain such properties in accordance with all applicable codes up to the time the structure is demolished.

5. There shall be no variances, by either the Board of Adjustment or the Historic Preservation Board, from any of the provisions contained in this Section, except if the property owner

demonstrates to the Board that the required remedial and corrective action would create an unreasonable or undue hardship as described in Section 3-1115.

C. The ad valorem tax exemption provided for historic properties under Sections 3-1118-1120 does not apply to historically designated buildings, structures, landscape features, improvements or sites that are damaged, destroyed or demolished in violation of this Section.

Section 3-1109. Moving of existing improvements.

The moving of significant improvements from their original location shall be discouraged; however, the Historic Preservation Board may grant a Special Certificate of Appropriateness if it finds that no reasonable alternative is available for preserving the improvement on its original site and that the proposed relocation site is compatible with the historic and architectural integrity of the improvement.

Section 3-1110. Removal or destruction of existing landscape features.

A. No Certificate of Appropriateness shall be granted for removal, relocation, concealment, or effective destruction by damage of any landscape features or archaeological sites especially designated as significant within the boundaries of an historic landmark or historic landmark district unless one (1) of the following conditions exists:

1. The designated landscape feature or archaeological site is located in the buildable area or yard area where a structure may be placed and unreasonably restricts the permitted use of the property;

2. The designated vegetation is inappropriate in an historical context or otherwise detracts from the character of the district; or

3. The designated vegetation is diseased, injured, or in danger of falling, unreasonably interferes with utility service, creates unsafe vision clearance or conflicts with other applicable laws and regulations.

B. As a condition contained in the Certificate of Appropriateness, the applicant may be required to relocate or replace designated vegetation.

Section 3-1111. Construction, excavation or other disturbance in archaeological zones.

In cases where new construction, excavation, tree removal, or any other activity may disturb or reveal an interred archaeological site, the Historic Preservation Board may issue a Certificate of Appropriateness, standard or special, with a delayed effective date up to forty-five (45) days. During the delay period, the applicant shall permit the subject site to be examined under the supervision of an archaeologist approved by the Board. A Certificate of Appropriateness may be denied if the site is of exceptional importance and such denial would not unreasonably restrict the primary use of the property.

Section 3-1112. Reconstruction of destroyed historic landmarks.

A. Except as provided in the Historic Preservation Code, in the event of a catastrophic occurrence, including, but not limited to, fire, tornado, tropical storm, hurricane, other act of God, or major accidental damage not the fault of the owner which results in damage to an historic building, structure, landscape feature, improvement or site that:

1. Exceeds fifty (50%) percent of the replacement value of the building or structure at the time of damage as determined by the building official after consultation with the Historic Landmark Officer. Upon a final determination of the Historic Preservation Board such building may be reconstructed, repaired or rehabilitated, and the building or structure's total gross floor area, height, and setbacks may remain, if the following conditions are met:

a. The number of units in a repaired or rehabilitated residential and/or hotel building shall not be increased.

b. The building shall have previously been issued a certificate of use, certificate of completion, certificate of occupancy or occupational license by the City to reflect its current use.

c. The repairs or rehabilitations shall meet the requirements of the City Code, the applicable Florida Building Code, and the Life Safety Code.

d. The repairs or rehabilitations shall comply substantially with the Secretary of the Interior's Standards for Rehabilitation, as amended, as well as the certificate of appropriateness criteria in Section 3-1106.

2. Is less than fifty (50%) percent of the replacement value of the building or structure at the time of damage as determined by the building official after consultation with the Historic Landmark Officer. Such building shall be reconstructed, repaired or rehabilitated, and the building or structure's total gross floor area, height, and setbacks may remain, if the following conditions are met:

a. The number of units in a repaired or rehabilitated residential and/or hotel building shall not be increased.

b. The building shall have previously been issued a certificate of use, certificate of completion, certificate of occupancy or occupational license by the City to reflect its current use.

c. The repairs or rehabilitations shall meet the requirements of the City Code, the applicable Florida Building Code, and the Life Safety Code.

d. The repairs or rehabilitations shall comply substantially with the Secretary of the Interior's Standards for Rehabilitation, as amended, as well as the Certificate of Appropriateness criteria in Section 3-1106.

B. For the reconstruction, repair, or rehabilitation of historically designated buildings, structures, landscape features, improvements, sites or portions thereof in violation of the demolition or demolition by neglect sections, please refer to Section 3-1107 and Section 3-1108.

Section 3-1113. Variances.

The Historic Preservation Board shall have the authority to grant a variance from the terms of these regulations for those properties designated as local historic landmarks, either individual sites, buildings or structures within districts, where it is deemed appropriate for the continued preservation of the historic landmark or historic landmark district. The Board shall only authorize such variances in conjunction with an application for a Special Certificate of Appropriateness, in accordance with the provisions of Section 3-1106 and Article 3, Division 8.

Section 3-1114. Transfer of development rights.

The Historic Preservation Board shall have the authority to grant certificates of transfer of development rights (TDR) to property owner(s) of designated historic landmarks, either individual sites or buildings within districts in accordance with the criteria and standards for transfer of development rights in Article 3, Division 10 of these regulations. Any historic landmark that has transferred development rights shall not be demolished.

Section 3-1115. Undue economic hardship.

A claim of undue economic hardship may only be asserted in conjunction with an application to the Historic Resources Department with an application for a Special Certificate of Appropriateness, in accordance with Section 3-1106, which shall be considered by the Historic Preservation Board at a public hearing.

Application submittal and review requirements. The application shall be considered by the Historic Preservation Board within sixty (60) days of application submittal. Consideration by the Board may be deferred by mutual agreement by the property owner and the Historic Preservation Officer. The applicant filing the claim shall file a written application on the forms prepared by the Department. The application shall include an affidavit validating all submitted information. Independent analysis by a consultant selected by the City may be required to assist in the review of the application. All fees associated with the analysis shall be the responsibility of the applicant. The types of reviews that could be conducted may include but are not limited to the following: property appraisals; archeological assessments; and historic assessments. The Historic Preservation Board may also require the applicant to provide additional information to assist in its findings and determination of undue economic hardship.

As a minimum, the applicant shall provide at time of application, the following information:

A. For all property:

1. The amount paid for the property, the date of purchase and the name of the previous property owner(s).

2. The assessed value of the land and all improvements thereon, according to the two (2) most recent Miami-Dade County property assessment records.

3. Real estate taxes for the previous two (2) years.

4. Annual debt service, if any, for the previous two (2) years.

5. All appraisals obtained within the previous two (2) years by the property owner or applicant in connection with the purchase, financing or ownership of the property.

6. Any property sale listing(s) of the property for sale or rent, price asked and offers received, if any.

7. Any consideration by the property owner as to profitable adaptive uses for the property.

8. Two (2) appraisals completed by two (2) separate State of Florida certified appraisers, completed within six (6) months of application submittal.

B. For income producing property:

1. Annual gross income received from the property and all improvements for the previous two (2) years.

2. The assessed value of the land and improvements thereon, according to the two (2) most recent Miami-Dade County property assessment records.

3. Annual cash flow, if any, for the previous two (2) years.

Section 3-1116. Unsafe structures.

In the event the Building Official determines that any structure within a designated historic landmark or historic landmark district is unsafe pursuant to the applicable building code adopted by the City, he/she

shall immediately notify the Historic Preservation Board with copies of such findings. Where reasonably feasible within applicable laws and regulations the building official shall endeavor to have the structure repaired rather than demolished and shall take into consideration any comments and recommendations by the board. The board may take appropriate actions to effect and accomplish preservation of such structure including, but not limited to, negotiations with the owner and other interested parties, provided that such actions do not interfere with procedures in the Florida Building Code.

Section 3-1117. Emergency conditions.

For the purpose of remedying emergency conditions determined to be imminently dangerous to life, health or property, nothing contained herein shall prevent the making of any temporary construction, reconstruction, demolition or other repairs to an improvement, landscape feature, or site within a designated historic landmark district pursuant to an order of a government agency or a court of competent jurisdiction, provided that only such work as is reasonably necessary to correct the hazardous condition may be carried out. The owner of an improvement damaged by fire or natural calamity shall be permitted to stabilize the improvement immediately and to rehabilitate it later under the normal review procedures of this Division.

Section 3-1118. Scope of tax exemptions.

A. A method is hereby created for the City Commission to allow tax exemptions for the restoration, renovation or rehabilitation of historic properties. The exemption shall apply to one hundred (100%) percent of the assessed value of all improvements to historic properties, which result from restoration, renovation or rehabilitation made on or after the effective date of this division. The exemption only applies to taxes levied by the City. The exemption does not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Section 9(b) or Section 12, Article VII of the Florida Constitution. The exemption does not apply to personal property.

B. The City of Coral Gables hereby elects to provide for an ad valorem tax exemption of fifty (50%) percent of the assessed value of certain commercial or not-for-profit historically designated properties. The exemption shall only apply to taxes levied by the City. The exemption does not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Section 9(b) or Section 12, Article VII of the Florida Constitution.

Section 3-1119. Duration of tax exemptions.

Any exemption granted under this section to a particular property shall remain in effect for ten (10) years, as specified in the ordinance approving the exemption. The duration for ten (10) years shall continue regardless of any change in the authority of the City to grant such exemptions or any changes in ownership of the property. In order to retain an exemption, the historic character of the property must be maintained over the period for which the exemption was granted.

Section 3-1120. Eligible properties and improvements.

A. Property is qualified for an exemption under this section if:

1. At the time the exemption is granted, the property is:

   a. Individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended;

   b. A contributing property within a National Register-listed district; or

   c. Individually listed in the Coral Gables Register of Historic Places, or noted as a contributing structure within a designated local historic district as enacted by ordinance of the City Commission.

B. In order for an improvement to an historic property to qualify the property for an exemption under Section 3-1118, the improvement must be:

1. Consistent with the United States Secretary of the Interior's Standards for Rehabilitation; and

2. Determined by the Historic Preservation Board to meet criteria established in rules adopted by the Department of State.

C. Property is qualified for an exemption under Section 3-1118; Subsection B above if the property meets the following criteria: (1) the property must be used for commercial purposes or used by a not-for-profit organization under s. 501(c) (3) or (6) of the Internal Revenue Code of 1986; or (2) The property must be listed in the National Register of Historic Places, as defined in Florida Statutes section 267.021; or (3) must be a local historic contributing property to a National Register Historic District; or must be a local historic landmark or a contributing property within a local historic district; and (4) The property must be regularly open to the public, which means that there are regular hours when the public may visit to observe the historically significant aspects of the building. This means a minimum of forty (40) hours per week, for forty-five (45) weeks per year, or an equivalent of eighteen hundred (1,800) hours per year. A fee may be charged to the public; however, it must be comparable with other entrance fees in the immediate geographic locale.

1. Only those portions of the property used predominantly for the purposes specified in paragraph (c) shall receive the ad valorem tax exemption of fifty (50%) percent of the assessed property value. In no event shall an incidental use of property qualify such property for an exemption or impair the exemption of an otherwise exempt property.

2. In order to retain the exemption, the historic character of the property must be maintained in good repair and condition to the extent necessary to preserve the historic value and significance of the property.

Section 3-1121. Applications for tax exemption.

A. Any person, firm or corporation that desires ad valorem tax exemption from the improvement of an historic property must, prior to construction, file with the Historical Resources Department a written application on an approved form.

B. Any person, firm or corporation who is claiming the ad valorem tax exemption provided under Section 3-1118; Subsection B shall, on or before March 1 of each year, file an application for exemption with the Miami-Dade County Property Appraiser, describing the property for which exemption is claimed and certifying its ownership and use.

Section 3-1122. Required restrictive covenant.

To qualify for an exemption, the property owner must enter into a restrictive covenant or agreement with the City Commission for the term for which the exemption is granted. The form of the covenant or agreement must be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the period that the exemption is granted. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant or agreement results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. 212.12(3).

Section 3-1123. Review by Historic Preservation Board.

The Historic Preservation Board, or its successor, is designated to review applications for exemptions. The Historic Preservation Board may recommend that the City Commission grant or deny the exemption. Such reviews must be conducted in accordance with rules adopted by the Department of State. The recommendation and the reasons therefore must be provided to the applicant and to the City Commission before consideration of the application.

Section 3-1124. Approval by the City Commission.

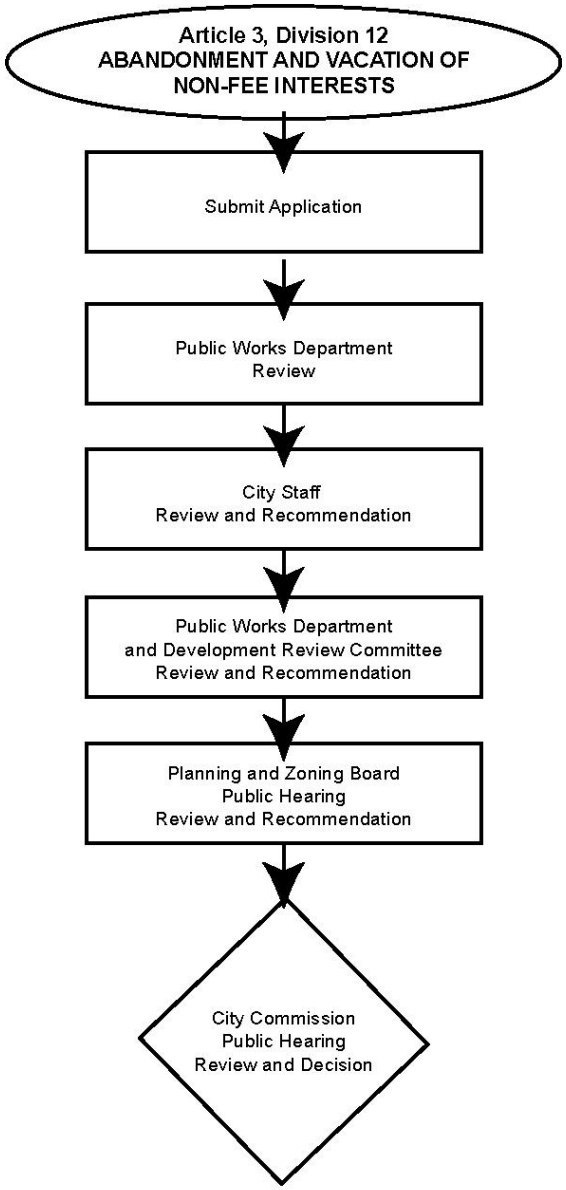
A majority vote of the City Commission shall be required to approve a written application for exemption. The City Commission shall include the following in the resolution or ordinance approving the written application for exemption:

A. The name of the owner and the address of the historic property for which the exemption is granted.

B. The period of time for which the exemption will remain in effect and the expiration date of the exemption.

C. A finding that the historic property meets the requirements of this section.

Division 12. Abandonment and Vacations



Section 3-1201. Purpose and applicability.

The purpose of this Division is to establish a uniform procedure for the review or abandonment and vacation of non-fee property interests of the City with regard to compliance with the Comprehensive Plan. This Division applies to city streets, alleys, easements and other non-fee property interests of the City of similar character.

Section 3-1202. Application.

Prior to the City Commission action with regard to abandonment or vacation, such requests for city streets, alleys, easements and other non-fee interests which the City may have in real property shall be reviewed for consistency with the Comprehensive Plan and shall be subject to conditions of approval which mitigate the impact of the abandonment or vacation of the City's real property interest and/or the impact of additional development resulting from the abandonment or vacation. All applications shall be

reviewed in accordance with the provisions of Article 3, Divisions 2 and 3 and other applicable provisions of the City's Code.

Section 3-1203. Standards for review.

Applications for abandonment and vacation of city streets, alleys, special purpose easements and other non-fee interests which the City may have in real property may be approved provided that it is demonstrated that:

A. The non-fee property interest sought to be abandoned:

1. Does not provide a benefit to the public health, safety, welfare, or convenience, in that:

a. It is not being used by the City for any of its intended purposes.

b. The Comprehensive Plan, special purpose plan, or capital improvement program does not anticipate its use; or

2. Provides some benefit to the public health, safety, welfare, or convenience, but the overall benefit anticipated to result from the abandonment outweighs the specific benefit derived from the non-fee property interest, in that:

a. The vacation or abandonment will not frustrate any comprehensive plan, special purpose plan, or capital improvement program of the City;

b. The vacation or abandonment will not interfere with any planning effort of the City that is underway at the time of the application but is not yet completed; and

B. The vacation or abandonment will provide a material public benefit in terms of promoting the desired development and improves the City's long-term fiscal condition and the applicant provides beneficial mitigation in the form of a proffered mitigation plan which mitigates the loss of real property, the increase in the intensity of use and/or impacts on the public health, safety and welfare including increased parking and traffic.

Section 3-1204. Planning and Zoning Board review and recommendation.

The Planning and Zoning Board shall:

A. Review the application at a public hearing conducted in accordance with the provisions of Article 3, Division 3.

B. Make written findings with respect to whether the application complies with the standards set out in Section 3-1203.

C. Identify appropriate conditions of approval which mitigate the impact of the vacation or abandonment of property.

D. Provide a recommendation to the City Commission with regard to whether the application should be approved, approved with conditions, or denied.

Section 3-1205. City Commission review and decision.

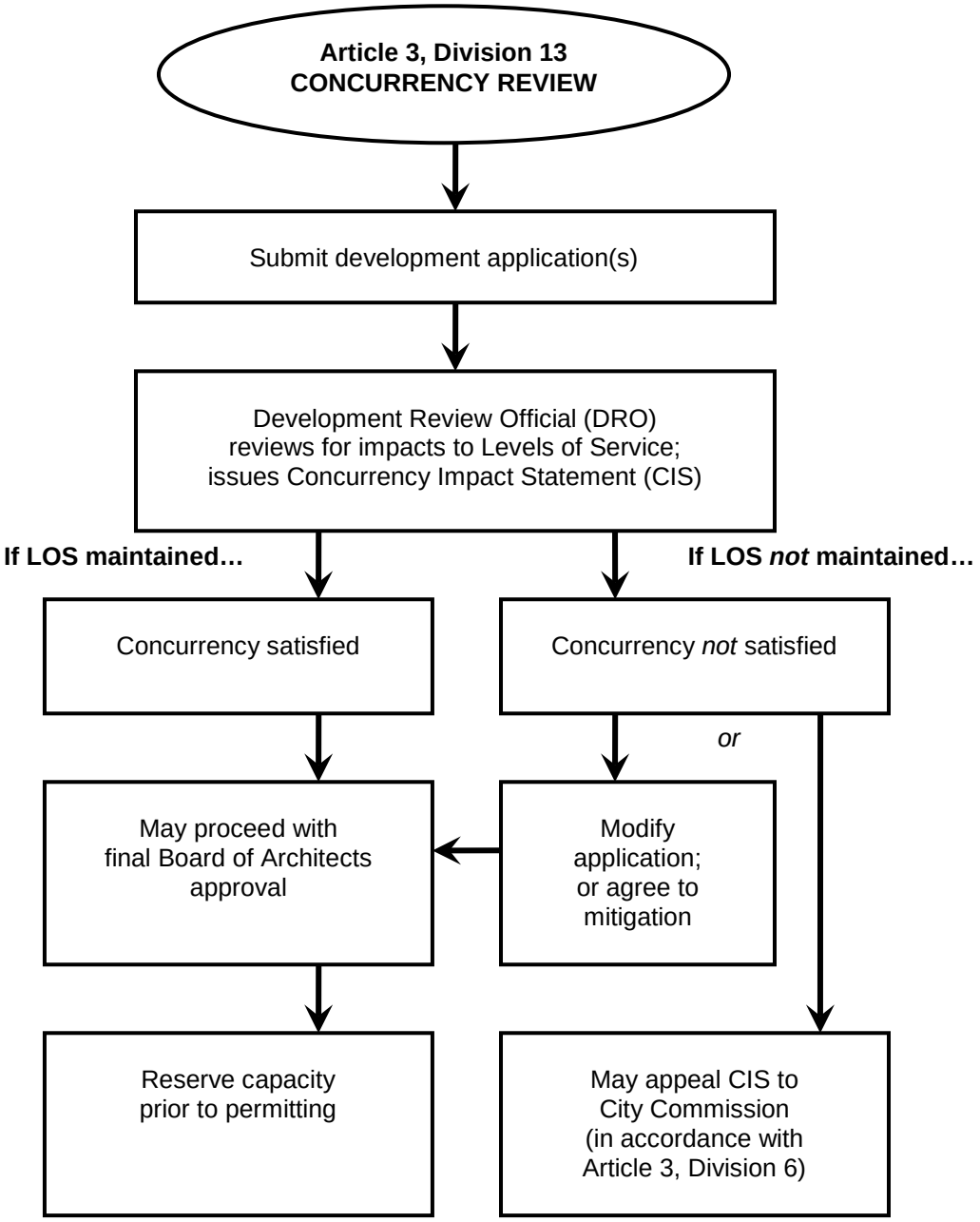
The City Commission in its sole discretion may approve, approve with conditions or deny an application for the abandonment or vacation of city streets, alleys, easement and other non-fee interests which the City may have in real property.

Division 13. Concurrency Review

Section 3-1301. Purpose and applicability.

It is the purpose of this Division to provide a process for ensuring that the public facilities and services needed to support development are available concurrent with the impacts of such development.

Section 3-1302. General procedures for concurrency review.



Section 3-1303. Concurrency review required.

A. Pursuant to Florida Statutes and the City's comprehensive plan, concurrency review is required for all applications for development approval in order to identify and address the impacts of new development on the levels of service for various public facilities and services, except as exempted under the provisions of Sections 3-1303(B) and (C) below.

B. Concurrency review is not required for the following:

1. Applications for single-family residential development platted prior to December 8, 1992.

2. Applications for additions, renovations, or reconstruction of residential dwellings which do not increase the number of dwelling units placed on the premises or approved for the property.

3. Additions, renovations, or reconstruction of uses accessory to residential dwellings.

4. Sign permits.

5. Applications which will not result in a development order.

6. Applications requesting modifications of previously approved development orders where it is determined that the impacts on the prescribed levels of service imposed by the requested modifications will be no greater than the impacts posed by the previously approved development order or the previously existing use.

7. Vested projects.

C. Certificates of use and occupancy may be issued without the requirement for further concurrency review where the applicant for the certificate of use and occupancy holds a valid, unexpired building permit for the identical use of the subject structure or site or pertinent portion thereof; provided said building permit is not subject to a development agreement of other conditions requiring the applicant, successors, or assigns to provide or contract for the construction of necessary public services and facilities or other appropriate service impact mitigation measures. Where the building permit is subject to such development agreement or appropriate conditions, no certificate of use and occupancy shall be issued until the Development Review Official determines that all agreements and conditions have been satisfied.

Section 3-1304. Public School Concurrency review required.

A. In addition to the provisions in Section 3-1303 above, pursuant to Florida Statutes and the City's comprehensive plan public school concurrency review is required for all applications for development approval in order to identify and address the impacts of new residential development on the levels of service for public school facilities, except as exempted under the provisions of Section 3-1304(B) below.

B. Concurrency review is not required for the following:

1. Applications for one (1) unit single-family homes.

2. Assisted Living Facilities, as defined in Article 8.

3. Non-residential development.

4. Any Development of Regional Impact (DRI) for which a development order was issued, pursuant to Chapter 380, F.S., prior to July 1, 2005.

5. Applications for which preliminary Board of Architects approval was secured prior to January 1, 2008.

Section 3-1305. Application.

All applications for concurrency review shall accompany all applications for development approval, unless otherwise exempt under the provisions of this Division. Such applications shall be made in writing upon an application form approved by the City and shall be accompanied by applicable fees.

Section 3-1306. City review and determination.

A. The Development Review Official shall review each application for a development order and shall determine whether the request would have no impact or would have impacts on levels of service that fall below thresholds for public facilities and services prescribed in the Concurrency Manual.

B. In the event that the Development Review Official determines that there is no impact, a statement of no impact shall be issued to the applicant and the Board of Architects or other decision maker responsible for the issuance of the development order. Such statement of no impact shall be valid for a period not to exceed one (1) year from issuance.

C. Concurrency Impact Statement.

1. Prior to final Board of Architects review and approval, the applicant, its successors, or assigns shall secure a written Concurrency Impact Statement from the Development Review Official, who shall determine the impacts to levels of service for public facilities and services, pursuant to concurrency review criteria contained in Section 3-1307.

2. If the concurrency impact statement indicates that the proposed development satisfies the adopted levels of service, the applicant shall secure the statement, furnish it to the Board of Architects and other decision makers, and reserve capacity for all applicable public facilities and services within the timeframes prescribed in the City's Concurrency Manual. An applicant's failure to successfully reserve capacity for all applicable public facilities and services within the timeframes prescribed in the City's Concurrency Manual will render a final Board of Architects approval and/or final development order null and void.

3. If the concurrency impact statement indicates that the approval cannot be issued because the proposed development would result in a reduction in adopted levels of service, the applicant may modify the application, or come to an acceptable mitigation agreement with the City and/or other appropriate entity responsible for the public service or facility in question, subject to the City's final review and approval. Such modifications, agreements or conditions shall ensure that the necessary public facilities and services shall be available concurrent with the impacts of development. The concurrency impact statement shall be secured by the applicant and furnished to the Board of Architects and/or other decision-makers responsible for the issuance of the development order, and shall specify the modifications, agreements or conditions which shall be satisfied prior to the issuance a final Board of Architects approval and/or final development order.

D. Reservation of capacity.

1. Upon payment of a fee prescribed in the City of Coral Gables Concurrency Manual, or other fee schedule, as amended, an applicant, its successors, or assigns may reserve capacity for up to twelve (12) months from the date of capacity reservation for the project. An applicant's failure to successfully reserve capacity for all applicable public facilities and services within the timeframes prescribed in the City's Concurrency Manual will render a final Board of Architects approval and/or final development order null and void. An applicant, its successors, or assigns may secure an extension of capacity reservations for an additional twelve (12) months, subject to the terms prescribed in the Concurrency Manual, and the payment of all applicable fees.

2. A Public School Concurrency Certificate issued by Miami-Dade County Public Schools to the applicant, its successors, or assigns, shall be valid for the following time periods, unless otherwise provided for in the Proportionate Share Mitigation Agreement:

    a. Twelve (12) months from the issuance of a document signifying public school capacity reservation.

    b. Twenty-four (24) months from the date of issuance of a final Board of Architects approval and/or final development order. However, with one hundred twenty (120) days advance notice, up to three (3) twelve (12) month extensions of the Public School Concurrency Certificate may be granted by Miami-Dade County Public Schools. In no event shall a Public School Concurrency Certificate be valid for more than six (6) years.

    c. Extensions will only be granted when Miami-Dade County Public Schools receives documentation that the applicant, its successors, or assigns are progressing in good faith through the City's review process. Once the City issues the final Board of Architects approval and/or final development order, the Public School Concurrency Certificate shall remain valid pursuant to the timeframes prescribed herein.

    d. The applicant, its successors, or assigns shall be responsible for all coordination, monitoring, payments, and notification associated with the Public School Concurrency Certificate, and shall advise the City of any associated agreements with Miami-Dade County Public Schools.

Section 3-1307. Concurrency review criteria.

A. The public facilities and services needed to support development shall be deemed to be available concurrent with the impacts of development if the following criteria are satisfied:

    1. The necessary public facilities and services are in place at the time a final Board of Architects approval and/or final development order is issued; or

    2. A final Board of Architects approval and/or final development order is issued subject to the condition that the required public facilities and services will be in place when the impacts of the development occur; or

    3. The necessary public facilities are under construction at the time the final Board of Architects approval and/or final development order is issued and such construction is the subject of enforceable assurance that it shall be completed and serviceable without unreasonable delay; or

    4. The necessary public facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the final Board of Architects approval and/or final development order is issued; or

    5. The necessary public facilities are funded and programmed for implementation in year one (1) of the City's adopted capital budget, or similarly adopted budget of other government agencies; or

    6. The necessary traffic circulation, mass transit, or public school facilities or services are programmed for implementation in or before year three (3) of the city's adopted budget or similarly adopted budget of other governmental agencies including the county's capital budget, the School Board's Facilities Work Plan, or the state agency having operational responsibility for affected facilities; in all cases, such facilities must be committed for construction in or before year three (3); or

7. The necessary public facilities and services are guaranteed in a development agreement to be provided by the developer, pursuant to Section 163.3220, Florida Statutes, or Chapter 380, Florida Statutes; or

8. Timely provision of the necessary public facilities and services will be guaranteed by some other means or instrument providing substantially equivalent assurances, subject to City review and approval; and

9. In all instances where a decision to issue a building permit is based on the foregoing provision (5), (6), (7), or (8), all of the following conditions shall apply:

    a. The necessary public facilities and services shall not be deferred or deleted from the adopted capital budget unless the dependent final development order expires or is rescinded prior to the issuance of a certificate of use and occupancy; and

    b. Implementation of the necessary public facilities and services must proceed to completion with no unreasonable delay or interruption.

B. In determining the availability of public facilities and services, the applicant may propose and the City may approve development in stages or phases so that the public facilities and services needed for each stage or phase will be available in accordance with the criteria required by this chapter.

Section 3-1308. Concurrency manual.

The City shall promulgate and maintain a Concurrency Manual which shall contain the administrative procedures to be applied in the implementation of this Division, as determined by the Director of the responsible department.

Section 3-1309. Appeals.

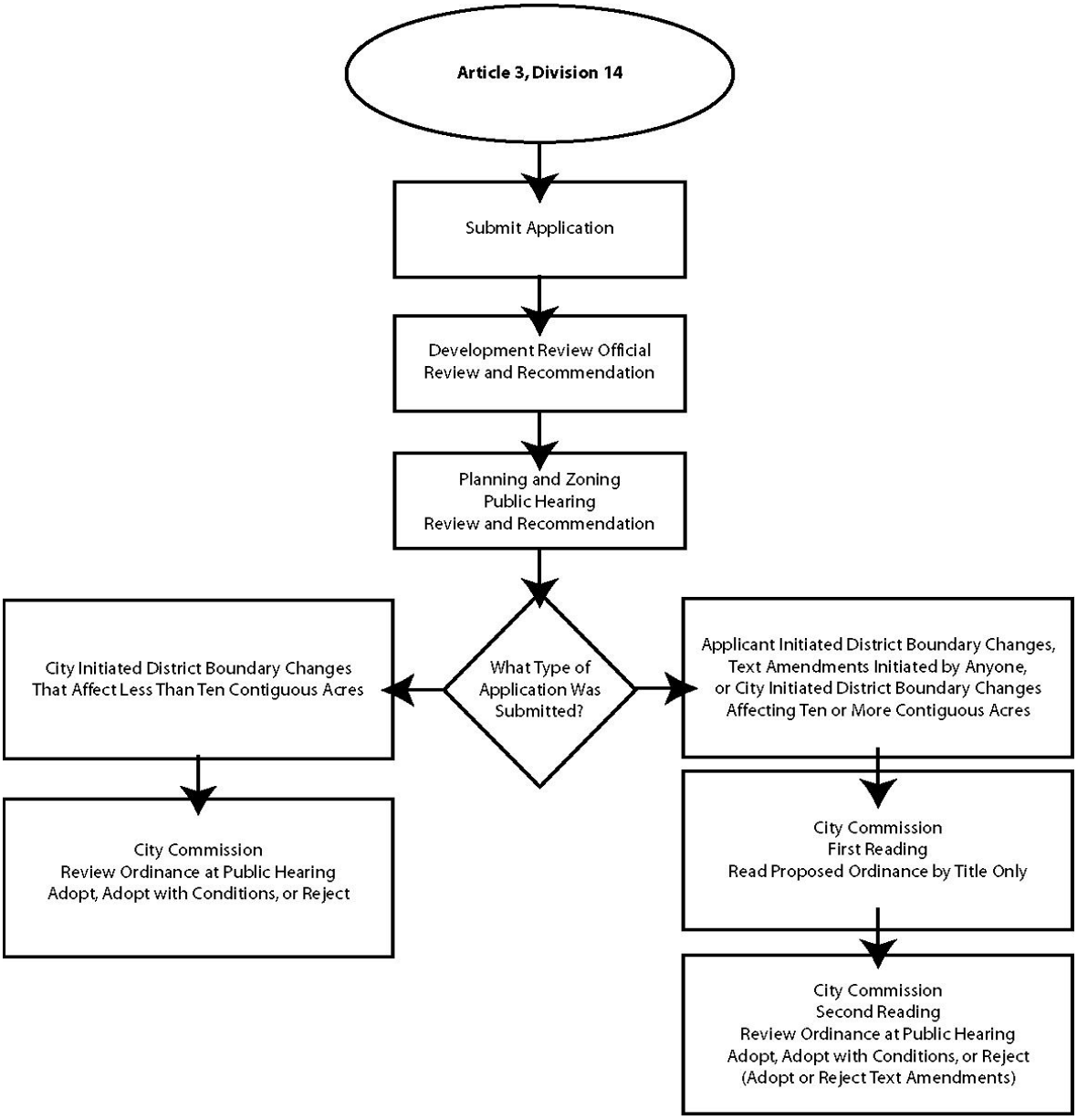
An appeal from a negative concurrency determination may be taken to the City Commission by an aggrieved party in accordance with the provisions of Article 3, Division 6 of these regulations.

Division 14. Zoning Code Text and Map Amendments

Section 3-1401. Purpose and applicability.

The purpose of this Division is to establish a uniform procedure for district boundary changes (map amendments) and for text amendments to these regulations. This Division applies to all such amendments, whether initiated by the City or by one (1) or more private property owners. In making zoning changes, primary concern shall be given to protection of residential uses, where occupancy is generally for twenty-four (24) hours per day and seven (7) days per week, than to other types of uses; and primary consideration shall be given to protection of established investments than to projected investments.

Section 3-1402. General procedures for text and map amendments.



Section 3-1403. Application.

All applications for district boundary changes or text amendments to these regulations shall be made in writing upon an application form approved by the City, and shall be accompanied by applicable fees.

Section 3-1404. Standards for review of applicant-initiated district boundary changes.

A. An applicant-initiated district boundary change shall be approved if it is demonstrated that the application satisfies all of the following:

1. It is consistent with the Comprehensive Plan in that it:

a. Does not permit uses which are prohibited in the future land use category of the parcel

proposed for development.

b. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use category of the parcel proposed for development.

c. Will not cause a decline in the level of service for public infrastructure to a level of service which is less than the minimum requirements of the Comprehensive Plan.

d. Does not directly conflict with any objective or policy of the Comprehensive Plan.

2. Will provide a benefit to the City in that it will achieve two or more of the following objectives:

a. Improve mobility by reducing vehicle miles traveled for residents within a one-half (1/2) mile radius by:

i. Balancing land uses in a manner that reduces vehicle miles traveled.
ii. Creating a mix of uses that creates an internal trip capture rate of greater than twenty (20%) percent.
iii. Increasing the share of trips that use alternative modes of transportation, such as transit ridership, walking, or bicycle riding.

b. Promote high-quality development or redevelopment in an area that is experiencing declining or flat property values.

c. Create affordable housing opportunities for people who live or work in the City of Coral Gables.

d. Implement specific objectives and policies of the Comprehensive Plan.

3. Will not cause a substantial diminution of the market value of adjacent property or materially diminish the suitability of adjacent property for its existing or approved use.

B. An applicant may propose limitations regarding the use, density or intensity which will be permitted on the parcel proposed for development in order to achieve compliance with the standards of Section 3-1404(A). Such limitation(s) shall be offered by a restrictive covenant or declaration of use that is provided to the City in a recordable form acceptable to the City Attorney.

Section 3-1405. Standards for review of text amendments to these regulations and for City-initiated district boundary changes.

The Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to these land development regulations or City-initiated district boundary changes unless the text amendment or City-initiated district boundary change:

A. Promotes the public health, safety, and welfare.

B. Does not permit uses the Comprehensive Plan prohibits in the area affected by the district boundary change or text amendment.

C. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.

D. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less the minimum requirements of the Comprehensive Plan.

E. Does not directly conflict with an objective or policy of the Comprehensive Plan.

Section 3-1406. Development Review Official review, report and recommendation.

A. Upon receipt of an application pursuant to this Division, or upon receipt of a recommendation by the Board of Adjustment for an amendment to the text of these regulations, the Development Review Official shall review the application or Board of Adjustment recommendation in accordance with the provisions of Article 3, Division 2.

B. Upon completion of review of an application, the Development Review Official shall:

1. Review the application for compliance with the standards set out in Section 3-1404 or 3-1405, as applicable.

2. Provide a report with regard to the application's compliance with the standards set out in Section 3-1404 or 3-1405, as applicable.

3. Provide a recommendation as to whether the application should be approved, approved with conditions, or denied.

4. Schedule the application for hearing before the Planning and Zoning Board.

5. Provide notice of the Planning and Zoning Board hearing pursuant to Article 3, Division 3.

C. Upon receipt of the recommendation of the Planning and Zoning Board, the Development Review Official shall:

1. Schedule the application for hearing before the City Commission.

2. Forward its report and recommendation and the findings and recommendation of the Planning and Zoning Board to the City Commission.

3. Provide notice of the City Commission hearing pursuant to Article 3, Division 3.

D. If a second public hearing of the City Commission is required, City staff shall provide timely notice of the public hearing pursuant to Article 3, Division 3.

Section 3-1407. Planning and Zoning Board review and recommendation.

The Planning and Zoning Board, sitting as the Local Planning Agency, shall:

A. Review the application at a public hearing.

B. Make written findings with respect to whether the proposed district boundary change or text amendment to these regulations is consistent with the Comprehensive Plan.

C. Make a written recommendation to the City Commission with regard to whether the application should be approved, approved with conditions, or denied.

Section 3-1408. City Commission review and decision.

A. For applicant-initiated district boundary changes, text amendments to these regulations, and City-initiated district boundary changes that affect ten (10) or more contiguous acres of property, the City Commission shall hold two (2) public hearings, as follows:

1. At the first public hearing, the City Commission shall read the proposed ordinance by title only.

2. At the second public hearing, the City Commission shall:

   a. If the proposed ordinance is applicant-initiated, review the application for compliance with the standards set out in Section 3-1404 and decide whether to adopt, adopt with conditions, or reject the proposed ordinance; or

   b. If the proposed ordinance is City-initiated, review the application for compliance with the standards set out in Section 3-1405 and decide whether to adopt, adopt with conditions, or reject the ordinance.

3. If the proposed amendment is a district boundary change, changes the list of permitted, conditional, or prohibited uses in a use district, then one (1) of the public hearings shall be held after 5:00 p.m. on a weekday, unless the City Commission, by a majority plus one (1) vote, elects to conduct that hearing at another time of day.

B. For City-initiated district boundary changes that affect less than ten (10) contiguous acres of property, the City Commission shall hold one (1) public hearing, at which it shall:

1. Review the proposed ordinance for compliance with the standards set out in Section 3-1405; and

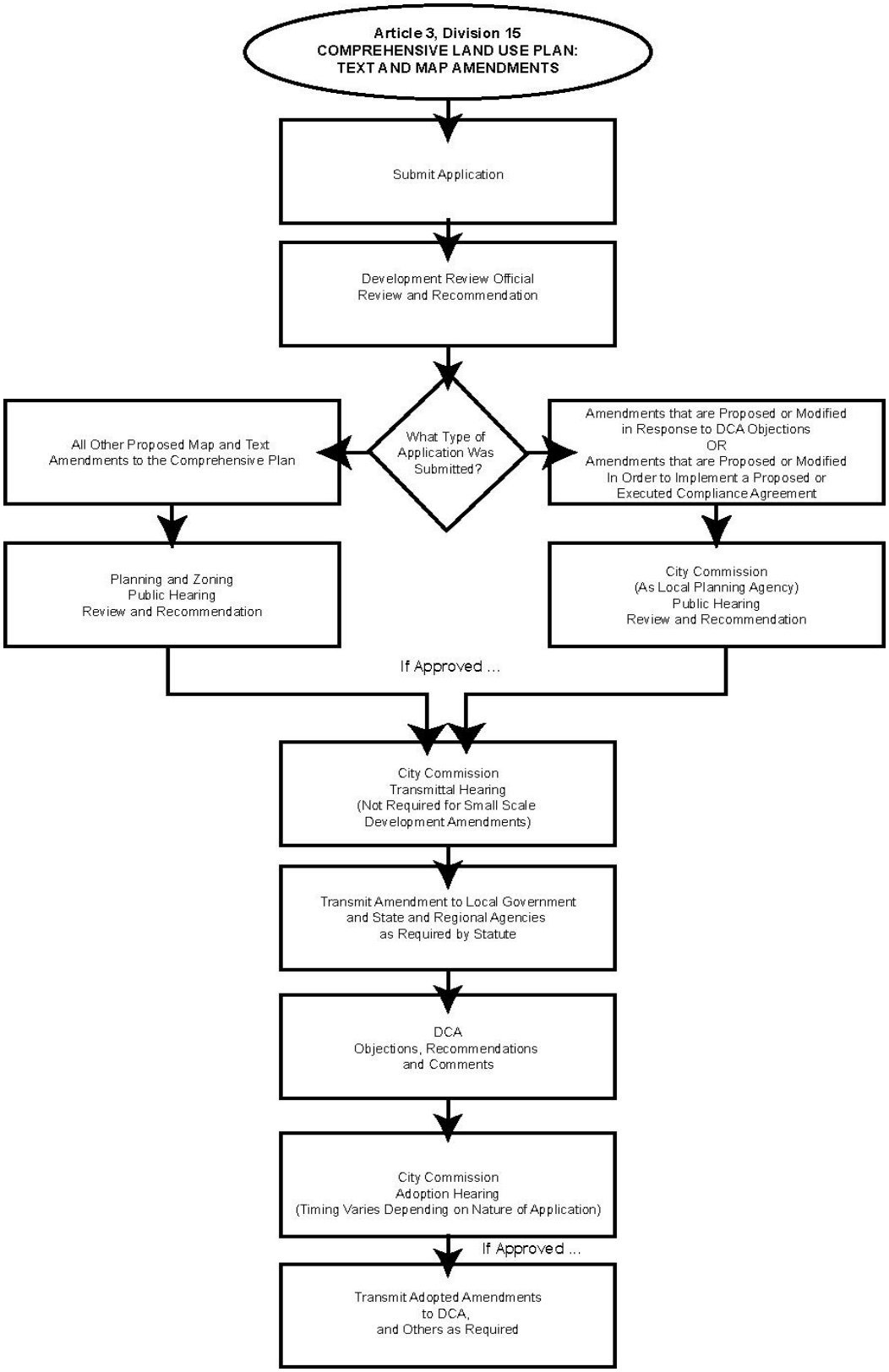
2. Adopt, adopt with conditions, or reject the proposed ordinance.

Division 15. Comprehensive Plan Text and Map Amendments

Section 3-1501. Purpose and applicability.

The purpose of this Division is to establish a uniform procedure for amending the text and maps of the Comprehensive Plan. This Division does not supercede the requirements of Section 163, Part II, Florida Statutes, as may be amended from time to time. If any part of this Section conflicts with Section 163, Part II, Florida Statutes, the statutory requirement shall control. This Division applies to all text and map amendments to the Comprehensive Plan, whether initiated by the City or by one (1) or more private property owners.

Section 3-1502. General procedures for text and map amendments to the Comprehensive Plan.



Section 3-1503. Comprehensive Plan amendment cycles.

The City shall provide two (2) comprehensive plan amendment cycles as identified by the Director of Planning per calendar year for proposed amendments (small and large scale) except as provided in Section 163.3187(1) (a) and (b), Florida Statutes.

Section 3-1504. Application.

All applications for amendments to the text or maps of the Comprehensive Plan shall be made in writing upon an application form approved by the Development Review Official, and shall be accompanied by the applicable fees.

Section 3-1505. Conditions of approval.

A. An applicant may propose additional limitations regarding the use, density or intensity which will be permitted on a parcel proposed for development. Such limitation shall be offered by executed restrictive covenant or declaration of use that is provided to the City in a recordable form that is acceptable to the City Attorney, and if the amendment is approved with the restrictive covenant or declaration of use, the recording information shall be set out on the Future Land Use Map.

B. The City Commission may condition the grant of a Future Land Use Map amendment upon the timely development of the parcel proposed for development, and may include provisions that the district boundary change does not become effective until a complete application for development approval is accepted by the Development Review Official.

Section 3-1506. Standards for Comprehensive Plan Text and Map Amendments.

A. Proposed amendments to the Text and Maps of the Comprehensive Plan shall be reviewed pursuant to the following standards:

    1. Whether it specifically advances any objective or policy of the Comprehensive Plan.

    2. Whether it is internally consistent with Comprehensive Plan.

    3. Its effect on the level of service of public infrastructure.

    4. Its effect on environmental resources.

    5. Its effect on the availability of housing that is affordable to people who live or work in the City of Coral Gables.

    6. Any other effect that the City determines is relevant to the City Commission's decision on the application.

Section 3-1507. City review, report and recommendation.

A. Upon receipt of an application pursuant to this Division, the Development Review Official shall review the application in accordance with the provisions of Article 3, Division 2.

B. Upon completion of review of an application, the Development Review Official shall:

    1. Provide a report that summarizes the application and the effect of the proposed amendment in regard to the standards set out in Section 3-1506:

        a. Whether it specifically advances any objective or policy of the Comprehensive Plan.

        b. Whether it is internally consistent with the Comprehensive Plan.

c. Its effect on the level of service of public infrastructure.

d. Its effect on environmental resources.

e. Its effect on the availability of housing that is affordable to people who live or work in the City of Coral Gables.

f. Any other effect that the City determines is relevant to the City Commission's decision on the application.

2. Provide a recommendation as to whether the application should be approved, approved with conditions, or denied.

3. Provide a proposed ordinance that could be used to adopt the proposed amendment.

4. Schedule the application for hearing before the Planning and Zoning Board.

5. Provide notice of the Planning and Zoning Board hearing pursuant to Article 3, Division 3.

C. Upon receipt of the decision of the Planning and Zoning Board, the Development Review Official shall:

1. Schedule the application for hearing before the City Commission.

2. Forward its report and recommendation and the recommendation of the Planning and Zoning Board to the City Commission.

3. Provide notice of the City Commission hearing in accordance with the provisions of Article 3, Division 3.

Section 3-1508. Planning and Zoning Board review and recommendation.

The Planning and Zoning Board, acting as the Local Planning Agency (LPA), shall:

A. Review the application at a public hearing that is held before the transmittal hearing, or if no transmittal hearing is required, before the adoption hearing.

B. Make a written recommendation to the City Commission with regard to whether the proposed amendments should be adopted, adopted with conditions, or rejected.

Section 3-1509. Transmittal hearing.

A. A transmittal hearing by the City Commission shall be held on each proposed comprehensive plan amendment except small-scale development amendments.

B. All transmittal hearings shall be held on weekdays.

C. If the City Commission approves the plan amendment at the transmittal hearing, the City shall immediately transmit the amendment to those local governments and state and regional agencies to which transmittal is required by state statute or administrative rule.

Section 3-1510. Department of Community Affairs (DCA) Objections, Recommendations, and Comments (ORC) Report.

A. If DCA comments on and/or formally objects to a privately initiated amendment, the City shall promptly notify the applicant in writing which shall include a copy of the Objections,

Recommendations, and Comments Report.

B. The applicant may submit a draft response to the City within fifteen (15) days. If the City determines that the draft response is appropriate and responsive to the objection, the City shall forward the response to DCA.

C. The City may respond to DCA objections on behalf of an applicant who does not provide an appropriate and responsive objection, but shall not be obligated to do so.

Section 3-1511. Adoption hearing.

A. The adoption hearing by the City Commission shall be scheduled as follows:

1. After City review, if the amendment is a small-scale development amendment.

2. Within sixty (60) days of:

a. Receipt of DCA's ORC Report if DCA provides said report; or

b. The date the DCA review period ends if the amendment:

i. Was transmitted to DCA;
ii. DCA did not object; and
iii. No affected person requested review within thirty-five (35) days of the date the proposed amendment was transmitted.

3. If submitted as part of the statutory evaluation and appraisal process, within one hundred twenty (120) days of receipt of DCA's Objections, Recommendations, and Comments Report if DCA provides said report.

B. At the adoption hearing, the City Commission shall adopt the proposed amendment, adopt the proposed amendment with amendments that respond to DCA objections, recommendations, or comments, or reject the proposed amendment.

Section 3-1512. Transmittal of adopted amendments.

The City shall transmit all adopted Comprehensive Plan and Future Land Use Map amendments to DCA, the South Florida Regional Planning Council, and any other unit of local government or governmental agency which has requested the amendment in writing within ten (10) working days after the adoption hearing. If the amendment is a small-scale development amendment, the City shall include copies of the public notices with the transmitted material.

Section 3-1513. Compliance agreements.

The City Commission may enter into a compliance agreement with DCA with regard to any proposed or adopted Comprehensive Plan amendment, as follows:

A. If the City elects to commence negotiation of a compliance agreement with DCA, it shall mail notice to all parties that have intervenor status in proceedings before DCA at least seven (7) days before substantive negotiations commence. Parties that have intervenor status in proceedings before DCA shall be afforded a reasonable opportunity to participate in the negotiation process.

B. All negotiation meetings with the City and/or the parties with intervenor status in proceedings before DCA shall be open to the public.

C. No compliance agreement shall be executed by the City unless such execution is considered at a

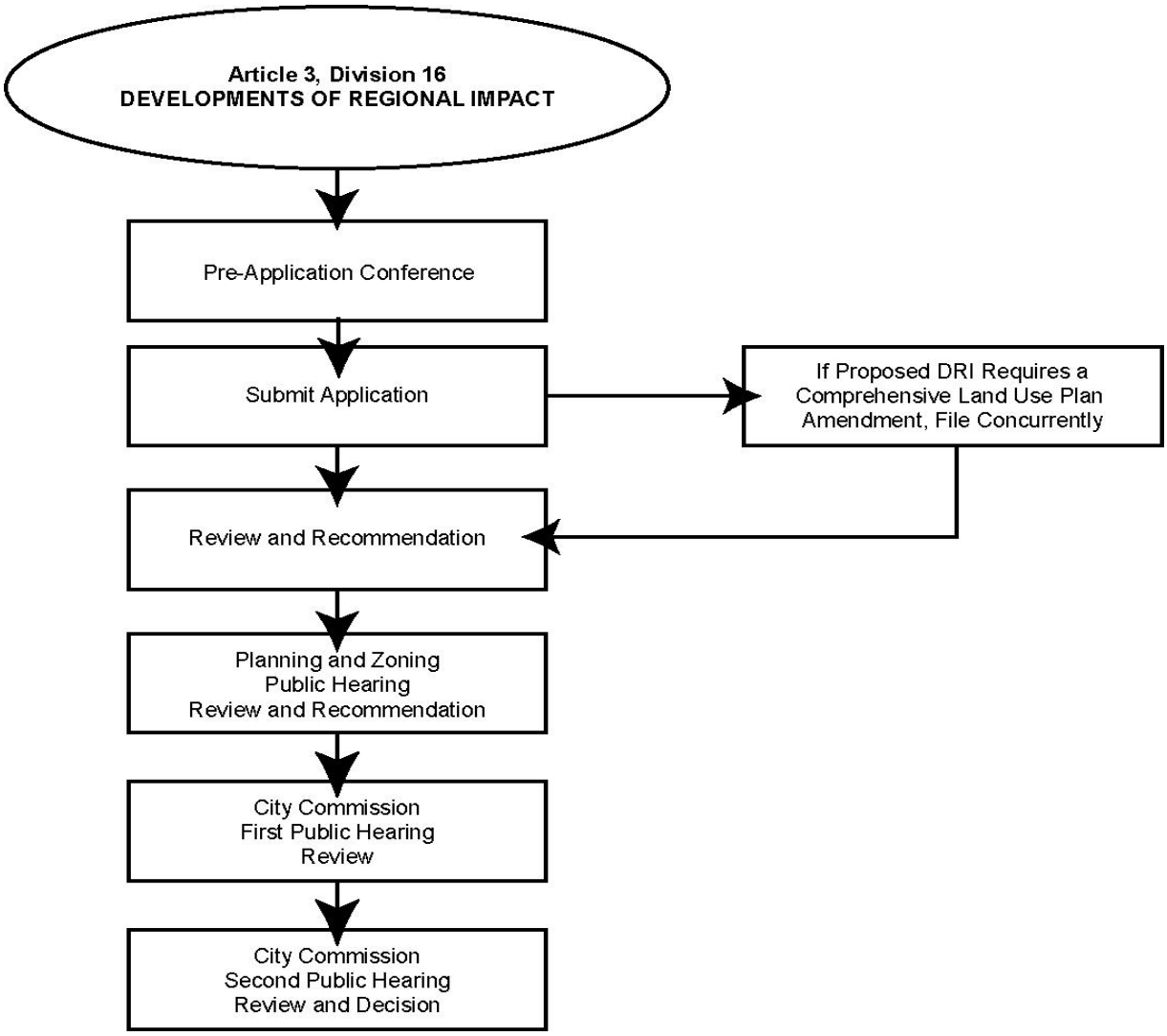
public hearing of the City Commission.

Division 16. General Procedures for Developments of Regional Impact

Section 3-1601. Purpose and applicability.

The purpose of this Division is to establish uniform procedures for the City Commission to issue development orders for developments of regional impact as authorized by Chapter 380, Florida Statutes. Where provisions of this Division directly conflict with provisions of Chapter 380, Florida Statutes, the provisions of Chapter 380, Florida Statutes shall control.

Section 3-1602. General procedures for Developments of Regional Impact.



Section 3-1603. Application.

A. All applications for development orders with regard to a development of regional impact shall be made in writing upon an application form approved by the City, and shall be accompanied by the applicable fees.

B. If implementation of the proposed development of regional impact requires a comprehensive plan amendment, an application for a comprehensive plan amendment shall be filed concurrently with the application for development of regional impact approval. The application shall be considered concurrently filed if it is received no later than:

1. For a new development of regional impact, the pre-application conference required by Chapter 380.06(7) (a), Fla. Statutes; or

2. For modification of an approved development of regional impact, the submission of an application to modify the development of regional impact.

Section 3-1604. Standards for review of Developments of Regional Impact.

A. An application for a development of regional impact shall be approved if it is demonstrated that the development of regional impact:

1. Is consistent with the Comprehensive Plan in that it:

a. Does not permit uses which are prohibited in the future land use category of the parcel proposed for development.

b. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use category of the parcel proposed for development.

c. Will not cause a decline in the level of service for public infrastructure to a level of service which is less than the minimum requirements of the Comprehensive Plan.

d. Does not directly conflict with any objective or policy of the Comprehensive Plan.

2. Will provide a benefit to the City in that it will achieve two (2) or more of the following objectives:

a. Improve mobility by reducing vehicle miles traveled for residents within a one-half mile radius.

b. Promote high-quality development or redevelopment in an area that is experiencing declining or flat property values.

c. Create affordable housing opportunities for people who live or work in the City of Coral Gables.

d. Provide a net benefit to the long-term fiscal position of the City of Coral Gables.

e. Implement specific objectives and policies of the Comprehensive Plan.

3. Will not cause a substantial diminution of the market value of adjacent property or materially diminish the suitability of adjacent property for its existing or approved use.

4. Is consistent with these regulations.

5. Is consistent with the report and recommendations of the South Florida Regional Planning Council.

6. Is consistent with the South Florida Regional Planning Council Strategic Regional Policy Plan for South Florida.

7. Is consistent with the State Comprehensive Plan. In consistency determinations the plan shall be construed and applied in accordance with s. 187.101(3), F.S.

B. An applicant may propose limitations regarding the use, density or intensity which will be permitted on

the parcel proposed for development in order to achieve compliance with the standards of Section 3-1703(A). Such limitation(s) shall be offered by a restrictive covenant or declaration of use that is provided to the City in a recordable form acceptable to the City Attorney.

Section 3-1605. City review, report and recommendation.

A. Upon receipt of an application pursuant to this Division, the Development Review Official shall review the application in accordance with the provisions of Article 3, Division 2.

B. Upon completion of review of an application, the Development Review Official shall:

1. Provide the Planning and Zoning Board with a report with regard to the application's compliance with the standards set out in Section 3-1604;

2. Provide the Planning and Zoning Board with a recommendation as to whether the application should be approved, approved with conditions, or denied;

3. Provide a copy of the Development Review Official report and recommendations available to the applicant; and

4. Schedule hearings before the Planning and Zoning Board and the City Commission.

C. After the Planning and Zoning Board hearing, the Development Review Official shall forward the staff report and recommendation (with revisions, if appropriate) and the findings and recommendation of the Planning and Zoning Board to the City Commission.

D. The City shall provide notice of public hearings in accordance with the requirements of Article 3, Division 3. In addition to the requirements in Article 3, Division 3, such notice shall state that the proposed development is undergoing development of regional impact review.

E. In addition to the notice requirements of Article 3, Division 3, notice of public hearings shall be promptly mailed to DCA, the South Florida Regional Planning Council, any state or regional permitting agency participating in a conceptual agency review process pursuant to Section 380.06(9), F.S., and to such other persons as may have been designated by DCA as entitled to receive such notices.

F. If the application is being processed concurrently with a Comprehensive Plan amendment, Staff shall, unless the applicant agrees otherwise in writing:

1. Provide notice of the transmittal hearing on the Comprehensive Plan amendment pursuant to Article 3, Division 3 within thirty (30) days of the date the application for the amendment is filed; and

2. Schedule the public hearing on the transmittal for no later than sixty (60) days after the application for the amendment is filed.

Section 3-1606. Planning and Zoning Board review and recommendation.

A. The Planning and Zoning Board, sitting as the Local Planning Agency, shall hold a public hearing on the application after:

1. Notice from the South Florida Regional Planning Council that the application is complete; or

2. Notice from the applicant that additional information requested by the South Florida Regional Planning Council will not be supplied.

B. The Planning and Zoning Board shall:

1. Make written findings with respect to whether the proposed development of regional impact is consistent with the Comprehensive Plan; and

2. Make a written recommendation to the City Commission with regard to whether the application should be approved, approved with conditions, or denied.

Section 3-1607. City Commission review and decision.

A. A public hearing date shall be set by the appropriate local government at the first scheduled meeting after:

1. Notice from the South Florida Regional Planning Council that the application is complete; or

2. Notice from the applicant that additional information requested by the South Florida Regional Planning Council will not be supplied.

B. The public hearing date shall be no later than sixty (60) days after the notices set out in Section 3-1607(A)(1) or (2), unless an extension is requested by the applicant and granted by the City Commission.

C. The City Commission shall hold two (2) public hearings after the public hearing of the Planning and Zoning Board.

D. If an application for a development of regional impact development order or modification to a development of regional impact development order was filed concurrently with an application for a comprehensive plan amendment, the City shall hear both the application for development approval or the proposed change and the comprehensive plan amendments at the same hearing. However action on each application shall be taken separately.

E. At the second public hearing, the City Commission shall decide whether to approve, approve with conditions, or deny the application. If the City Commission decides to approve with conditions, said conditions shall be in accordance with the requirements of Chapter 380.06(15) (d) and (e), F.S.

F. The City Commission shall render its order within thirty (30) days of the public hearing, unless the applicant requests an extension in writing. If the order approves the application or approves the application with conditions, the order shall meet the minimum requirements of Chapter 380.06(15) (c), F.S.

G. The applicant shall record notice of the development order in accordance with Chapter 380.06(15) (f), F.S.

H. Administration of the development of regional impact development order shall be in accordance with the requirements of Chapter 380, F.S.

Division 17. Protection of Landowners' Rights; Relief from Inordinate Burdens

Section 3-1701. Purpose and applicability.

It is the purpose of this Division to provide a process for applicants to notify the City of potential litigation and invoke the exercise of the City's authority and discretion pursuant to Article VIII, Sections 2(b) and 6(e) of the Florida Constitution, Section 70.001 of the Florida Statutes, Section 6.02 of the Charter of Miami-Dade County, Article 1, Section 7 of the Charter of the City of Coral Gables, and Objectives ADM-1.2, and Policies ADM-1.1.2 and FLU-1.1.9 of the City of Coral Gables Comprehensive Plan, to avoid expensive, uncertain, unnecessary, and protracted litigation regarding the application of these land development regulations to individual properties. The City may grant relief pursuant to this Division when it is demonstrated that the applicant for said relief has been unfairly, disproportionately or inordinately burdened by a final order of the City that either denied development approval to the applicant or imposed one (1) or more conditions of approval on the applicant. The process may also be initiated by the City to

settle litigation in order to avoid unfairly, disproportionately, or inordinately burdening a party to that litigation, such as to mitigate the burden where a party to a settlement agrees in the settlement to bear a disproportionate burden of a government use that benefits the public. This Division does not apply to matters that arise from the application of the Florida Building Code.

Section 3-1702. Application.

A. All requests for relief pursuant to this Division shall be made in writing upon an application form approved by the City, and shall be accompanied by applicable fees. All such applications shall be filed with the City Manager's office.

B. Applications pursuant to this Division shall be filed no later than fifteen (15) days from the date a final order is rendered which the applicant alleges unfairly, disproportionately, and inordinately burdens its real property. City staff may initiate this procedure and file an application at any time in order to settle a pending dispute or litigation, as well as a pending matter before a federal or state administrative agency.

Section 3-1703. Guidelines.

A. If the City Commission finds that an applicant has demonstrated that it has suffered an unfair, disproportionate or inordinate burden as a result of the application of these regulations to its property, the City Commission may grant appropriate relief. Likewise, if the City demonstrates that a settlement would avoid, mitigate, or remedy an unfair, disproportionate, or inordinate burden to a property owner, the City Commission may grant appropriate relief. Proposed terms may include, but are not limited to:

   1. Relief from the application of particular provisions of these regulations.

   2. The transfer of developmental rights from one (1) parcel to another within the City.

   3. Approval of the original application with conditions; or modifications to any previously imposed conditions of approval.

   4. Any of the remedies listed in section 70.001(4)(c) of the Florida Statutes.

B. The decision to grant relief pursuant to this Division rests in the sound discretion of the City Commission in the exercise of its inherent sovereign powers to settle legitimate disputes. The policy of the City is to fashion a proposal for resolving the dispute based on a considered balance of the following factors:

   1. The degree of burden suffered by the applicant or property owner.

   2. The nature and significance of the public interest that is served by the application of the regulation to the property.

   3. The likelihood of litigation, and its likely cost, the City's potential exposure, the uncertainty of outcome, the timetable for resolving the issues, and whether there is a perceived need for a judicial determination of the issues raised by the application.

C. In general, it is the policy of the City to resolve disputes in a manner that does not require significant financial expenditures by the City.

D. All relief granted pursuant to this Division shall be consistent with the City of Coral Gables Comprehensive Plan and shall not violate any controlling federal law, state statute, or Miami-Dade County ordinance.

E. All relief granted pursuant to this Division is conditioned upon the execution of a release of all claims that may arise from or relate to the application of the land development regulations that allegedly

created the unfair, disproportionate or inordinate burden. The release of claims shall be in a form that is acceptable to the City Attorney and shall be recorded at the applicant's expense.

Section 3-1704. Staff review, report and recommendation.

A. Within five (5) days of receipt of an application pursuant to this Division, the City shall review the application to determine whether it is complete.

B. Within seven (7) days of receipt of a complete application, City Staff shall deliver the complete application to the City Manager, with copies to the Development Services Department, Historic Resources Department, City Attorney, and any other department as directed by the City Manager.

C. The City Manager shall direct the departments to provide a joint evaluation of the merits of the application, which shall include:

1. The principal purpose or purposes for the regulation that was applied to the applicant's property, or the property that is the subject of a settlement. These purposes may include, but are not limited to:

   a. To address specific, identified public health and safety concerns;

   b. To protect or enhance community character;

   c. To protect archaeological or historic resources;

   d. To protect environmental resources (water supply, listed species, air quality); and

   e. To comply with state infrastructure concurrency mandates.

2. The recommendation of the City departments with regard to whether the applicant has been unfairly, disproportionately or inordinately burdened by the application of these land development regulations that is the subject of the application or settlement, in light of the purposes for which the regulations that created the alleged burden are intended to serve, and the burden (or potential burden) carried by other property owners who are similarly situated, if any.

D. Within forty-five (45) days of receipt of a complete application pursuant to this Division, the City Manager shall provide the City Commission with a report and recommendation on the application or settlement and a proposed dispute resolution agreement, and shall place the matter on the agenda of the City Commission.

Section 3-1705. City Commission review and decision; Execution of Dispute Resolution Agreement.

A. The City Commission shall review the application or proposed settlement at a public hearing (noticed in accordance with the provisions of Article 3, Division 3), and shall decide whether to make an offer to resolve the dispute with the applicant, or to approve a settlement proposed by the City, which shall be in the form of a dispute resolution agreement. The hearing is not quasi-judicial, and is not subject to rules of quasi-judicial procedures.

B. The City Commission may approve, approve with conditions, or reject the proposed dispute resolution agreement. If the City Commission requires modifications to the proposed dispute resolution agreement, the City Manager shall cause a new proposed dispute resolution agreement to be drafted within fourteen (14) days.

C. When the City Commission has approved a proposed dispute resolution agreement or approved a proposed dispute resolution agreement with conditions, the City Manager is authorized to execute said dispute resolution agreement (as modified, if applicable).

D. Once executed by the City Manager, the dispute resolution agreement shall be placed on the next available consent agenda of the City Commission for ratification. The item shall not be pulled from the consent agenda except by supermajority vote of the entire membership of the City Commission.

Section 3-1706. Effect of Dispute Resolution Agreement.

A. Dispute resolution agreements that are executed pursuant to this Division shall not be effective until the later of:

1. The date executed by the applicant or other parties to the settlement;

2. The date ratified by the City Commission; or

3. Such other date that is set by the parties to the agreement.

B. When relief is provided in a dispute resolution agreement pursuant to this Division, no further procedures are necessary to give effect to said relief unless:

1. The further procedures are specifically required by the dispute resolution agreement; or

2. The City agreed to consider a zoning district boundary change or text amendment to these land development regulations.

C. Dispute resolution agreements that are executed pursuant to this Division shall run with the land.

Section 3-1707. Recording of Dispute Resolution Agreement.

All dispute resolution agreements that are executed pursuant to this Division shall be recorded in the public records of Miami-Dade County, Florida. If the agreement is silent with regard to who bears the cost of recording, the cost shall be borne by the applicant.

Division 18. Governmental Dispute Resolution Procedures

Section 3-1801. Purpose, applicability and definitions.

A. The purpose of this Division is to provide the standards and process for a special, accelerated approval process within the Zoning Code to obtain land use and zoning approvals that can be used to facilitate the resolution of anticipated or pending judicial or administrative proceedings, noncompliance determinations, warning letters, or other proceedings involving federal, state or other governmental agencies, as well as others who have bona fide claims, which are the subject of pending judicial proceedings.

B. This Division applies to the review of proposals for development and use of public or privately-owned land, buildings and structures that would be authorized by the City as an element of the settlement of any Governmental Proceedings that are brought for the protection of the public health, safety or welfare, including but not limited to proceedings addressing the remediation or prevention of allegedly discriminatory practices and the protection of the public health, environment, or natural resources.

C. This Division authorizes the City Commission to waive certain otherwise applicable requirements of the Zoning Code in order to facilitate such settlements through Commission approval of the development and use of public or privately-owned land, buildings and structures that would otherwise not be in compliance with the Zoning Code, provided the requirements of this Division are met.

D. This Division also provides a mechanism whereby the City can implement a resolution of any

potential conflict between the Zoning Code and a federal, state, or county statute or provision that pre-empts local regulation in accordance with Section 1-109F of the Zoning Code.

E. In addition to the other applicable definitions in the Zoning Code, the following definitions shall apply for this Division:

1. "Governmental Proceeding" shall mean a judicial or administrative proceeding, noncompliance determination, warning letter, or other governmental action to which the City is a party, involving federal, state, or other agencies, relating to the protection of the public health, safety or welfare, including but not limited to proceedings addressing the remediation or prevention of discriminatory practices and the protection of the public health, environment, or natural resources. Governmental Proceeding shall also include judicial proceedings involving private parties and the City in which matters of federal or state protected rights or fundamental fairness are implicated or at issue.

2. "Government Settlement" shall mean the proposed settlement of a Government Proceeding to which the City is a party that would require, as part of the settlement, authorization by the City of the development and use of public or privately-owned land, buildings and structures and would be presented to the City Commission for approval.

F. This Division may be applied in conjunction with Division 17 of Article III of the Zoning Code.

Section 3-1802. Application Process.

A. On behalf of the City, the City Attorney, with the approval of the City Manager, may initiate a Request for City Commission Approval of Government Settlement by submitting the Government Settlement, along with any supporting documents, to the Development Review Officer for review and recommendation. The Request shall identify the specific zoning or land use approvals being sought as part of the Government Settlement and explain why the City is seeking these approvals from the City Commission.

B. The Development Review Officer shall review the City Attorney's request using the procedures and applying the standards for review set forth in this Division.

Section 3-1803. Notice and hearing procedures.

A. The City shall publish in a newspaper of general circulation in the City and shall display on the City's public notice bulletin board and on its website a Notice of a Request for City Commission Review of Government Settlement, and shall maintain copies of the Request available for review in the Development Services Department and the City Clerk's Office. The notice shall advise the public that the City is evaluating whether the specific zoning or land use approvals being sought as part of the proposed Government Settlement comply with applicable provisions of the Zoning Code. The notice shall include a summary of the zoning or land use approvals being sought, how to view a copy of the request, how comments on the request can be presented to the City in writing or in person, and the date, location and time that a public hearing will be held on the request before the City Commission. A notification containing this information shall also be mailed by the City Clerk at least ten (10) days prior to the public hearing to the property owners of record, as well as property owners within a radius of one thousand (1,000) feet of the property described in the request, if the request is site-specific.

B. Development Review Officer report and recommendation. The report and recommendation of the Development Review Officer shall be submitted to the City Manager based upon the requirements of this Division, shall be limited to the proposed zoning and land use approvals, shall be advisory in nature, and shall not be binding in the approval proceedings. The form of the recommendation and the time for receipt of the recommendation shall be as established by the City Manager

C. City Attorney Recommendation. After receipt and consideration of the Development Review Officer

recommendation, the City Attorney, in consultation with the City Manager, shall submit a recommendation to the City Commission with regard to approval of the Government Settlement. The City Attorney's recommendations with regard to the proposed land use and zoning approvals in the proposed Government Settlement shall be based upon the requirements of this Division.

Section 3-1804. Commission hearing.

A. The City Commission shall have original and exclusive jurisdiction to decide whether to approve the land use and zoning approvals necessitated by the proposed Government Settlement. The City Commission's approval shall be in the form of a resolution. The resolution can be approved only after the City Commission convenes a quasi-judicial public hearing on the Request for Approval of Government Settlement, no sooner than seven days after receipt of the City Attorney's recommendation. In its resolution the City Commission may (i) grant the relief as requested, (ii) grant the relief with modifications, or (iii) deny the request. The resolution shall also state the reasons for the decision, shall identify any zoning or land use approvals granted or denied pursuant to the Zoning Code pursuant to this Division, and shall become final upon adoption.

Section 3-1805. Standards for review.

A. In order to achieve the purposes of this Division while remaining consistent with and further the goals, policies and objectives of the Comprehensive Plan and the purposes of these regulations and other City ordinances and actions designed to implement the Plan, the following standards shall apply to review and recommendations by City staff and the decision of the City Commission regarding the elements of the Request for Review of Government Settlement to which this Division of the Zoning Code applies. To the extent of any inconsistency between these standards and other Zoning Code standards, the standards in this Division shall apply:

1. The City Commission shall weigh the following criteria in determining whether to allow a waiver of or variance from the limitations on any provision of the Zoning Code outside of this Division in order to facilitate approval of the Government Settlement:

    a. The property is owned, or partially owned, by the City or will be owned, or partially owned, by the City as part of implementation of the Government Settlement;

    b. The proposed use of a property has a combined government and private use and facilitates important public policy objectives that are identified in the Comprehensive Plan, including but not limited to improvement of mobility alternatives to the automobile as described in the Mobility Element;

    c. Implementation of the Government Settlement is designed to redress the effects of alleged discrimination on the basis of a protected classification;

    d. Implementation of the Government Settlement resolves a federal or state administrative proceeding or will be made part of a consent order;

    e. Implementation of the Government Settlement will further the protection of the public health, safety or welfare, including but not limited to the remediation or prevention of allegedly discriminatory practices and the protection of the public health, environment, or natural resources;

    f. Implementation of the Government Settlement will facilitate the resolution of any potential conflict between the Zoning Code and a federal, state, or county statute or provision that pre-empts local regulation in accordance with Section 1-109.F of the Zoning Code;

    g. The proposed use is compatible with the nature, condition and development of adjacent uses, buildings and structures and will not adversely affect the adjacent uses, buildings or

structures;

h. The nature of the proposed development is not detrimental to the health, safety and general welfare of the community.

Section 3-1806. Non-exclusivity of remedy.

Use of the review procedures set forth in this Division is optional with the City. Nothing herein shall preclude the City from requiring that any land use approvals involving a Government Settlement be reviewed in accordance with the procedures and standards otherwise set forth in the Zoning Code.

Section 3-1807. Temporary Relief.

While an application for City Commission approval of a Government Settlement is pending before the City, the City Manager or a private party may seek temporary relief.

Section 3-1808. Standing.

A party waives any right to seek judicial relief from a City Commission resolution made under this Division unless the party makes an objection to the City Commission at the quasi-judicial hearing itself.

Section 3-1809. Appeal.

The decision of the City Commission to reject a Government Settlement under this Division is not appealable. The decision of the City Commission to grant land use and zoning approvals as part of an approved Government Settlement under this Division is reviewable through a petition for writ of certiorari to the Circuit Court Appellate Division within 30 days from the date of adoption of the resolution approving the settlement. The failure to seek review within that time frame is an absolute bar and waiver of any further challenge to those approvals.

Division 19. Protection of Landowners' Rights; Vested Rights Determinations

Section 3-1901. Purpose and applicability.

It is the purpose of this Division to provide an administrative remedy for applicants who allege that their vested rights have been abrogated by a final action of the City. This Division sets out a process for obtaining an official and binding determination of vested rights to use or develop property in a particular manner.

Section 3-1902. Application.

A. All applications for a determination of vested rights pursuant to this Division shall be made in writing upon an application form approved by City staff, and shall be accompanied by applicable fees.

B. Applications pursuant to this Division shall be filed no later than thirty (30) days from the date a final action is taken which allegedly abrogates rights the applicant claims to be vested pursuant to the standards in Section 3-1803.

Section 3-1903. Standards.

The City Commission shall grant an application for a determination of vested rights if it is demonstrated that all of the following are satisfied:

A. A valid, unexpired governmental act of the City of Coral Gables authorizes the specific development for which the determination is sought.

B. Expenditures or obligations were made or incurred in reliance upon the authorizing act that are not reasonably usable in a development that is permitted by these regulations.

C. It would be highly inequitable to deny the applicant the opportunity to complete the previously approved development, in that:

1. Actual construction has commenced;

2. The injury suffered by the applicant outweighs the public cost of allowing the applicant's development to proceed;

3. The development was economically viable at the time it was approved;

4. The expenses or obligations incurred in good faith, and without notice of a pending change in regulations that would prohibit the development for which vested rights are sought; and

5. The applicant cannot make a reasonable return on its previous expenditures on the project by developing according to the requirements of the current regulations.

D. The relief granted is the minimum relief necessary to provide the applicant with a reasonable rate of return on his investment made before the effective date of the regulations which the applicant alleges have abrogated its vested rights.

Section 3-1904. City review, report and recommendation.

City review of the application shall be conducted pursuant to Article 3, Division 2 of these regulations.

Section 3-1905. City Commission review and decision.

The City Commission shall review the application at a public hearing, noticed in accordance with the provisions of Article 3, Division 3 and shall decide whether the application should be approved, approved with conditions, or denied.

Section 3-1906. Effect of Vested Rights Determination.

A. A vested rights determination shall be set out in writing which specifically sets forth the rights that have been recognized by the City Commission as vested.

B. Vested rights shall be utilized within two (2) years of the date that the determination is rendered. If physical construction of buildings has not commenced or is not on-going and continuous pursuant to a valid building permit, the vested rights shall be extinguished without further notice or hearing.

Division 20. Development Agreements

Section 3-2001. Purpose and applicability.

The City Commission may enter into development agreements in accordance with the provisions of this Section and Chapter 163, Florida Statutes to encourage a stronger commitment to comprehensive and capital facilities planning, ensure the provision of adequate public facilities for development, encourage the efficient use of resources, and reduce the economic cost of development.

Section 3-2002. Application.

A. All applications for a determination of a development agreement pursuant to this Division shall be made in writing upon an application form approved by the City, and shall be accompanied by applicable fees.

B. Applications pursuant to this Division shall be filed no later than thirty (30) days from the date a final action is taken.

Section 3-2003. Development Review Official review and report.

The designated Development Review Official shall review the application for a development agreement with the Development Review Committee in accordance with the provisions of Article 3, Division 2 and shall prepare a written recommendation to the Planning and Zoning Board.

Section 3-2004. Planning and Zoning Board review.

The Planning and Zoning Board shall review the proposed development agreement, the recommendation of the Development Review Official, and the testimony at the public hearing, the standards in Section 3-1906 and shall issue a recommendation to the City Commission for approval or denial of the development agreement.

Section 3-2005. City Commission review and decision.

The City Commission shall conduct a public hearing noticed in accordance with the provisions of Article 3, Division 3 on the proposed development agreement. Upon conclusion of the public hearing, the Commission shall review the proposed development agreement, the recommendation of the Development Review Official, the recommendation of the Planning and Zoning Board, the testimony at the public hearing and approve, approve with modifications, or deny approval of the proposed development agreement.

Section 3-2006. Standards for review.

In reaching a decision as to whether or not the development agreement should be approved, approved with changes, approved with conditions, or disapproved, the City Commission and the Planning and Zoning Board shall determine whether the development agreement is consistent with and furthers the goals, policies and objectives of the Comprehensive Plan.

Section 3-2007. Contents of development agreement/recording.

A. Contents. The approved development agreement shall contain, at a minimum, the following information:

1. A legal description of the land subject to the development agreement.

2. The names of all persons having legal or equitable ownership of the land.

3. The duration of the development agreement shall not exceed twenty (20) years.

4. The development uses proposed for the land, including population densities, building intensities and building height.

5. A description of the public facilities and services that will serve the development, including who shall provide such public facilities and services; the date any new public facilities and services, if needed, will be constructed; who shall bear the expense of construction of any new public facilities and services; and a schedule to assure that the public facilities and services are available concurrent with the impacts of the development. The development agreement shall provide for a cashier's check, a payment and performance bond or letter of credit in the amount of one hundred fifteen (115) percent of the estimated cost of the public facilities and services, to be deposited with the City to secure construction of any new public facilities and services required to be constructed by the development agreement. The development agreement shall provide that such construction shall be completed prior to the issuance of any certificate of occupancy.

6. A description of any reservation or dedication of land for public purposes.

7. A description of all local development approvals approved or needed to be approved for the development.

8. A finding that the development approvals as proposed are consistent with the Comprehensive Plan and these regulations. Additionally, a finding that the requirements for concurrency as set forth in Article 3, Division 13 of these regulations have been satisfied.

9. A description of any conditions, terms, restrictions or other requirements determined to be necessary by the City Commission for the public health, safety or welfare of the citizens of the City of Coral Gables. Such conditions, terms, restrictions or other requirements may be supplemental to requirements in existing codes or ordinances of the City.

10. A statement indicating that the failure of the development agreement to address a particular permit, condition, term or restriction shall not relieve the developer of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions.

11. The development agreement may provide, in the discretion of the City Commission, that the entire development or any phase thereof be commenced or be completed within a specific period of time. The development agreement may provide for liquidated damages, the denial of future development approvals, the termination of the development agreement, or the withholding of certificates of occupancy for the failure of the developer to comply with any such deadline.

12. A statement that the burdens of the development agreement shall be binding upon, and the benefits of the development agreement shall inure to, all successors in interest to the parties to the development agreement.

13. All development agreements shall specifically state that subsequently adopted ordinances and codes of the City which are of general application not governing the development of land shall be applicable to the lands subject to the development agreement, and that such modifications are specifically anticipated in the development agreement.

B. Recording. No later than fourteen (14) days after the execution of a development agreement by all parties thereto, the City shall record the development agreement with the Clerk of the Circuit Court in Miami-Dade County. The applicant for a development agreement shall bear the expense of recording the development agreement. Additionally, the City shall submit a recorded copy of the development agreement to the State of Florida Department of Community Affairs no later than fourteen (14) days after the development agreement is recorded.

Section 3-2008. Effect of decision.

A. The codes and ordinances of the City governing the development of land subject to a development agreement, in existence at the time of the execution of a development agreement, shall govern the development of the land for the duration of the development agreement. Upon the expiration or termination of a development agreement, all codes and ordinances of the City in existence upon the date of expiration or termination shall become applicable to the development regardless of the terms of the development agreement.

B. The City may apply codes and ordinances adopted subsequent to the execution of a development agreement to the subject property and development only if the City Commission, upon holding a public hearing, has determined that such subsequent codes and ordinances are:

1. Not in conflict with the laws and policies governing the development agreement and do not prevent development of the land uses, intensities or densities in the development agreement.

2. Are essential to the public health, safety or welfare, and expressly state that they shall apply to a

development that is subject to a development agreement.

3. Are specifically anticipated and provided for in the development agreement.

4. The City demonstrates that substantial changes have occurred in pertinent conditions existing at the time of approval of the development agreement.

5. The development agreement is based on substantially inaccurate information supplied by the developer.

Section 3-2009. Changes to development agreements.

A development agreement may be amended by mutual consent of the parties, provided the notice and public hearing requirements of Article 3, Division 3 of these regulations are followed. A party to a development agreement may request one (1) extension of the duration of the development agreement, not to exceed one (1) year from the date of expiration of the initial term of the development agreement, by submitting an application to the Development Review Official at least sixty (60) days prior to the expiration of the initial term of the agreement. The application shall address the necessity for the extension and shall demonstrate that the extension is warranted under the circumstances. The Development Review Official shall schedule the requested extension as a proposed amendment to the development agreement for public hearing before the Planning and Zoning Board and City Commission, in accordance with Article 3, Division 3 of these regulations.

Section 3-2010. Expiration or revocation of approval.

The City Manager shall review all lands within the City subject to a development agreement at least once every twelve (12) months to determine if there has been demonstrated good-faith compliance with the terms of the development agreement. The City Manager shall make an annual report to the City Commission as to the results of this review. In the event the City Commission finds, on the basis of substantial competent evidence, that there has been a failure to comply with the terms of the development agreement, the development agreement may be revoked or modified by the City Commission upon giving at least fifteen (15) days written notice to the parties named in the development agreement. Such termination of a development agreement shall occur only after compliance with the public hearing and notice requirements of Article 3, Division 3.

Division 21. Art in Public Places Program

Section 3-2101. Purpose.

The City of Coral Gables has adopted a municipal program providing for the acquisition and maintenance of art in public places, as contemplated by, and consistent with, Section 2-11.15 of the Miami-Dade County Code of Ordinances entitled “Works of Art in Public Places,” as it shall be amended from time to time. It is the purpose of this Division to establish a formal requirement for the City pertaining to the funding, acquisition, placement and maintenance of Public Art and Historic Public Art. This requirement, and the policies and procedures that implement it, are referred to as the City of Coral Gables Art in Public Places Program.

The policies and procedures for this program are outlined in the Guidelines, which may be revised and clarified from time to time upon the recommendation of the Cultural Development Board and final approval by Resolution of the City Commission. It is the intention of this program to preserve the City’s artistic heritage, enhance its character and identity, contribute to economic development and tourism, add beauty and interest to spaces visible to the public and increase opportunities for the public to experience and participate in the arts through the acquisition and installation of world-class art in publicly accessible areas.

Section 3-2102. Applicability.

The Art in Public Places Program applies to Municipal and Non-Municipal Construction Projects. The minimum requirements for new governmental buildings are governed by the Miami-Dade County Code as amended, namely Ordinance No. 94-12, which requires not less than one and one-half percent (1½%) of the construction cost of new governmental buildings be devoted towards the acquisition, repair, and maintenance of public art. The provisions in this Division are supplemental to and generally more restrictive than Miami-Dade County Code provisions. If the Miami-Dade County Code provisions relating to new governmental buildings are not enforced by the City, Miami-Dade County may enforce the same. Should a conflict arise between these provisions and Miami-Dade County provisions, the more restrictive shall apply. A commercial property owner who is not subject to the Art in Public Places Program may opt into the Program by submitting proposed Public Art to the review process outlined in Section 3-2103, as such section applies to the acquisition or commissioning of Public Art; provided, however, the requirements regarding value shall not apply.

Section 3-2103. Art in Public Places Fund Requirements, Waivers, and Exemptions.

A. Fund Requirements. Two funds will be established for the Art in Public Places Program (each a "Fund" and collectively "Funds"). The first fund will be entitled Historic Public Art Fund and will be funded through payments from budgets of one percent (1%) of Municipal Construction Projects. The second fund will be entitled Art Acquisition Fund and will be funded through Art in Public Places Fees as well as one-half percent (½%) of Municipal Construction Projects. Each of these funds will be interest bearing and revolving and may only be used for the purposes outlined in the Guidelines. Persons or entities other than those required to make payments to the Funds pursuant to this Ordinance may make a voluntary donation to either of the Funds by specifying that the use of such donation shall be deposited in the expressly identified Fund.
   1. Historic Public Art Fund. One percent (1.0%) of the Aggregate Project Value for City of Coral Gables Municipal Construction Projects shall be transferred to an account entitled Historic Public Art Fund which will be used for the restoration, Extraordinary and Ordinary Maintenance and acquisition of Historic Public Art. Application of this Fund shall be approved by the City Commission with recommendations from the Historic Preservation Board and the Historical Resources Department.
   2. Art Acquisition Fund. The Developer of any Non-Municipal Construction Project with an Aggregate Project Value of one million dollars ($1,000,000.00) or more and not exempted as provided in subsection C below, shall contribute One percent (1.0%) of the Aggregate Project Value to the Art Acquisition Fund established by the City. In addition, one-half percent (½%) of Municipal Construction Projects that fall under the Miami-Dade County Code provisions described in Section 3-2102, shall be deposited in the Art Acquisition Fund. A Developer may seek a waiver of the requirement of this Section A-2 as provided in subsection B below. Application of this Fund shall be in accordance with the Guidelines and Master Art Plan.

B. Waiver of the Art in Public Places Fee. A Developer of a Non-Municipal Construction Project that is not exempt as set forth in subsection C below may petition to waive the Art in Public Places Fee requirement by one or more of the following:
   1. Acquiring or commissioning artwork, which has an appraised value equal to or greater than the amount of the Art in Public Places Fee that otherwise would be required, with such artwork to be incorporated within the Developer's project; or
   2. Donating and installing artwork to the City with an appraised value equal to or greater than the amount of the Art in Public Places Fee that otherwise would be required, and providing for the perpetual maintenance of such artwork; or
   3. Causing the purchase, designation, restoration, or perpetual maintenance of historically significant buildings in an amount equal to or greater than the amount of the Art in Public Places Fee that otherwise would be required; or
   4. Causing the purchase of parcels identified in the City's Parks and Open Space Inventory Analysis in an amount equal to or greater than the amount of the Art in Public Places Fee that otherwise would be required and donating such parcels to the City.

A Developer seeking a waiver pursuant to subsections B1 or B2 herein shall submit the proposed Artist and artwork concept to the Cultural Development Board for review, with assistance of the Arts Advisory Panel, in accordance with the Guidelines. The Cultural Development Board shall recommend to the City Commission whether to approve, deny, request further information or approve with conditions, the selection and location of artwork, and the City Commission shall have final approval of the concept (if work is to be commissioned) or the artwork (if the artwork is extant). The value of donated or acquired artwork shall be confirmed by a certified art appraiser (or person with professional arts credentials otherwise acceptable to the City), with the cost of such appraisal to be borne by the Developer and which shall not be included in the one percent (1%) budget for art. The value of the commissioned work will be determined by the value of the artist contract for such commission, including artist fees and expenses incurred by the artist for subcontractors, travel/expenses, materials, fabrication, transportation and installation costs. Developer costs for art consultant fees in excess of ten percent (10%) of the Art in Public Places Fee, project management, coordination with other design professionals, site preparation, lighting of the artwork, maintenance, operation and other in-house costs or fees will not be considered part of the value of the commissioned work. In the event that the commissioned work is integrated into the project and/or is an artist-designed treatment for architectural, landscape or hardscape components of the project, and in the event that the work results in the artist specifying different materials for those components, only the marginal costs for materials and installation that exceed the costs of materials and installation that would have otherwise been incurred in the construction of the project shall be considered part of the value of the commissioned work. Ownership and title of works incorporated into private construction shall remain with the property owner, who will be required to maintain the artwork in good condition. The property owner's obligations regarding maintenance and access for such artwork shall be set forth in a recorded restrictive covenant acceptable to the City Attorney's Office, which obligations shall run with the land. Removal or alteration of artwork incorporated into private property shall only be permitted with City approval in accordance with the Guidelines, and shall require payment to the Art Acquisition Fund of the Art in Public Places Fee that otherwise would have been originally required. Ownership of works donated to the City and placed on City property shall be owned by the City. Any Public Art created or installed through a partnership between a Developer and the City to place free-standing Public Art on City property to satisfy all or part of that Developer's Art in Public Places Fee requirement may be presented to the City Commission for review and approval without any prior board review. All contracts for artwork that will be acquired or accepted for ownership by the City must be reviewed and approved as to form and legal sufficiency by the City Attorney's Office.

A Developer seeking waiver pursuant to subsections B3 or B4 herein shall submit the request to the City Commission for approval with a recommendation of the Historic Preservation Board for B3 and Parks and Recreation Advisory Board for B4, as well as staff. The value of donations shall be determined by a qualified appraiser acceptable to the City, which in the case of real estate shall be by an appraiser who is an Appraisal Institute member holding the MAI designation and the cost of such appraisal will be borne by the Developer.

In extraordinary circumstances, upon a showing of a unique hardship that is not otherwise addressed in this ordinance, a developer may seek an adjustment of the requirements of this ordinance. The request for adjustment shall be made to the City Commission, after obtaining a recommendation from the appropriate board and City Manager. Any granted adjustment will be by resolution. This paragraph shall be construed narrowly as the policy of the City is that applications will generally comply with the provisions of this Ordinance. The determination of the City Commission as to whether to exercise its discretion to grant an adjustment in extraordinary circumstances is final and not subject to further reconsideration, review, or appeal.

C. Exemptions from the City of Coral Gables Art in Public Places Program. The following are exempt from the requirements of this Division and are not required to pay into a Fund or seek a waiver from paying into a Fund:
   1. New construction, additions and modifications to single-family residences;

2. Construction projects, which are required to pay a public art fee pursuant to other applicable Miami-Dade County regulations, provided payment has been paid, documented and approved to the City's satisfaction;
3. Non-Municipal Construction Projects with an Aggregate Project Value of less than one million dollars ($1,000,000.00); and
4. Construction Projects at an accredited college and/or university that maintains at its campus a publicly accessible permanent collection of art of at least thirty (30) sculptures and/or other Public Art in accordance with a Campus Art Master Plan. In order to maintain this exempt status, the accredited college and/or university must satisfy all of the following criteria:
   a. A Campus Art Master Plan shall initially be submitted for review and approval by the City Commission to confirm the sufficiency of the Campus Art Master Plan; and
   b. A report of the Campus Art Master Plan, demonstrating changes to the collection of Public Art on the campus shall be made to the City Commission in December 2010, and every third (3rd) year thereafter.

D. Applicants wishing to pursue installation of Art in Public Places must meet the special design and administrative considerations discussed below in Section 3-2104. After submission to and review by the applicable boards, the City Commission, in its sole and absolute discretion, may approve the submitted concept for Public Art. It is the intention and direction of the City that Public Art approved through the City's Art in Public Places Program shall be permitted with regard to aesthetic characteristics after a review is conducted and a determination is made that the Public Art is appropriate in design and proposed construction.

Section 3-2104. Administration.

A. Annual Inventory Priorities. The Historic Preservation Board or its designee, as determined by the City Manager, shall submit to the City Commission an annual report that recommends priorities for the disbursement of Historic Public Art Funds as they become available.
B. Master Art Plan and Guidelines. The Cultural Development Board shall recommend a Public Art Master Art Plan, which shall be reviewed and recommended by the Board of Architects specifically to consider locations recommended for future placement of artwork. The recommendation of each Board shall be subject to final review and approval by the City Commission. If approved, the Master Art Plan will govern location and selection criteria for art work. Written Guidelines shall include policies and procedures for managing City-initiated public art projects, guiding Developers who have an Art in Public Places requirement, and managing the Art Acquisition Fund and Historic Public Art Fund. The Guidelines shall govern the manner and method of submission of proposed works of art to the Cultural Development Board, the process by which the Arts Advisory Panel shall make recommendations to the Cultural Development Board, and the process by which the Cultural Development Board shall recommend to the Coral Gables City Commission.
C. Accounting. The Historic Preservation Board and the Cultural Development Board, or their designees as determined by the City Manager, shall each submit an annual report providing a detailed accounting of monies spent or earmarked for future expenditures from the Funds to the City Manager.
D. Selection of Public Art by the City Using the Art Acquisition Fund. The selection of Public Art using the Art Acquisition Fund, shall be by Resolution of the Coral Gables City Commission upon recommendation by the Economic Sustainability Department and Cultural Development Board with the assistance of the Arts Advisory Panel, as needed. The principles governing selection criteria for Public Art are more fully set forth in the Guidelines and Master Art Plan, but at a minimum shall require that works of art satisfy all of the following:
   1. Are publicly accessible.
   2. Are created by an Artist.
   3. Demonstrate excellence in aesthetic quality, workmanship, innovation and creativity;
   4. Are appropriate in scale, form, content and of materials/media suitable for the site;
   5. Demonstrate feasibility in terms of budget, timeline, safety, durability, operation, maintenance, conservation, security and/or storage and siting; and
   6. Bring diversity to the City's public art collection in terms of media, artistic discipline and/or artistic approach.

E. Ownership and Maintenance.
   1. The City shall be deemed the owner of and shall retain title to each work of Public Art acquired using either of the Funds. The City is charged with the custody, supervision, and preservation of such works of art.
   2. Artists, as part of any contractual agreement with the City for the provision of a work of art, shall be required to submit to the Cultural Development Board a "Maintenance and Inventory Sheet", including the annual cost projections, which details the maintenance and ongoing care of the work and signage/credit recommendations. The City may require an assessment by a professional conservator.

Section 3-2105. Enforcement.

A. The City shall not issue a building permit for a Municipal or Non-Municipal Construction Project where the Developer has chosen to pay the Art in Public Places Fee until the required contribution has been deposited in the appropriate Fund as described herein and in the Guidelines and Master Art Plan.
B. The City shall not issue a building permit for a Non-Municipal Construction Project where the Developer has chosen to obtain a waiver of the Art in Public Places Fee payment until the City Commission has by Resolution approved the waiver by approving a concept plan for incorporation of Public Art into the Project, approving a concept plan and location of Public Art elsewhere in the City, or accepting a waiver for contribution to a historically significant building or purchase of a parcel of land for the City's parks and open space, as outlined above.
C. The City shall not issue a certificate of occupancy for a Non-Municipal Construction Project where the Developer has chosen to obtain a waiver of the Art in Public Places Fee payment until all approved Public Art has been installed in accordance with approved plans and/or required documentation regarding the waiver and/or Public Artwork has been provided to the City.

Section 3-2106. Definitions.

For the purpose of this Division, the following terms are defined:

Aggregate Project Value means the total of all Construction Cost associated with a particular construction or renovation project regardless of the number of permits associated with the project, or whether it is a phased project.

Arts Advisory Panel means a panel composed of art experts who shall make recommendations to the Cultural Development Board on commissions and acquisitions of individual artwork projects. Arts Advisory Panel members are professionals in the visual arts, art history, design, architecture, landscape architecture or urban design.

Art Acquisition Fund means a separate, dedicated, interest bearing and revolving fund established in the City Treasury into which Art in Public Places Fees are collected and deposited for acquisition, commissioning, exhibition, Extraordinary Maintenance and Conservation of Public Art.

Art in Public Places or Public Art means tangible creations by artists that exhibit the highest quality of skill and aesthetic principles, including but not limited to the following: paintings, sculptures, stained glass, projections, light pieces, statues, bas reliefs, engravings, carvings, frescoes, mobiles, murals, collages, mosaics, tapestries, photographs, drawings, monuments and fountains or combinations thereof, and that are one-of–a-kind or part of an original, numbered series. The artwork must be created for placement in a public place or publicly accessible private space, or integrated into the underlying architecture, landscape design or site. 'Art in Public Places" and "Public Art" do not include items manufactured in large quantities by the means of industrial machines, reproductions or architectural elements unless designed by a professional Artist. Works of art may be permanent, temporary or functional, and can encompass the broadest range of expression, media and materials.

Art in Public Places Fee means the amount paid by a Developer for a non-exempt Non-Municipal Construction Project to the City in fulfillment of the Art in Public Places Program requirements, as set forth in Section 3-2103.

Artist means an individual generally recognized by critics and peers as a professional practitioner of the visual arts, as judged by the quality of that professional practitioner's body of work, educational background, experience, past public commissions, exhibition record, publications, receipt of honors and awards, training in the arts, and production of artwork.

Campus Art Master Plan means a plan prepared by an accredited college or university in the City that outlines the selection, criteria, placement and maintenance of a permanent collection and future sculptures and other Public Art on the campus, and describes plans for the evolution and growth of such Public Art collection over time.

Developer means the person or entity undertaking a Non-Municipal Construction Project or Public-Private Joint Venture Project that is subject to the Art in Public Places Fee.

Guidelines means *The City of Coral Gables Art in Public Places Program: Funding, Goals, and Implementation Guidelines*, which is a guide that outlines policies and procedures for the Art in Public Places program. The Guidelines may be revised from time to time and may be approved by Resolution of the City Commission upon recommendation of the Cultural Development Board.

Construction Cost means the total cost of a construction or renovation project, as determined by the Building Official in issuing a building permit for construction or renovation plus soft costs of architectural and engineering fees. The Construction Cost includes all labor, structural materials, plumbing, electrical, mechanical, infrastructure, design, permitting, architecture, engineering, lighting, signage, and site work. All construction and renovation costs shall be calculated based on good faith projections for the whole project, and paid as of the date the building permit is issued. This definition is not intended to include the Florida Building Code definition for Construction Cost.

Extraordinary Maintenance means any non-routine repair or restoration to sound condition of Public Art or Historic Public Art that requires specialized professional services.

Historic Public Art means plazas, entrances, fountains, murals, sculptures and other decorative features that have been designated as local historic landmarks or fine arts such as paintings and ceramics that represent the original civic art of the City or the history of the City. Murals, sculptures and decorative features must be an integral component of the original architecture, landscape design or urban design of the designated landmark feature. Appropriate historical furniture may be considered Historic Public Art.

Historic Public Art Fund means a separate, dedicated, interest bearing and revolving fund established in the City Treasury into which Public Art payments generated by Municipal Project Construction Projects are collected and deposited, and will be used for the restoration, maintenance and acquisition of Historic Public Art.

Municipal Construction Project(s) means any remodel project over $100,000 or new construction project to the extent paid for wholly or in part by the City or other governmental entity, regardless of the source of the monies, for any public buildings, public decorative structures, public parking facilities and parks or that portion of a Public-Private Joint Venture Project determined by the City to be a public portion of the project. Notwithstanding the foregoing, "Municipal Construction Projects" do not include projects to the extent funded from the Historic Public Art Fund or historic related grant funding or projects that solely consist of historic restoration, utility, drainage or roadway work.

Non-Municipal Construction Project(s) means as any construction or renovation project to the extent not paid wholly or in part by the City of one million dollars ($1,000,000.00) or more, excluding single-family homes. "Non-Municipal Construction Projects" includes the private portion of any Public-Private Joint Venture Project.

Ordinary Maintenance means any routine maintenance necessary to maintain the Public Art or Historic Public Art that is undertaken on a regular basis.
Public Art Collection means the works of Public Art that are commissioned, acquired, or accepted by the City pursuant to the requirements of this Ordinance, or when Public Art is expressly accepted into the collection using the City's Donation Policy.

Public-Private Joint Venture Project means a project where a construction or renovation project undertaken by a private entity occurs on City-owned land, or where the City is a party to a public- private joint venture agreement on City-owned land. To the extent a Public-Private Joint Venture Project can be divided into public and private portions, the public portions shall be considered a Municipal Construction Project and the private portions shall be considered a Non-Municipal Construction Project, the percentage of each to be determined by the City. It is acknowledged that Miami-Dade County's Art in Public Place Ordinance may apply to public portions of the Public-Private Joint Venture Projects.

Public Art Master Art Plan or Master Art Plan means a five-year plan developed to further define the City as a unique city of artistry and beauty while ensuring open access to Public Art. The Master Art Plan identifies locational placement priorities, standards for installation, detailed criteria for Artist and artwork selection, and a Conservation/Extraordinary and Ordinary Maintenance protocol.

Publicly Accessible with regard to Art in Public Places means exterior locations that are highly visible and accessible twenty-four hours a day, seven days a week at no charge to public.

Remodel with regard to Art in Public Places means any construction or renovation to an existing structure other than repair or maintenance.

Division 22. Affordable housing

[RESERVED]

ARTICLE 4 - ZONING DISTRICTS

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

Zoning Districts	***Zoning District Abbreviation***
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

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**
Residential uses											
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				
Non-residential uses											
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					P/C	P/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 – 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 – 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

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

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:

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

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.

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.

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.

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.

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:

Height of building in feet	*Maximum FAR*
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:

Height of building in feet	*Maximum FAR*
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.

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.

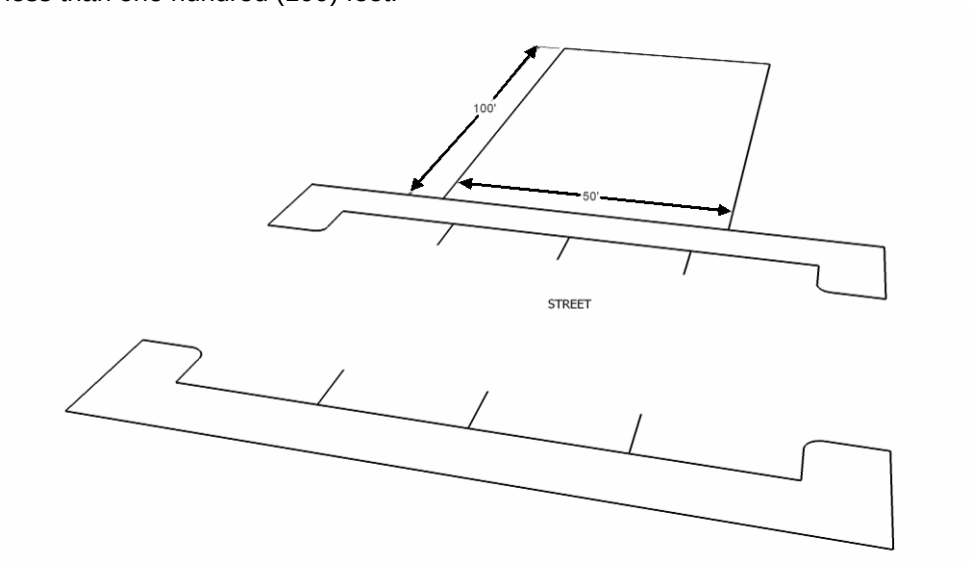
3. Private yacht basins.

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).

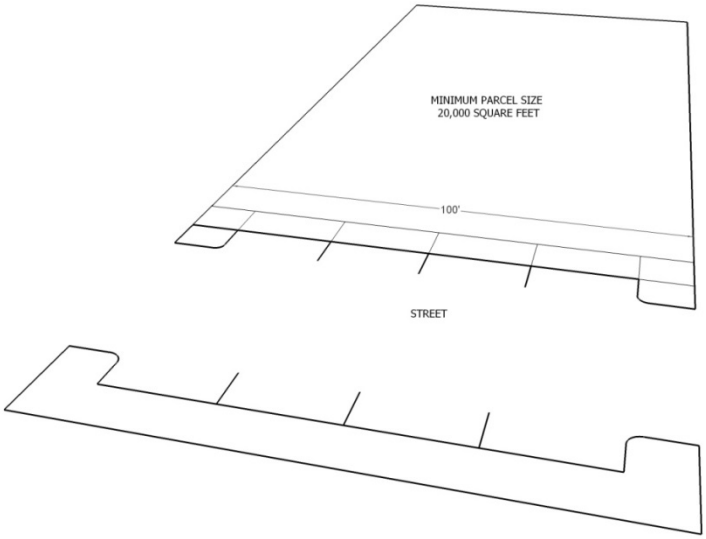
1. Building sites. Buildings and structures constructed in this District shall be constructed or erected upon a building site containing at least one (1) platted lot, and such building site shall have a minimum street frontage of fifty (50) feet.

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.



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.

4. Maximum density. Sixty (60) dwelling units per acre or the density provided in the Comprehensive Plan, with architectural incentives, whichever is less.

5. Facing of lots and buildings.

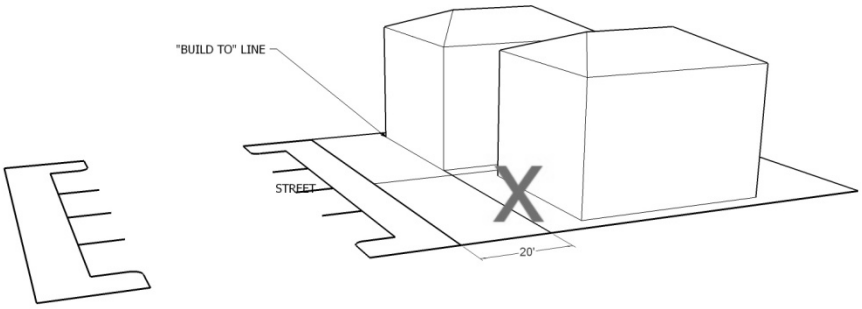
   a. The facing of a building site shall be based on the platting of the lots that comprise the building site, except for specific deviations or exceptions prescribed in the Site Specific Zoning Regulations in Appendix A.

   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.

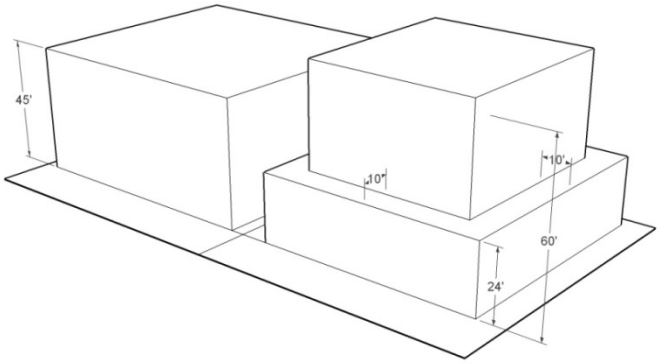
5. Setback requirements. No building or structure, or any part thereof, including porches, projections or terraces, but not including uncovered steps, shall be erected at a lesser distance from the front, side or rear line of any building site than the front, side or rear setback distance, respectively, prescribed and established herein for such building site.

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

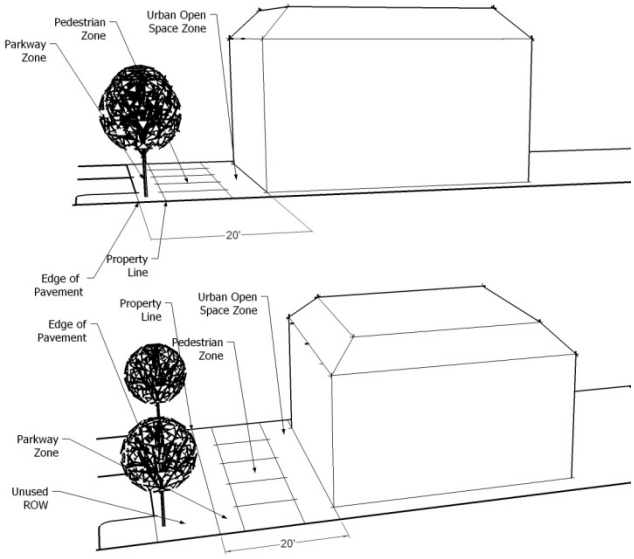


FRONT SET BACK

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.



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.

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.

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

Maximum height						
	Parcel size	*SFR*	*MF1*	*MF L*	*MF M*	*MF H*
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:

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.

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.

ALTERNATIVE SCREENING

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

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

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.

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*
D.	Performance standards.			
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.
E.	Building regulations.			
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.

Table 1.				
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.	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: • Commercial Limited District: Up to and including seventy-five (75) feet. • Commercial District: Up to and including one-hundred (100) feet. • Industrial District: Up to and including one-hundred (100) feet. • Manufacturing uses: Up to and including forty-five (45) feet. 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: • The building has no more than ten (10) stories. • The additional building height is for the purpose of providing increased floor to ceiling height in residential units. • The additional building height enhances the building's aesthetics and the aesthetics of the surrounding area. • The additional building height does not result in increased density or floor area.
7.	✓	✓	Heights of architectural elements, etc.	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: • Commercial Limited District: Up to and including fifteen (15) feet. • Industrial and Commercial Districts: Up to and including twenty-five (25) feet. • Manufacturing uses: Up to and including ten (10) feet. 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.
8.		✓	Height adjoining residential uses.	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. 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

Table 1.				
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*
				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).	Front: Up to forty-five (45) feet in height: None. If over forty-five (45) feet in height: Ten (10) feet Side: Interior side: None. Side street: Fifteen (15) feet. Rear: Abutting a dedicated alley or street: None. No abutting dedicated alley or street: Ten (10) feet. Balconies: Cantilevered open balconies may project into the required setback areas a maximum of six (6) feet. 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.
15.	✓	✓	Setback reductions and vertical building stepbacks.	Reduction in setbacks. Setbacks may be reduced subject to the following standards: Minimum percentage of open space. A minimum of fifty (50%) percent of the total ground floor square footage received from the setback reduction is provided as publicly accessible street level open space and landscape area on the private property. The open space is subject to the following: • 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. • Minimum area. Minimum square footage of allowable open space (i.e., plazas) shall be five hundred (500) square feet. • Include both hard and softscape landscape improvements and pedestrian amenities. • 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.

Table 1.				
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*
				• Restaurant seating. This area may be used for outdoor restaurant seating subject to approval as provided for in these regulations. Vertical building stepbacks. A vertical building stepback 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 stepbacks 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.
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.
F. Design regulations.				
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, stepbacks 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: • Building Design and Construction (BD+C). • Neighborhood Development (ND).
6.	✓	✓	Lighting (street).	Decorative street lighting shall be provided and located on all streets/rights-of-way subject to the following: • Light fixtures/poles up to thirty-five (35) feet in height. • Subject to all other applicable City code provisions.
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.

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: • Driveway entrances. • Crosswalks. • Sidewalks. Minimum of twenty-five (25%) percent of paving surface.
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.	Pedestrian amenities shall be provided on both private property and/or public open spaces including but not limited to the following: • Benches. • Information kiosks. • Lighting. • Bike racks. • Refuse containers. • Sidewalk pavement treatments. • Statuary. • Street crosswalk paver treatments. • Wall mounted fountains. • Water fountains and other similar water features. 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.
15.	✓	✓	Pedestrian design features for building frontages (street level only).	On any front property line or primary street, where an adjoining pedestrian sidewalk is located, the following design features shall be included: • Display windows or retail display area; • Landscaping; and/or, • Architectural building design features. 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.
16.	✓	✓	Pedestrian pass-throughs/ paseo.	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: • Minimum of ten (10) feet in width. • Include pedestrian amenities as defined herein. 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.
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

Table 1.				
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*
				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.
G. Landscaping.				
1.	✓	✓	Landscape open space.	Landscape open space requirements are satisfied pursuant to the rights-of-way planting requirements listed in Article 5, Division 11.
H. Parking/vehicle storage.				
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.

Table 1.				
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*
				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.
I. Sanitation and service areas.				
1.	✓	✓	General.	In accordance with Article 5, Division 17
J. Signs.				
1.	✓	✓	General.	In accordance with Article 5, Division 19.
K. Streets and alleys.				
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.	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. 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.
3.	✓	✓	Sidewalks.	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. 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). 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.
L. Utilities.				
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

Table 1.				
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*
				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.
M. Miscellaneous.				
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: • 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. • The property owners shall be responsible for liability insurance, local taxes, and the maintenance of the encroachment and/or property.
4.	✓	✓	Live work units.	• Live work units shall satisfy all applicable building code and fire and life safety code requirements at time of completion. • 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. • 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. • 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. • Operation of live work unit. o 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. o Deliveries for nonresidential uses in the live work unit shall be limited to the hours of 8:00 AM to 8:00 PM. o 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.
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

Table 1.				
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*
				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. 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. 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. 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. 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. Easements. The property owners shall provide easements to all applicable utility companies for the installation and maintenance of underground utilities.

Table 1.				
Reference	*Individual building(s)*	*Overlay District*	*Type*	*Requirements*
				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.

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.

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.

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 t 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

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

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.

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

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:

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

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

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

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.

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

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.

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 and 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.

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.

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.

   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.

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 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.

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. Drive through facilities not abutting or adjacent to SFR, MF1, MF2, and MFSA zoning districts.

10. Educational facilities.

11. Funeral home.

12. Government uses.

13. Indoor recreation/entertainment.

14. Medical clinic.

15. Municipal facilities.

16. Museum.

17. Nighttime uses.

18. Nursing homes.

19. Offices.

20. Overnight accommodations.

21. Parking garages.

22. Parking lots.

23. Parks, City.

24. Public transportation facility.

25. Restaurants.

26. Restaurants, fast food.

27. Retail sales and services.

28. Swimming pools as an accessory use.

29. Temporary uses.

30. TV/radio studios.

31. Utility/infrastructure facilities.

32. Vehicle sales/displays.

33. Vehicle service, major.

34. 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 abutting and/or adjacent to SFR, MF1, MF2, and MFSA zoning districts.

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
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:

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.
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.

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.

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.
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 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.

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.

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

Section 4-411. Parking in residential areas.

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. Loading or unloading of trucks, trailers or commercial vehicles provided that such loading or unloading takes no more than two (2) hours, and is not done between the hours of 7:00 PM of one day and 7:00 AM of the next day.

4. 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.

5. The loading or unloading of recreational vehicles as provided for under this Section.

6. Mobile cranes and other heavy equipment used during building construction.

7. 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.

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.

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.

ARTICLE 5 – DEVELOPMENT STANDARDS

Division 1. Accessory Uses

Section 5-101. General.

Accessory uses, which do not alter the character of the premises in respect to their basic use, shall be permitted in connection with all uses. Specific enumeration of permissible accessory uses shall not be deemed to prevent other proper accessory uses not so enumerated. All accessory uses shall comply with the following general standards:

A. No accessory building or structure may be constructed before, but may be built concurrently with, the main building, nor shall any such building be completed before the main building is completed, except as to interior trim and decoration, or be used or occupied before the main building is completed.

B. Except as may be otherwise required, no accessory building or structure may be located in the area between the street and the main residential building or any part thereof; with the exception of fountains, reflecting pools, planters and flagpoles.

C. In no case shall an accessory building or structure be located closer to the front or side street of a lot or building site than the main or principal building; with the exception of fountains, reflecting pools, planters and flagpoles.

Section 5-102. Accessory dwelling.

A. An accessory dwelling shall be permitted in an SFR District as an accessory use located above a garage.

B. An accessory dwelling shall be permitted as an accessory use in an SFR District provided that the living quarters:

   1. Are located above a garage;

   2. Are for the use of members of the family living in the main residence or persons employed on the premises; and

   3. Does not contain a kitchen.

Section 5-103. Boathouse and/or boat slip.

A boathouse and/or a boat slip shall be permitted as an accessory use in an SFR district provided that the boat house and/or the boat slip:

A. Is used by members of the family residing in the main residence.

B. Does not contain a kitchen.

C. Eave line does not exceed in height the eave line of the main residence.

D. Maintains the same minimum setbacks from the platted canal line or bay front and the same minimum setback from the side lot line as established for the main structure.

Section 5-104. Cabana.

A cabana shall be permitted as an accessory use in a single-family district subject to the following conditions and restrictions:

A. Such cabana is used by members of the family residing in the main residence.

B. Such cabana shall be of masonry construction with tile roof and shall be designed so as to tie in architecturally with the main building.

C. The area of such cabana shall not exceed one hundred (100) square feet.

D. The plumbing facilities shall be limited to shower and toilet facilities.

E. The setbacks and ground coverage shall be in accordance with the underlying zoning district.

F. The cabana shall not be used for living or sleeping quarters.

G. Cabanas which are attached to the main building shall not be required to be inter-connected with the main building.

Section 5-105. Guesthouse.

A guesthouse will be permitted as accessory to a Residential Estate subject to the following conditions and restrictions:

A. The guesthouse shall not exceed six hundred (600) square feet in ground area or ten (10%) percent of the ground area of the main building on the premises, whichever is greater.

B. Such guesthouse may contain kitchen facilities.

C. Only non-paying and personal guests of the occupant of the principal residence shall occupy a guesthouse.

D. Year-round occupancy shall not be permitted by the same guest.

E. The owner of the property shall not be permitted to live in the guesthouse and rent the principal residence.

F. The guesthouse shall be located in the rear yard.

Section 5-106. Greenhouse.

A greenhouse shall be permitted as an accessory use in any residential district, subject to the following conditions and restrictions:

A. Such greenhouse shall be restricted to the sole purpose of raising vegetation.

B. Such greenhouse shall be constructed of:

1. A pipe frame covered with a green or black chain link fencing material and/or dark green plastic screen.

2. A pipe frame covered with a green or black chain link fencing material and/or dark green plastic screen located on top of a masonry wall, provided such masonry wall does not exceed a height of four (4) feet.

3. Glass in metal frames, provided where masonry is used in the walls of such construction, such masonry walls shall not exceed a height of four (4) feet.

4. A pipe frame covered with galvanized expanded metal, painted green.

C. In those instances where a greenhouse is constructed of chain link fence material, such greenhouse shall be covered at all times with dark green plastic screen, provided, however, such plastic screen may be removed in the event of a hurricane.

D. The ground dimension of such greenhouse shall not exceed a width of twelve (12) feet, and a depth of sixteen (16) feet.

E. The walls of the greenhouse shall not exceed a height of seven (7) feet.

F. The greenhouse shall not exceed an overall height of eight and one-half (8½) feet.

G. The roof pitch of such greenhouse shall not exceed a maximum of three (3) inches in twelve (12) inches.

H. Sun screens and other materials used for shading, except dark green plastic screens, shall be used only on the inside of the greenhouse.

I. The setbacks of such greenhouses shall be the same as required for screen enclosures.

J. The greenhouse shall be located on the rear of the property and shall be properly screened by landscaping from view from the street and adjacent property owners. Such landscaping shall be maintained for as long as the structure shall remain upon the premises.

K. The greenhouse shall not contain toilet facilities but may contain a sink for washing and care of the vegetation.

L. The structural design of the greenhouse shall be subject to approval by the Structural Engineer.

Section 5-107. Playhouse.

A playhouse shall be permitted as an accessory use to any residential use, subject to the following conditions and restrictions:

A. Such playhouse shall be of concrete block stucco construction with tile roof.

B. The ground dimensions thereof shall not exceed twelve (12) feet by twelve (12) feet.

C. The headroom therein shall not exceed five (5) feet.

D. No plumbing facilities or fixtures shall be installed therein.

E. Such playhouse shall be screened by shrubbery to obscure the view of such playhouse from the street.

F. Shall be located in the rear yard.

Section 5-108. Swimming pool and/or spa.

A private swimming pool and spa is permitted as an accessory use in any district, subject to the following conditions and restrictions:

A. Swimming pools shall conform to the minimum structural requirements as required by the Florida Building Code.

B. Design and sanitation requirements shall meet the requirements of the Florida Building Code and the State Board of Health. All plans for swimming pools which require approval by the State Board of

Health shall be stamped with the approval thereon of said Board prior to such plans being submitted to the City of Coral Gables for a building permit.

C. Maximum ground area coverage. In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots comprising the building site, and the total ground area permitted to be occupied by the main building or structure and permitted auxiliary structures shall not exceed forty-five (45%) percent of the site upon which the structures are located.

D. Setback:

1. Minimum front, side and rear setback. Same as requirements for a residence located on the parcel where pool is to be constructed provided, however, that in no case shall the pool be located closer to a front street line of a lot or building site than the main or principal building is located.

2. Waterway / golf course setback. On a lot or building site abutting upon a canal, waterway, lake, bay, or golf course, five (5) feet from such canal, waterway, lake, bay, or golf course.

3. Measurement. All setbacks for swimming pools shall be measured from the water's edge of the pool to the nearest property line in question.

E. Unless the pool is entirely screened in, it must be surrounded by a protective wall or fence four (4) feet in height, to comply with existing ordinance for walls and fences and provided, further, that in all cases where a swimming pool is constructed which will be visible from a street, a four (4) foot wall shall be erected upon the premises between the street and the swimming pool.

F. Gates in the protective fence and/or wall required by these regulations shall be the spring lock type, so that they shall automatically be in a closed and fastened position at all times. Gates shall also be equipped with a safe lock and shall be locked when the swimming pool is not in use.

G. On inside lots swimming pools may be located within an L or U of the building facing upon a front street.

H. On corner lots, swimming pools may be located within an L of the building provided that such L is not visible in both the front and side street elevation.

I. In no case shall a swimming pool be located closer to the front or side street of a lot or building site than the main or principal building.

J. Patios and decks surrounding pools (other than wood decks governed by Section 5-114) may extend five (5) feet closer to the rear property line, canal, waterway, lake, bay or golf course, than the pool itself, provided that a minimum rear setback of five (5) feet is maintained.

Section 5-109. Recreational equipment.

Non-movable recreational equipment including swing sets, jungle gyms, basketball poles, etc., are permitted to be placed, kept or maintained in any interior side or rear yard only.

Section 5-110. Screened enclosures.

A structure whose openings are composed of screening shall be permitted as an accessory use in connection with a residential or special use district, provided a major portion of one (1) wall of the screened enclosure shall be a part of the main building or of a permitted accessory building located on the premises, subject to the following conditions and limitations:

A. Street elevation: In all cases where an elevation of a screened enclosure is visible from a street, such

elevation shall be constructed of a minimum three (3) foot high masonry stub wall which may be either solid, louvered, pierced, open brick, decorative block or ornamental block with screening above and shall be in architectural harmony with the main building.

B. Height:

1. Where a screened enclosure is to be attached to a one (1) story building, the height of the screened enclosure shall not exceed the height of the eave line of the affected elevations providing, however, that where the design and/or features of such building and screened enclosure justify a greater height such additional height may be approved.

2. Where a screened enclosure is to be attached to a two (2) story building the height of such enclosure shall not exceed ten (10) feet providing, however, that where the design and/or other attendant and connected circumstances and features of such building and screened enclosure justify a greater height, such additional height may be approved.

C. Maximum ground area coverage: In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots composing the building site, and the total ground area permitted to be occupied by the main building or structure and permitted auxiliary structures shall not exceed forty-five (45%) percent of the site upon which the structures are located, provided however, that in no case shall a screened enclosure be permitted to exceed two-thirds (⅔) of the ground area of the main building on the premises.

D. Location:

1. On inside lots, screened enclosures may be located within an L or U of the building facing upon a front street.

2. On corner lots, screened enclosures may be located within a U of the building facing upon either the front or side streets.

3. On corner lots, screened enclosures may be located within an L of the building providing that such L is not visible in both the front and side street elevation.

4. In no case shall a screened enclosure be located closer to the front or side street of a lot or building site than the main or principal building.

Section 5-111. Storage building and/or utility room.

A. Storage and/or utility rooms not exceeding fifty (50) square feet of floor area, computed from the inside wall-to-wall dimensions, may be permitted as an accessory use in a single-family district or as an accessory to a duplex. The design of such rooms shall be tied in architecturally with the main building and the material used in the construction of such storage and/or utility room shall be as set forth in these regulations.

B. A separate utility building, or the use of a portion of the main building therefore, shall be permitted as an accessory use in a multi-family district, and in connection with any overnight accommodation. Such separate building or part of the main building shall be restricted to use for laundry facilities, for housing of electrical meters or other electrical equipment, toilet facilities, and storing of tools or equipment used on the premises, and, in the case of overnight accommodations, shall be located at the rear of the building site.

C. A separate building for the storage of residential goods and to keep the same from being exposed to the public view (providing, however, that proper facilities shall be made for cleaning same as required by standard health practices), shall be permitted as an accessory use in a Commercial or Industrial District. Such building shall be erected only at the rear of the property upon which it is to be located,

and within a radial distance of one-hundred (100) feet from the main building, and under no condition shall there be more than one (1) such building erected upon a building site.

Section 5-112. Tennis courts.

A private tennis court shall be permitted as an accessory use in a residential or Special-Use District subject to the following conditions and restrictions:

A. The setbacks for such tennis court and side and back nets, fences or walls shall be in accordance with the minimum setbacks required located of the underlying zoning district.

B. The tennis court shall not be located between the main building and the street or closer to the street than the main building.

C. Such tennis courts including side and back nets shall be screened from view from the street and the adjacent property owners.

D. The side and back nets shall not exceed a maximum height of ten (10) feet and shall be constructed in compliance with the Florida Building Code .

E. Any lighting on the tennis courts shall comply with the requirements of Section 5-1202 of this Code.

Section 5-113. Trellises.

Trellises may be permitted as an accessory use subject to review and approval by the City Architect or the assigned Development Review Official and the following:

A. Trellises may be constructed of the following materials:

1. All wood members shall be constructed of one of the following approved materials:

   a. Solid select heart cypress.

   b. Solid heart mahogany.

   c. Solid heart teak.

   d. Solid heart cedar.

   e. Clear vertical grain redwood.

   f. Pressure treated pine or fir except creosote pressure treated wood.

   g. Similar type or quality of wood to those noted above, as approved by the City Architect or Development Review Official (DRO). All other wood members may be constructed of all the above materials including creosote pressure treated wood.

2. Composite materials.

3. Metal.

B. All supporting members for wood trellises shall be anchored to a concrete foundation with approved metal clips used in such a manner as to prohibit the wood from touching the concrete.

C. Fastening clips, hurricane clips, etc., used in the construction of the trellis shall be concealed from view with moldings, cover boards, etc.

D. No materials such as, but not limited to, fiberglass screening, glass, plastic panels or aluminum panels shall be placed upon or attached to the trellis.

E. The height of the trellis shall be subject to approval by the City Architect.

F. The setbacks for trellises shall be governed by the same minimum setbacks as required for the main or principal building, except as noted otherwise herein.

G. The color of a trellis shall be compatible with the main or principal building.

H. All trellises shall be maintained and kept in good order and repair.

Section 5-114. Wood decks.

Wood decks shall be permitted as an accessory use in a single-family residential district or to a duplex subject to the following conditions and restrictions:

A. The foundation for wood decks shall be constructed of concrete.

B. The decking may be constructed of two (2) inch thick material to be one of the following:

1. Solid select heart cypress.

2. Solid heart mahogany.

3. Solid heart teak.

4. Solid heart cedar.

5. Clear vertical grain redwood.

6. Pressure treated pine or fir except creosote pressure treated wood.

7. Similar type or quality of wood to those noted above, as approved by the City Architect. All other wood members may be constructed of all the above materials including creosote pressure treated wood.

C. All supporting members shall be anchored to the concrete footing with approved metal clips used in such a manner as to prohibit the wood from touching the concrete.

D. A facia or skirt shall be constructed on the perimeter of the wood deck to conceal from view the ends of the deck planking, the joists supporting the deck and the clips, angles and other metal anchors and devices. The skirting material shall be one of the seven (7) approved woods as set forth under Section 5-114(B) above.

E. The height of the wood deck shall not exceed the height of the first floor elevation, except in case where the floor slab of the residence or duplex is constructed at grade, in which case the height of the wood deck shall not exceed a height of three (3) feet above the floor slab.

F. The setback for the wood decks shall be governed by the same minimum setbacks as required for the main or principal building, provided, however, that on waterfront property no rear setback shall be required for such wood decks.

G. The surface of all exterior wood members shall be stained or painted to be harmonious with the color of the main or principal building.

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

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

A. Such uses are designed so as to not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets, alleys or sidewalks.

B. Drive-through lanes and vehicle stacking areas adjacent to public streets or sidewalks shall be separated from such streets or sidewalks by walls, railings, or hedges at least thirty-six (36) inches in height.

C. Three-hundred and sixty (360) degree architectural treatment is utilized. Building design shall incorporate variation in building height, building mass, roof forms and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls. Drive through, ATMs and walk-up elements should be architecturally integrated into the building, rather than appearing to be applied or "stuck on" to the building.

D. Drive-through displays, ordering areas, walk-up windows, ATMs and parking canopies shall not serve as the singularly dominant feature on the site or as a sign or an attention-getting device.

E. Exterior walk-up ATMs serving pedestrians may be permitted up to a maximum of two (2) square feet in sign area per ATM machine. Such signage shall not be internally illuminated.

F. Entries and/or exits to drive-through facilities shall be a minimum of one hundred (100) feet from any intersection. Shorter distances from road intersections may be approved if the Development Review Officer determines that public safety and/or the efficiency of traffic circulation are not being compromised.

G. Drive-through stacking lanes shall be a minimum of one hundred (100) feet from any single-family residential parcel.

H. All service areas, restrooms and ground mounted equipment associated with the drive-through shall be screened from public view.

I. Landscaping shall screen drive-through aisles from the public right-of-way and adjacent uses and shall be used to minimize the visual impacts of the drive-through.

Section 5-116. Emergency preparedness shelter.

A building designed to be used as an emergency preparedness shelter shall be permitted as an accessory use in any district subject to the following conditions and restrictions:

A. Such shelters shall be designed and constructed in accordance with minimum accepted engineering structural principles which shall be subject to approval by the Structural Engineer and the Building Official.

B. Such shelters may be attached to the main building or constructed as a detached building provided, however, that the design thereof conforms to the design of the main or principal building.

C. Such shelters may be constructed with a flat roof provided that the maximum height of the shelter shall not exceed four (4) feet.

D. No setback shall be required for shelters when such shelters are constructed completely below grade, provided however, that no such shelter shall be constructed in the utility easement areas and provided further that the entrance doors to subject shelters are not constructed in the setback area as required for the main or principal building.

E. Setbacks shall be in accordance with the requirements of the underlying zoning district.

Section 5-117. Massage establishment.

A massage establishment shall be permitted as accessory to a beauty salon, medical clinic, or health club.

Section 5-118. Moveable pavers.

Moveable pavers shall be permitted in the required setback area, but shall only be allowed to serve as walkways or approved driveways, and not for patios or off-street parking. A walkway is an aggregated width of pavers not exceeding three (3) feet in width in a setback area of up to ten (10) feet and a maximum width of five (5) feet in setback areas of ten (10) feet or greater. In all cases a minimum of eighteen (18) inches shall be provided between a walkway and the property line.

Section 5-119. Restaurant, open air.

A. Open air dining on private property, as accessory to a restaurant, provided that:

1. The operation of such business shall not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets, alleys or sidewalks.

2. Any open-air dining at a retail food establishment shall be in compliance with all state and local regulations and the applicant shall be required to submit a maintenance plan for review and approval by the City, and shall meet all requirements of this section.

3. That the open-air dining area shall not occupy an area of more than thirty (30%) percent of the public indoor area of the primary restaurant operation.

4. That the open-air dining area shall be unenclosed and shall be open except that it may be covered with a canvas cover or structural canopy of a building's arcade, loggia or overhang.

5. Open-air dining located under a building’s arcade or loggia adjacent to a public sidewalk shall not have perimeter structures such as fences, railings, planters or other such barriers, including furniture, surrounding the open-air dining area which would restrict pedestrian circulation or discourage the free use of building’s arcade or loggia by the general public. Movable planters may be permitted provided that it can be demonstrated that the free flow of pedestrian circulation can be maintained at all times through the arcade or loggia.

6. That all kitchen equipment used to service the open-air dining area shall be located within the kitchen of the primary restaurant or business.

7. That the open-air dining area shall be kept in a neat and orderly appearance and shall be kept free from refuse, debris and chewing gum.

8. Walk-up counters for the purpose of serving patrons shall require conditional use review and approval pursuant to Article 3, Division 4, Conditional Uses. The service of patrons for walk-up counters shall not encroach into the public right-of-way and shall not interfere with pedestrian circulation on adjacent public sidewalks.

9. The standards for nighttime uses in Article 4, Division 3 are met.

B. Open-air dining on public property, as accessory to a restaurant, provided that:

1. A permit issued for an open-air dining located on public property shall be issued for a period of one (1) year, renewable annually by the Planning and Zoning Division. Such permit shall not be transferable in any manner.

2. Open-air dining area shall be restricted to the length of the sidewalk or public right-of-way immediately fronting the cafe and/or restaurant. The utilization of space extending no more than twenty-five (25) linear feet on either side beyond the subject property frontage may be authorized subject to annual written consent provided by tenants in front of whose businesses the outdoor dining service would occur.

3. Walk-up counters for the purpose of serving patrons shall require conditional use review and approval pursuant to Article 3, Division 4, Conditional Uses. The service of patrons for walk-up counters shall not encroach into the public right-of-way and shall not interfere with pedestrian circulation on adjacent public sidewalks.

4. There shall be maintained a minimum of five (5) foot clear distance of public sidewalk, free of all obstructions, in order to allow adequate pedestrian movement. The minimum distance shall be measured from the portion of the open-air dining area nearest either the curb-line or the nearest obstruction.

5. No awning, canopy or covering of any kind, except individual table umbrellas, shall be allowed over any portion of the open-air dining area located on public property except as allowed under separate covenant process.

6. No perimeter structures such as fences, railings, planters or other such barriers shall surround the open-air dining area which would restrict the free and unobstructed pedestrian flow or discourage the free use of the tables or chairs by the general public.

7. No signage shall be permitted on the public portion of the property.

8. All open-air dining areas shall be at the same elevation as the adjoining sidewalk or public right-of-way.

9. Under no circumstances shall any open-air dining 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 or access to adjacent commercial establishments.

10. The property owner/operator shall be responsible for maintaining the outdoor dining area in a clean and safe condition. All trash, litter and chewing gum shall be removed daily.

11. The hours of operation shall coincide with that of the primary restaurant. Tables, chairs and all other furniture used in the operation of an outdoor dining area shall not be anchored or restrained in any visible manner as with a chain, rope or wire.

12. The standards for nighttime uses in Article 4, Division 3 are met.

13. Open-air dining may be suspended by the City Manager for community or special events, utility, sidewalk or road repairs, or emergency situations or violations of provisions contained herein. The length of suspension shall be for duration as determined necessary by the City Manager. Removal of all street furniture and related obstructions shall be the responsibility of the cafe and/or restaurant owner/operator.

Section 5-120. Fountains and reflecting pools.

Fountains and reflecting pools are permitted as an accessory use within all setback areas in any zoning district subject to City Architect approval. Maximum permitted depth is eighteen (18) inches.

Section 5-121. Planters.

Planters are permitted as an accessory use within all setback areas in any zoning district subject to City Architect approval.

Section 5-122. Flagpoles.

Flagpoles are permitted as an accessory use within all setback areas in any zoning district subject to City Architect approval. Limit one (1) per property with a maximum height of twenty-five (25) feet.

Division 2. Automobile Service Stations

Section. 5-201. Minimum requirements.

The construction and/or reconstruction of automobile service stations shall comply with the following minimum requirements:

A. Except as provided in subsection B, an automobile service station shall not be constructed and/or reconstructed anywhere except upon property which is located in a Commercial District or Industrial District.

B. An automobile service station located in a Commercial Limited District may be reconstructed provided that the plans comply in all respects with the provisions in this Division and provided that the number of pump islands shall not exceed two (2) and the number of service bays shall not be increased.

C. Automobile service station sites shall have a minimum street frontage of not less than one hundred-twenty (120) feet and a minimum area of not less than twelve-thousand (12,000) square feet. Automobile service stations established prior to the adoption of these regulations on sites less than required by this subsection may be reconstructed provided that the capacity of the new station does not exceed the capacity of the existing station.

D. All automobile service stations shall comply with the following minimum floor area requirements:

    1. The minimum floor area for an automobile service station shall not be less than one thousand-two hundred and fifty (1,250) square feet.

    2. The minimum floor area for a self-service gasoline station shall not be less then two-hundred and fifty (250) square feet including the attendant control area, rest rooms, office, storage room and vending machine room.

E. The automobile service station building, including the canopies and auxiliary-use buildings and structures, shall not exceed a maximum lot coverage of forty (40%) percent of the area of the automobile service station site.

F. The roof over an automobile service station and auxiliary buildings shall be of tile, pitched and shall extend from the station over the gasoline pumps.

G. Where an automobile service station site is located at the intersection of two (2) streets, the entrances and exits to the service bays shall not be located on the front elevation of the building.

H. All pump islands shall be delineated by curbs.

I. Pump islands shall not be located closer than fifteen (15) feet to a street right-of-way line.

J. The automobile service station building shall have the following minimum setbacks:

    1. Front: Forty (40) feet.

2. Side: Ten (10) feet.

3. Side street: Thirty (30) feet.

4. Rear: Ten (10) feet.

K. The canopies over the driveway and pump islands shall have the following minimum setbacks:

1. Front: Five (5) feet.

2. Side: Ten (10) feet.

3. Side street: Five (5) feet.

4. Rear: Ten (10) feet.

L. Where such automobile service station sites abut a residential district a solid four (4) foot high wall shall be constructed along the property lines abutting the residential district.

M. Not more than two (2) driveways shall be permitted from the front street to the automobile service station.

N. Any two (2) driveways connecting with a single street shall be separated by an island area. The side of the island next to and parallel to the abutting street shall be located at the property line and such island shall have a minimum length at the property line of not less than twenty (20) feet.

O. Where the building site abuts property in a residential district not more than one (1) driveway shall be permitted from a side street to the automobile service station.

P. The maximum width of any one (1) driveway shall not be greater than thirty-five (35) feet.

Q. No driveway shall encroach upon curbs or pavement radii at intersections.

R. No driveway shall cross reserve corner sight distance areas.

S. The edge of the driveway shall be located not less than ten (10) feet from a side street right-of-way line.

T. The driveways and service area adjacent to the automobile service station building and pump islands shall be paved with poured concrete.

U. All paving shall be graded to provide for drainage on the automobile service station site.

V. All lubrication and greasing equipment, washing equipment, hydraulic lifts and service pits shall be located within the automobile service station building.

W. Automobile service stations shall not be permitted to engage in the selling or rental of cars, trucks and/or utility trailers.

X. Parking, loading or servicing of vehicles shall not be permitted on the public rights-of-way abutting the automobile service station site.

Y. Merchandise shall not be displayed or stored outside of the principal building.

Z. No automobile service stations shall be permitted to store vehicles or to be used as an off-street parking lot.

AA. Each automobile service station shall provide one (1) off-street parking space for each two (2) employees with a minimum of two (2) employee spaces plus one (1) space for each service bay.

BB. The illumination upon any automobile service station site shall have the source of light concealed from view from the exterior of the building site, except that where channel letters or figures are used for any sign, the illumination, thereof, may be visible if recessed within the depth of the channel. Intensification of illumination shall be approved by the Electrical Inspector. No intermittent or flashing illumination shall be permitted.

Division 3. Awnings and Canopies

Section 5-301. General standards for awnings and canopies.

Awnings, shelter canopies, entrance canopies and carport canopies placed upon, attached to or forming any part of a building shall conform to the conditions and restrictions set out in this Division. All awnings, shelter canopies, entrance canopies and carport canopies within the City shall comply with all of the following requirements:

A. Construction. Must comply with applicable Florida Building Code requirements as amended and all other applicable city, county, state and federal codes and standards.

B. Maintenance, repair, replacement, and/or removal. All awnings and canopies shall be maintained and kept in good order and repair. Awnings and canopies which are found to be in disrepair shall be subject to removal and/or replacement.

C. Manufacturer's identification. All awnings, shelter canopies, entrance canopies and carport canopies constructed or erected pursuant to these provisions shall have the manufacturer's identification shown thereon.

D. Clearance over sidewalk. In all cases where an awning, entrance canopy, or shelter canopy is placed upon, attached to, or forming any part of any building and such awning, entrance canopy or shelter canopy projects over a sidewalk, public right-of-way or similar place where the public is accustomed to walk, the rigid parts for any such awning entrance canopy or shelter canopy shall have a clearance of not less than seven-and-one-half (7½) feet from the established grade of the sidewalk, and any non-rigid valance of any such awning, entrance canopy or shelter canopy shall have a clearance of not less than six-and-one-half (6½) feet from the established grade of the sidewalk.

E. Encroachment over public right-of-way. Awnings and/or canopies which encroach over public rights-of-way shall be subject to all of the following conditions and restrictions:

1. The property owner shall execute a restrictive covenant prepared by the City Attorney, which shall run with the title of the land, agreeing to provide public liability insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as an additional insured under the policy.

2. An executed copy of the restrictive covenant, together with certificates of required insurance, shall be presented to the Building Official and/or Development Review Official, prior to the issuance of any permits for such work.

3. Notwithstanding the above, that prior to the issuance of any permit for the installation of an awning or canopy encroaching over any public right-of-way under the jurisdiction of the Florida Department of Transportation or Miami-Dade County, the Building Official and/or Development Review Official shall require such evidence, as in his opinion is reasonable, to show that the plans for such encroachment have been approved by the said Department of Transportation.

F. City review required. All awnings and/or canopies as permitted herein shall be subject to review and approval by the Board of Architects.

Section 5-302. Standards for awnings and canopies in residential and non-residential zoned districts.

Awnings and canopies located in the following residential and non-residential zoned districts shall comply with all of the following requirements:

A. Residential (SFR, MF1, MF2 and MFSA) zoning districts.

1. Materials and structure. The covering materials of awnings or canopies placed upon, attached to, or forming any part of any building in any residential district shall be made of canvas, cloth, natural materials or other similar materials and the supporting structure of the awning or canopy may be made of fiberglass, aluminum, plastic, metal or other man-made materials. Board of Architects approval is required for all proposed materials.

2. Slope. In any residential district, except SFR zoning districts, no shelter canopy or carport canopy shall be erected which has a minimum slope of less than two (2) inches in twelve (12) inches or a maximum slope of more than five (5) inches in twelve (12) inches.

3. Location.

   a. All carport canopies shall be attached to the building and may be located on either side or the rear of said building.

   b. All shelter canopies shall be attached to the building and may be located on the front, sides or rear of said building.

   c. Awnings erected over garage openings or porte-cochere vehicle openings shall not extend out from the outside wall of the building more than six (6) feet.

4. Free-standing canopies. No permanent self-supporting or freestanding shelter canopy, carport canopy or entrance canopy shall be permitted.

5. Size and number permitted. Only one (1) shelter canopy and one (1) carport canopy shall be permitted per townhouse or duplex unit, provided however, that the carport canopy and shelter canopy shall not abut or be attached to one another.

6. 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.

B. Commercial Limited (CL and C), Industrial (I) and University Campus District (UCD) zoning districts.

1. Materials and structure. Awnings and entrance canopies placed upon, attached to, or forming any part of any building in any commercial or industrial district may be made of canvas, cloth, natural materials or other similar materials and of fiberglass, plastic or non-ferrous metals, but in no case shall any such awnings, shelter canopies, entrance canopies or carport canopies be made of wood or wood products or of masonite or similar materials; in all cases such awnings, shelter canopies, entrance canopies or carport canopies shall generally simulate the appearance of canvas awnings, and must not be corrugated or slatted or with holes or other visible spaces or gaps. The supporting structure of the awning or entrance canopy may be made of fiberglass, plastic, metal or other man-made materials. Board of Architects approval is required for all proposed materials.

2. Location.

a. All carport canopies shall be attached to the building and may be located on either side or the rear of said building.

b. All shelter canopies shall be attached to the building and may be located on the front, sides or rear of said building.

c. Awnings erected over garage openings or porte-cochere vehicle openings shall not extend out from the outside wall of the building more than six (6) feet.

d. Entrance canopies, permitted on commercial buildings only, shall be attached to the building and may be supported from the ground up. The overall width of entrance canopies shall be a maximum of the entrance opening and framing width, plus twelve (12) inches and shall extend out perpendicular from the building.

3. Free-standing canopies. No permanent self-supporting or free-standing shelter canopy, carport canopy or entrance canopy shall be permitted.

C. Special Use (S) and Preservation (P) zoning districts.

1. Materials and structure. Coverings for freestanding canopies, awnings and entrance canopies placed upon, attached to, or forming any part of any building may be made of canvas, cloth, natural materials, plastic, fiberglass, non-ferrous metals or other similar materials, but in no case shall the material composition be made of wood, wood products, masonite, or similar materials. All awnings, shelter canopies, entrance canopies or carport canopies shall generally simulate the appearance of canvas awnings, and shall not be corrugated, slatted, or include holes, openings or other visible spaces or gaps. The supporting structure of the freestanding canopy, awning or entrance canopy may be made of fiberglass, plastic, metal or other man-made materials. Board of Architects approval is required for all proposed materials.

2. Free-standing canopies. Permanent free-standing shelter canopies shall be permitted.

3. Location.

a. All carport canopies shall be attached to the building and may be located on either side or the rear of said building.

b. All shelter canopies that are attached to the building may be located on the front, sides or rear of said building.

c. Awnings erected over garage openings or porte-cochere vehicle openings shall not extend out from the outside wall of the building more than six (6) feet.

d. Freestanding canopies shall not be permitted in the front yard of the property's primary structure. If the subject property does not have a primary structure, the freestanding canopy shall be located within the property's required building setbacks. Freestanding canopies shall comply with required setbacks for accessory uses, whether or not there is a primary structure on the property.

4. Size and number permitted. No limitation as to the number or size of freestanding canopies that may be permitted.

5. Encroachment over public right-of-way. Encroachment of any freestanding canopies, awnings or entrance canopies over a public right-of-way is prohibited.

Division 4. Clearing, Filling and Excavation

Section 5-401. General.

Before any land may be cleared of trees and other growth, excavated, filled and/or graded, such land shall have been platted or replatted into lots, blocks or parcels for building development in the manner prescribed by Article 3, Division 9 and the owner thereof or owner's contractor shall have applied for and obtained a permit for such work from the Building and Zoning Department.

Division 5. Coral Gables Cottage Regulations

Section 5-501. Purpose and applicability.

A. The purpose of this Division is to maintain and preserve the architectural quality and character of Coral Gables' traditional, small scale, residential neighborhoods by encouraging the preservation of the existing Coral Gables Cottage style houses.

B. The provisions of this Division may only be applied to the following:

1. Any existing development which meets the eligibility standards contained in Section 5-502, herein (as determined by the Historic Resources Department).

2. Any existing development which, by virtue of proposed development plans, would return sufficient original features to the building to render it eligible as a Coral Gables Cottage as provided in Section 5-502.

C. Selected incentives are established in this Division which supersede the standard regulations for single-family residential development contained in other sections of these regulations. If not specifically addressed in this Division, the regulations and requirements of the underlying zoning district shall apply.

Section 5-502. Criteria for designation as a Coral Gables Cottage.

A. Coral Gables Cottage is a detached, single-family dwelling which is distinguished by its movement in plan, projections and recessions, asymmetrical arrangement of entrances, frequently employed surface ornament for embellishment, and at least twelve (12) of the following specific features which are original with the cottage:

1. Coral rock or stucco finish.

2. Combination roof type (e.g., gable, shed, hip or flat roof).

3. Front porch.

4. Projecting bay on front elevation.

5. Masonry arches or arches springing from columns on front elevation.

6. Decorative doorway surrounds.

7. Decorative and/or predominant chimney.

8. Detached garage to the rear of the property.

9. Similar decorative features, parapet and/or roof slope on main house and detached garage.

10. Porte-cochere or carport.

11. Decorative wing walls.

12. Barrel tile roof.

13. Varied height between projecting and recessed portions of the front elevation.

14. Vents grouped as decorative accents.

15. Cast ornament and/or tile applied to front elevation.

16. Built-in niches and/or planters.

17. First floor above crawl space.

18. Casement or sash windows.

19 Loggias/arcade.

B. A cottage property must:

1. Be designated as an local historic landmark.

2. Be no more than one (1) story in height.

3. Be zoned SFR.

4. Have a frontage no greater than sixty-five (65) feet.

5. Include a single-family dwelling built prior to 1940.

6. Include a single-family dwelling having at least twelve (12) of the features identified in Section 5-502(A).

Section 5-503. Incentives for existing development.

The following setback provisions may be utilized by qualified cottage properties in order to modify, alter or add to an existing Coral Gables Cottage, provided that the resulting changes made to the dwelling do not diminish its character or its status as a Coral Gables Cottage.

A. Setbacks:

1. Notwithstanding the setback provisions in the underlying zoning district, new additions and alterations may utilize the same setbacks and extend as close to the property line as the main walls of the existing Coral Gable Cottage with the limitation that the addition/alteration may not be closer than two (2) feet, six (6) inches to the property line, and, when combined with all other existing structures may not result in the following:

a. Side yard of less than two-hundred-and-fifty (250) sq. ft.

b. Front yard of less than seven-hundred-and fifty (750) sq. ft.

c. Rear yard of less than one-hundred-and-fifty (150) sq. ft.

2. Where existing setbacks meet current standards, a reduction in the setback requirement of up to twenty five (25%) percent shall be permitted, with the same limitation outlined in subsection 1 above.

B. Ground area coverage: Coral Gables Cottages shall be permitted to occupy up to forty-eight (48%) percent of the building site. Auxiliary buildings or structures, whether free standing or attached to the primary building, including swimming pools, may occupy additional site area provided, however, that the total ground area coverage for all structures shall not exceed fifty-eight (58%) percent of the site.

C. Enclosed garages may be converted to living space or storage space subject to the following requirements:

1. That a carport or porte-cochere is provided for the storage of an automobile.

2. That the converted garage may not be used as a rental unit.

D. The landscape open-space requirement of forty (40%) percent for single-family dwellings may be reduced by ten (10%) percent.

Division 6. Design Review Standards

Section 5-601. Purpose and applicability.

A. The purpose of these design review standards is to:

1. Provide standards and criteria for review of applications for development approval within the City;

2. Promote innovative design with regard to the aesthetics, architectural design, appearances, safety, and function of the built environment in relation to the site, adjacent structure and surrounding community;

3. Promote orderly and harmonious development of the City;

4. Enhance the desirability of residences or investment in the City;

5. Encourage the attainment of the most desirable use of land and improvements;

6. Enhance the desirability of living conditions upon the immediate site or in adjacent areas;

7. Promote visual environments which are of high aesthetic quality and variety and which, at the same time, are considerate of each other;

8. Establish identity, diversity and focus to promote a pedestrian friendly environment; and

9. Encourage the 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. The standards in this Division shall be applicable to applications for development approval within all zoning districts, except as otherwise provided herein.

Section 5-602. Design review standards.

A. The Board of Architects shall determine if an application satisfies the following design review standards:

1. Whether the color, design, finishes, fenestration, texture, selection of architectural elements of exterior surfaces of the structure are compatible and the relationships of these items in comparison to building base, middle and top with the hierarchy of importance being the base, top and middle.

2. Whether the planning and siting of the various function and structures on-site provides the following:

    a. Creates an intrinsic sense of order between buildings, streets and pedestrian movements and activities.

    b. Provides a desirable environment for occupants, visitors and the general community.

3. Whether adjacent existing historic features, natural features and street level pedestrian view corridors are appropriately integrated or otherwise protected.

4. Whether the amount and arrangement of open/green space [including urban open space (i.e. plazas) or unimproved areas (i.e. open lawns, etc.)] are appropriate to the design, function and location in relationship to the function of the structures and surrounding properties.

5. Whether sufficient buffering (including hard and softscape) is provided when non-compatible uses abut or adjoin one another.

6. Whether the proposed lighting provides for the safe movement of persons and vehicles, provides security, and minimizes glare and reflection on adjacent properties.

7. Whether access to the property and circulation is safe and convenient for pedestrians, cyclists and vehicles, and is designed to interfere as little as possible with traffic flow on these roads and to permit vehicles a prompt and safe ingress/egress to the site.

8. Whether waste disposal facilities adversely affect adjacent properties.

9. Whether the application provides improvements, public open space, pedestrian amenities which benefit the public.

10. Whether the proposed application is in conformity with provisions of this Division.

B. In applying the standards set forth in Section 5-602(A) above, the Board of Architects shall review each of the following items of an application:

1. Aesthetics.

2. Architectural compatibility with neighboring properties and uses.

3. Architecture.

4. Building and building components including, but not limited to:

    a. Accessory structures including garages, sheds, utility facilities and waste receptacles;

    b. Arcades, loggias, porte coheres, passages and similar covered areas;

    c. Building appendages including but not limited to the following: balconies, penthouses, loading docks, awnings, louvers, or any visible devices for deflecting, filtering or shielding the structure or interior from the elements, flues, chimneys, exhaust fans, air-conditioning

equipment, elevator equipment, fans, cooling towers, antennae or similar structures placed upon the roof or the exterior of the building;

d. Building entrances/exits for pedestrians and vehicles;

e. Building height;

f. Building materials, texture, fenestration and surfaces;

g. Building openings;

h. Building scale and mass;

i. Building façade step-backs;

j. Building rooflines;

k. Design;

l. Lighting;

m. Parking and paved surfaces;

n. Signage;

o. Stairs, ramps, escalators, moving sidewalks, elevators or downspouts on the exterior buildings; and

p. Window coverage, casings/depth and proportion.

5. Colors.

C. If the Board finds that an application is not consistent with the above standards, the Board of Architects may require changes of an application and its specifications to promote and maintain the purpose of these standards.

Section 5-603. Architectural style.

A. Except as provided for in Section 5-603(I) all buildings hereinafter constructed or reconstructed, shall be designed in a specific architectural style such as but not limited to Colonial, Venetian, Mediterranean, Italian, French, Bahamian or other identifiable architectural style. All buildings hereinafter altered or added to shall conform to the architectural design of the existing building provided, however, that if the architectural style of the building is being altered then the building shall be designed in a specific architectural style such as but not limited to Colonial, Venetian, Mediterranean, Italian, French, Bahamian or other identifiable architectural style. The Architect shall include a page or pages in the plan which defines the architectural style with text and photographs and provide a statement on how the proposed building complies with the style. It shall be the duty and responsibility of the Board of Architects to determine in each and every case whether or not the submitted plans comply with the type and scale of architecture set forth hereinabove and require from the designing architect such changes as would bring the design into conformity. The Board of Architects shall require such changes in the design of the structure so as to preserve traditional aesthetic treatments and promote design excellence in the community. In considering the design of the building, the Board of Architects shall consider and render a decision as to the adequacy of the following elements in the design concept.

1. Awnings and canopies.

2. Colors.

3. Decorative lighting (height, location and style).

4. Doors.

5. Height of building.

6. Impact on adjacent properties of continuous two (2) story walls that are in excess of forty (40%) percent of the site depth.

7. Location of exposed piping, conduits and rainwater leaders.

8. Location of structure on site.

9. Planters.

10. Roofs including materials, color, slope and overhang.

11. Shutters.

12. Site circulation in regard to pedestrian travel, parking, services, grades and landscaping.

13. Texture of surface.

14. Trim.

15. Walls, height, location, materials, and design.

16. Window boxes.

17. Windows (Fenestration).

B. The architectural style for a given location, unless specified to the contrary, shall be in harmony with the architecture of its particular neighborhood. The Board of Architects shall review a new building or structure or a substantial addition to an existing building or structure that is to be constructed in context within an area that includes both sides of the street, on the block where it is located and surrounding properties. The Board of Architects shall require that photographs of both sides of the street, on the block where a new building or structure or a substantial addition to an existing building or structure is to be constructed and surrounding properties, is submitted for their review.

C. The architectural context of an area includes the height, scale, massing, separation between buildings, and style, in regard to how buildings and structures relate to each other within a specified area. Architectural context allows for differences in height, scale, massing, and separation between building and style, when such differences contribute to the overall harmony and character of the area. The Board of Architects shall not take into consideration existing buildings and structures that are out of context with the area when considering whether a new building or structure or a substantial addition to an existing building or structure is in context with both sides of the street on the block where it is located and surrounding properties. The Board of Architects shall review the building or structure in the context of that area in which the site is located when a new building or structure or a substantial addition to an existing building or structure is located on a building site that is on the border of two areas that have different character or context.

D. Additions and alterations to buildings, which have been designated by the provisions within the Zoning Ordinance as an Historic Landmark, shall conform to the Secretary of the Interiors Standards.

E. Duplication of elevations and/or exterior architectural design. No duplication of elevations and/or exterior architectural design or any similar designs as to massing, scale, and architectural features shall be permitted in any residential area. It is the intent of this section that the design of single-family residences be a unique and original design and that the design or similarly designed single-family residences not be repeated within the residential neighborhoods of the City. This section does not prohibit repetitive styles of architecture in the residential neighborhoods of the City, just a repetitiveness of design. Architects submitting plans for consideration by the Board of Architects shall, as part of said plan, and as a prerequisite to approval thereof, sign a certificate reading as follows:

"To the best of my knowledge and belief, the within plans and specifications do not duplicate the elevations and/or exterior architectural design or are similar in design as to the massing, scale, and architectural features of any buildings in the residential area of the City of Coral Gables, previously submitted by me or by my office. Furthermore, that to the best of my knowledge and belief these plans and specifications are a unique and original design and not a duplication of elevations and/or exterior architectural design or similar design as to the massing, scale, and architectural features of any building constructed, or for which a permit has been issued, in the City of Coral Gables; I further certify that I am fully familiar with the ordinance and regulations under which this certificate is required. (Seal)"

F. Architects who have been found by the Code Enforcement Board to have violated the provisions of this section shall be reported to the State of Florida Department of Business and Professional Regulation for disciplinary action, in addition to the other penalties provided by this Code.

G. The provisions of this subsection shall not apply, however, in the following cases:

1. In the units of a single-housing project, which shall be deemed and which hereby is defined as not more than three (3) multiple family units constructed on a lot or on contiguous lots so as to be an architectural entity; and

2. To the interior design or floor plan of any structure.

H. Specific standards. The owner shall require that his plans be designed in such a manner as to enhance the overall architectural character of the city, neighborhood and street. All new buildings, alterations, additions or changes to the facade in any nature shall conform to the following regulations:

1. Marked stucco to simulate shutters, flanking window openings and indiscriminate use of stucco scoring or cut lines, unless they perform a function in the design, shall not be permitted.

2. Where particular treatment such as scoring, slump brick or other architectural motifs is employed, these shall return on the abutting elevation.

3. Excessive use of slump or other brick shall not be permitted.

4. Where wood or metal columns are used, the same shall be well proportioned.

5. Shutters shall be architecturally designed to enhance the structure and all tracts and housings shall be concealed from view to the maximum extent practicable when not in use.

   a. Plans for all new construction shall incorporate or make provisions for hurricane shutters.

   b. Storm panels with removable horizontal tracks shall be permitted on all structures without Board of Architects review and approval.

c. The Board of Architects may approve a hurricane shutter type or system for multi-unit buildings (residential and commercial) as a whole, thereby allowing individual owners or tenants to install pre-approved hurricane shutters without additional Board of Architects review and approval.

d. No shutter shall be placed on a structure so that it will alter or conceal architectural features or details of a structure.

e. Shutters shall not be installed in such a way as to prevent the intended or normal operation of any window or door.

f. In every area of a structure required by the Florida Building Code to have egress, there shall be at least one (1) manually operable (non-electric) method of egress when completely enclosed by hurricane shutters.

6. Rooftop equipment such as that used in air conditioning and any other type of mechanical or service equipment shall be screened from view, as required by Article 5, Division 18.

7. Air-cooled condensing and/or compressors equipment, water-cooling towers and any other type of mechanical equipment or apparatus installed on the premises shall be screened from view from the street, waterway, bay or golf course by a wall or landscaping.

8. Exposed concrete or masonry block shall not be permitted. With the exception of slump, red or other brick, crab orchard or other stone and architecturally formed and detailed concrete, all masonry surfaces shall be stuccoed.

9. If metal garage doors are used, they shall be painted in accordance with the palette of colors approved by the Board of Architects and on file with the Building and Zoning Department.

10. No exposed air-conditioning ductwork or exposed solar tanks shall be permitted.

11. The approval, materials, slope, construction, location and design of awnings and canopies shall be as set forth under Article 5, Division 3.

I. Architectural type, specific locations. The type of architecture for specific locations in the City shall be as follows:

1. In the Industrial Section, MacFarlane Homestead, and Golden Gate Subdivision, any architectural style shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.

2. Where otherwise required by the terms of existing restrictions in deeds conveying lots or lands, or as specifically provided for therein.

3. In Commercial and Industrial Districts, such types of architecture shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.

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

A. Purpose and applicability.

1. Purpose.

a. Provide bonuses and incentives to property owners to encourage and expand the creative use of the various architectural styles in association with promoting public realm improvements.

b. Provide for a two level bonus program that provides amenities and features typically provided in Mediterranean Style buildings.

c. Provide additional bonuses for “Coral Gables Mediterranean Architecture” design to continue to support George Merrick’s vision consistent with the established historic building fabric of the City.

d. Enhance the image of the City by providing a visual linkage between contemporary development and the City's unique historic thematic appearance.

e. Promote an assortment of street level public realm and pedestrian amenities in exchange for increases in building height, residential density, and floor area ratio granted via a discretionary review process.

f. Provide for the ability to reduce setbacks and encroachment into the public rights-of-way with public open space improvements.

g. Promote and require architectural and design elements focused to a pedestrian scale.

h. Encourage landmark opportunities, including physically defined squares; plazas; urban passageways; parks; public open spaces; and, places of public assembly and social activity for social, cultural and religious activities.

i. Provide a strong emphasis on aesthetics and architectural design with these 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:

   i. 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.
   ii. Integration of street level plazas, courtyards, opens space and public gathering areas including the creation and preservation of corridors, vistas and landmark features.

2. Zoning district applicability. These regulations are available for new construction, additions, restorations and/or renovations of existing buildings using all types of architecture styles as described herein provided such property is located within the Multi-Family-2 (MF2), Multi-Family Special Area (MFSA), Commercial (C), Commercial Limited (CL), or Industrial (I) zoning districts, except as otherwise provided herein.

3. Site Specific Zoning Regulations and Mediterranean Bonus. Coral Gables Mediterranean Style Design Standards bonuses and/or incentives as provided for in this Section may be awarded as supplemental (additional) intensity/density or the reduction of existing limitations as assigned in “Appendix A - Site Specific Zoning Regulations.” These supplemental (additional) bonuses and/or incentives shall be evaluated pursuant to the applicable development standards included in Tables 1, 2, and 3 of Section 5-604.

4. In the MFSA District, all development shall comply with the provisions for residential uses which are set out in Table 1, and five (5) of ten (10) of the standards in Table 2; however, the bonus intensity and heights shall not apply.

5. Coral Gables Mediterranean Architectural Design. Applications for new construction and additions restorations and/or renovations of existing buildings, as Coral Gables Mediterranean Architecture may secure bonuses as provided herein.

6. Review and authority.

   a. The Board of Architects shall be the responsible City review Board on this Article. The Board of Architects may grant approval of all the provisions of this Article unless noted otherwise within these provisions. The Board of Architects shall review all applications for compliance of the provisions of this Article and if the Board of Architects deems an application does not satisfy the provisions the Board shall not award the bonuses. The Board of Architects in its review may complete either of the following:

      i. Approve the application;
      ii. Approve the application with modifications;
      iii. Defer the application and request the applicant redesign the application and resubmit the application to satisfy the provisions of this Article; or
      iv. Deny the application.

   b. Staff review. The City Architect shall review and provide a recommendation to the Board of Architects advising of compliance of all provisions contained within this Article.

   c. New construction applications. The Board of Architects shall not grant any development bonus for new construction unless the application satisfies the provisions in Table 1, Required Standards. The Board of Architects may grant the development bonuses provided in this Section provided that the Board of Architects in its discretion determines that the application complies with all the standards for the development bonus or bonuses.

   d. Additions, restorations and/or renovations of existing buildings. The Board of Architects may grant a development bonus for the Coral Gables Mediterranean Style Design as an addition, restoration and/or renovation of an existing building provided that the Board of Architects in its discretion determines that the application satisfies the standards. The City Architect shall provide a recommendation to the Board of Architects whether to grant bonuses for the entire building or only the proposed area of the addition, restoration and/or renovation. The Board of Architects shall have final determination as to the amount of bonus granted. No building permit for an addition, restoration and/or renovations of an existing building shall be granted by the Building and Zoning Department unless the Board of Architects in its discretion determines that the building(s) will continue to satisfy all previously approved conditions of approval granting that bonus and the provisions of this Article.

7. Special location site plan review. Properties in the MF2, C, CL and I Districts which are adjacent to or across public rights-of-way or waterways from an SFR District or MF1 District shall comply with the following requirements to secure bonuses:

   a. Height limitations. Limited to a maximum height of three-and-one-half (3½) floors/forty-five (45) feet.

   b. Review process. The review process shall be as follows:

      i. Submit an application and secure Board of Architects preliminary review and approval.
      ii. Submit an application with the Planning Department for special locational site plan review.
      iii. Secure special locational site plan review and recommendation for approval from the Planning and Zoning Board and approval from the City Commission.
      iv. Secure Board of Architects final review and approval for architecture prior to issuance of a building permit.

   c. Review criterion. Applications considered pursuant to these regulations must demonstrate that they have satisfied all of the below listed criterion. The Planning Department shall evaluate the application with reference to each of the below criteria and provide a

recommendation to the Planning and Zoning Board and City Commission. The Planning Department, Planning and Zoning Board and City Commission shall make specific findings of fact that all of the below listed criterion are satisfied. The criterion is as follows:

i. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.
ii. The physical design of the site plan and the manner in which said design does or does not make adequate provision for public services, parking, provide adequate control over vehicular traffic, provide for and protect designated public open space areas, and further the amenities of light and air, recreation and visual enjoyment.
iii. The compatibility of the proposed building with reference to building height, bulk, and mass with the contiguous and adjacent properties.
iv. The conformity of the proposed site plan with the Goals, Objectives and Policies of the Comprehensive Plan (CP).
v. That the site plan and associated improvements provides public realm improvements, public open space, and pedestrian amenities for the public benefit.
vi. Those actions, designs, construction or other solutions of the site plan if not literally in accord with these special regulations, satisfy public purposes and provide a public benefit to at least an equivalent degree.

d. Approval. Approval if granted by the City Commission shall be in Resolution form.

8. Additional Requirements.

a. Designated historic landmarks. Pursuant to Article 3, Division 11, all plans affecting designated historic landmarks must receive a Certificate of Appropriateness from the Historic Preservation Board prior to submittal to the Board of Architects. Bonuses shall not be awarded for development on property that is historically designated where a Certificate of Appropriateness has been denied.

b. Supplemental approval provisions. Applicants, property owners, successors or assigns may be required to provide agreements, covenants, contracts, deed restrictions or sureties as a part of the approval granted which may include the following:

i. Undertaking of all conditions in accordance with the approved application.
ii. Bind all development successors or assigns in title to any conditions and commitments made of these provisions and approved application.
iii. Provide for the financial responsibility to continuing the operation and maintenance of the public open space areas, public realm, pedestrian amenities, functions and facilities that are provided, at the expense of the designated property owner and/or property owners association, etc., as applicable.

B. Development bonus standards.

1. Required standards. Applications shall be required to satisfy all of the requirements in Table 1, “Required Standards” in order to secure bonuses based upon the applicable residential, nonresidential and MXD district designations.

Table 1. Required standards					
Reference Number	*Residential*	*Non-Residential*	*Mixed Use*	*Type*	*Requirements*
1.	✓	✓	✓	Architectural elements on building facades.	Similar exterior architectural relief elements shall be provided on all sides of all buildings. No blank walls shall be permitted unless required pursuant to applicable City, State and Federal requirements (i.e., Fire and Life Safety Code, etc). Parking garages shall include exterior architectural treatments compatible with buildings or structures that occupy the same property and/or street.
2.		✓	✓	Architectural relief elements at street level.	On any building facades fronting streets, where an adjoining pedestrian sidewalk is located, one (1) or more of the following design features shall be included at the street level: a. Display windows or retail display area; b. Landscaping; and/or c. Architectural relief elements or ornamentation.
3.	✓	✓	✓	Architectural elements located on the top of buildings.	Exclusion from height. The following shall be excluded from computation of building height in C, A and M-Use Districts: a. Air-conditioning equipment room. b. Elevator shafts. c. Elevator mechanical equipment rooms. d. Parapets. Roof structures used only for ornamental and/or aesthetic purposes not exceeding a combined area of twenty-five (25%) percent of the floor area immediately below. Such exclusion shall be subject to the provisions that no such structure shall exceed a height of more than twenty-five (25) feet above the roof, except for commercial buildings in the Central Business District (CBD) where no such structure shall exceed one-third (1/3) of the allowable total building height.
4.	✓	✓	✓	Bicycle storage.	To encourage the use of bicycles, bicycle storage facilities (racks) shall be provided. A minimum of five (5) bicycle storage spaces shall be provided for each two hundred and fifty (250) parking spaces or fraction thereof.
5.	✓	✓	✓	Building facades.	Facades in excess of one hundred and fifty (150) feet in length shall incorporate vertical breaks, stepbacks or variations in bulk/massing at a minimum of one hundred (100) foot intervals.
6.	✓	✓	✓	Building lot coverage.	No minimum or maximum building lot coverage is required.
7.	✓	✓	✓	Drive through facilities.	Drive through facilities including but not limited to banking facilities, restaurants, pharmacies, dry cleaners, etc. are prohibited access to/from Ponce de Leon Boulevard from S.W. 8th Street to Bird Road, Miracle Mile from Douglas Avenue to LeJeune Road, and Alhambra Circle from Douglas Avenue to LeJeune Road.
8.	✓	✓	✓	Landscape open space area.	Each property shall provide the following minimum landscape open area (percentage based upon total lot area): a. Five (5%) percent for nonresidential properties; b. Ten (10%) percent for mixed use properties; and c. Twenty-five (25%) percent for residential properties. The total area shall be based upon the total lot area. This landscape area can be provided at street level, within the public right-of-way, elevated areas, planter boxes, planters, etc.

Table 1. Required standards					
Reference Number	*Residential*	*Non-Residential*	*Mixed Use*	*Type*	*Requirements*
9.	✓	✓	✓	Lighting, street.	Street lighting shall be provided and located on all streets/rights-of-way. The type of fixture shall be the approved City of Coral Gables light fixture and location/spacing, etc. shall be the subject to review and approval by the Department of Public Works.
10.	✓	✓	✓	Parking garages.	Ground floor parking as a part of a multi-use building shall not front on a primary street. ADA parking is permitted on the ground floor. Ground floor parking is permitted on secondary/side streets and shall be fully enclosed within the structure and/or shall be surrounded by retail uses and/or residential units. Ground floor parking is permitted on alley frontages. Parking facilities shall strive to accommodate pedestrian access to all adjacent street(s) and alleys.
11.	✓	✓	✓	Porte-cocheres.	Porte-cocheres are prohibited access to/from Ponce de Leon Boulevard from S.W. 8th Street to Bird Road, Miracle Mile from Douglas Avenue to LeJeune Road, and Alhambra Circle from Douglas Avenue to LeJeune Road.
12.		✓	✓	Sidewalks/ pedestrian access.	All buildings, except accessory buildings, shall have their main pedestrian entrances oriented towards adjoining streets. Pedestrian pathways and/or sidewalks shall be provided from all pedestrian access points and shall connect to one another to form a continuous pedestrian network from buildings, parking facilities, parking garages entrances, etc. Wherever possible pathways shall be separated from vehicular traffic.
13.	✓	✓	✓	Soil, structural.	Structural soil shall be utilized within all rights-of-way for all street level planting areas with root barriers approved by the Public Service Department.
14.	✓	✓	✓	Windows on Mediterranean buildings.	Mediterranean buildings shall provide a minimum window casing depth of four (4) inches as measured from the face of the building.

C. Level 1 bonus – Standards for all types of architectural design. Bonuses are available up to a maximum of 0.2 floor area ratio and up to a maximum of one (1) story for all types of architectural designs of buildings. The allowable floors are subject to the subject property applicable CP Map designation and the height is regulated by the Zoning Code. The allowable floors and height are as follows:

CP Map Designations	Additional floors/feet available for all types of architectural design
Residential Uses	
Low Density	+ 1 floor/13.5 feet = 5 floors / 63.5 feet
Medium Density	+ 1 floor/13.5 feet = 7 floors / 83.5 feet
High Density	+ 1 floor/13.5 feet = 14 floors /163.5 feet
Commercial Uses	
Low-rise Intensity	+ 1 floor/13.5 feet = 5 floors / 63.5 feet
Mid-rise Intensity	+ 1 floor/13.5 feet = 7 floors / 83.5 feet
High-rise Intensity	+ 1 floor/13.5 feet = 14 floors /163.5 feet
Industrial Uses	+ 1 floor/13.5 feet = 7 floors / 85.5 feet
Mixed Use	The height is dependent upon underlying CP Map designation

1. All applications desiring bonuses shall meet the minimum requirements of Table 2 to secure a bonus under these provisions.

2. The Board of Architects shall review all applications for compliance of the provisions of Table 2 and if the Board of Architects deems an application does not satisfy the provisions the Board of Architects shall not award the bonus. The bonuses are awarded based upon the Board of Architects determination that the application satisfies the following qualifications of Table 2:

   a. Residential uses (MF2 District) shall satisfy a minimum of six (6) of the twelve (12) qualifications in Table 2.

   b. Nonresidential uses (C, CL and I Districts) shall satisfy a minimum of eight (8) of the twelve (12) qualifications in Table 2.

   c. MXD Districts shall satisfy a minimum of eight (8) of the twelve (12) qualifications in Table 2.

Table 2. Architectural and Public Realm Standards

Reference Number	*Residential*	*Non-Residential*	*Mixed Use*	*Type*	*Qualifications*
1.	✓	✓	✓	Arcades and/or loggias.	Arcades, loggias or covered areas constructed adjacent, parallel, and/or perpendicular to building to provide cover and protection from the elements for pedestrian passageways, sidewalks, etc. thereby promoting pedestrian passage/use. Limitations of encroachments on corners of buildings may be required to control view corridors and ground stories building bulk and massing. Awnings or other similar items do not satisfy these provisions.
2.	✓	✓	✓	Building rooflines.	Incorporation of horizontal and vertical changes in the building roofline.
3.	✓	✓	✓	Building stepbacks.	Stepbacks on building facades of the building base, middle and/or top facade to further reduce the potential impacts of the building bulk and mass.
4.	✓	✓	✓	Building towers.	The use of towers or similar masses to reduce the mass and bulk of buildings.

Table 2. Architectural and Public Realm Standards					
Reference Number	*Residential*	*Non-Residential*	*Mixed Use*	*Type*	*Qualifications*
5.	✓	✓	✓	Driveways.	Consolidation of vehicular entrances for drive-through facilities, garage entrances, service bays and loading/unloading facilities into one (1) curb cut per street to reduce the amount of vehicular penetration into pedestrian sidewalks and adjoining rights-of-way.
6.	✓	✓	✓	Lighting of landscaping.	Uplighting of landscaping within and/or adjacent to pedestrian areas (i.e., sidewalks, plazas, open spaces, etc.).
7.	✓	✓	✓	Materials on exterior building facades.	The use of natural materials shall be incorporated into the base of the building on exterior surfaces of building. This includes but not limited to the following: marble, granite, keystone, etc.
8.		✓	✓	Overhead doors.	If overhead doors are utilized, the doors are not directed towards residentially zoned properties.
9.	✓	✓	✓	Paver treatments.	Inclusion of paver treatments in all of the following locations: a. Driveway entrances minimum of ten (10%) percent of total paving surface. b. Sidewalks. Minimum of twenty-five (25%) percent of total ground level paving surface. The type of paver shall be subject to Public Works Department review and approval. Poured concrete color shall be Coral Gables Beige.
10.	✓	✓	✓	Pedestrian amenities.	Pedestrian amenities on both private property and/or public open spaces including a minimum of four (4) of the following: a. Benches. b. Expanded sidewalk widths beyond the property line. c. Freestanding information kiosk (no advertising shall be permitted). d. Planter boxes. e. Refuse containers. f. Public art. g. Water features, fountains and other similar water features. Ground and/or wall mounted. Above amenities shall be consistent in design and form with the City of Coral Gables Master Streetscape Plan.
11.		✓	✓	Pedestrian pass-throughs/ paseos on properties contiguous to alleys and/or streets.	Pedestrian pass-throughs provided for each two hundred and fifty (250) linear feet or fraction thereof of building frontage provided on properties contiguous to alleys and/or streets or other publicly owned properties. Buildings less than two hundred and fifty (250) feet in size shall provide a minimum of one (1) pass through. The pass-throughs shall be subject to the following: a. Minimum of ten (10) feet in width. b. Include pedestrian amenities as defined herein. In lieu of providing one (1) pass-through of ten (10) feet in width 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.
12.	✓	✓	✓	Underground parking.	The use of underground (below grade level) parking, equal in floor area of a minimum of seventy-five (75%) percent of the

Table 2. Architectural and Public Realm Standards					
Reference Number	*Residential*	*Non-Residential*	*Mixed Use*	*Type*	*Qualifications*
					total surface lot area. Underground parking shall be located entirely below the established grade as measured from the top of the supporting structure and includes all areas utilized for the storage of vehicles and associated a circulation features.

D. Level 2 bonuses – Bonuses for Coral Gables Mediterranean Architectural Design. An additional bonus up to 0.3 floor area ratio and one (1) story or two (2) stories shall be permitted if Coral Gables Mediterranean Architectural Design is utilized. The maximum available number of stories are based upon the CP Map designation and permitted building height as outlined in the Zoning Code subject to the designation of the subject property.

CP Map Designations	*Allowable maximum feet*	*Maximum total feet available-pursuant to Section 5-604*	*Additional feet available/maximum feet for Coral Gables Mediterranean Architectural Style*
Residential Use (Multi Family)			
Low Density	50 feet	63.5 feet	63.5 feet + 13.5 feet = 77 feet
Medium Density	70 feet	83.5 feet	83.5 feet + 13.5 feet = 97 feet
High Density	150 feet	163.5 feet	163.5 feet + 27 feet = 190.5 feet
Commercial Use			
Low-rise Intensity	50 feet	63.5 feet	63.5 feet + 13.5 feet = 77 feet
Mid-Rise Intensity	70 feet	83.5 feet	83.5 feet + 13.5 feet = 97 feet
High-Rise Intensity	150 feet	163.5 feet	163.5 feet + 27 feet = 190.5 feet
Industrial Uses	72 feet	85.5 feet	85.5 feet + 13.5 feet = 99 feet
Mixed use		The height is dependent upon underlying CP Map designation.	

E. The Board of Architects shall review all applications for compliance of the provisions of Section 5-605 and if the Board of Architects deems an application does not satisfy the provisions it shall not award the Coral Gables Mediterranean Architectural Design bonus. The bonuses are awarded based upon the Board of Architects determination that the application satisfies the Coral Gables Mediterranean Architectural Design provisions in Section 5-605.

F. Total available bonus provisions within level 1 and 2. Bonuses are available in two levels as provided in above Section C and D. The level 1 and 2 bonuses available shall only be granted if an application satisfies Table 1, Required Standards. Bonuses may be granted for only level 1 or bonuses can be granted cumulatively including level 1 and 2 bonuses. To secure Mediterranean Architecture bonuses, Level 2, all provisions in the above Sections C and D and Section 5-605 shall be satisfied.

G. Required standards. Bonuses may be granted for only level 1 or bonuses can be granted cumulatively including level 1 and 2 bonuses. To secure Mediterranean Architecture bonuses, Level 2, all provisions in this Section shall be satisfied.

H. Option standards. Applications for bonuses may also utilize the following development options for Level 1 and/or Level 2 bonuses as is provided in Table 3:

Table 3. Other development options

Number	*Residential*	*Non-Residential*	*Mixed Use*	*Type*	*Options*
1.		✓	✓	Building setback reductions.	Reduction in setbacks. Setbacks may be reduced to zero (0) foot setbacks on all property lines subject to the following standards: a. Minimum open space. A minimum of twenty-five (25%) percent of the total ground stories square footage received from the setback reduction is provided as publicly accessible street level open space and landscape area on private property. b. The minimum square footage of allowable ground stories open space (i.e. plazas) shall be four hundred (400) square feet. c. Types of open space. Types of open space shall be in the form of courtyards, plazas, arcades/loggias, and pedestrian pass-throughs adjacent/contiguous to the adjacent rights-of-way. d Applicants, property owners, successors or assigns desiring to develop pursuant to these regulations may not seek a variance for relief or reduction in building setbacks. Reductions in setbacks are only permitted subject to these regulations.
2.		✓	✓	Encroachment or loggias and/or arcades located as a part of an adjacent building within rights-of-way.	Encroachments up to a maximum of ten (10) feet into public rights-of-way (not including alleys) may be permitted for the placement of a street level pedestrian arcade/loggia as a part of an adjacent building subject shall satisfy the following regulations: a. Encroachment. The total amount of encroachment shall be evaluated based upon the total width of the contiguous rights-of-way. Rights-of-way less than sixty (60) feet or less may be approved for less than the maximum ten (10) feet. b. Minimum percentage of open space. A minimum fifty (50%) percent of the total ground stories square footage encroachment requested must be provided as publicly accessible open space and landscape area on private property. The open space is subject to the following:

Table 3. Other development options					
Number	*Residential*	*Non-Residential*	*Mixed Use*	*Type*	*Options*

					• Types of open space. Types of open space shall be in the form of open arcades/loggia, courtyards, plazas, pedestrian pass-throughs or open atriums adjacent/contiguous to the adjacent rights-of-way.
					• Minimum area. Minimum square footage of allowable open space shall be five hundred (500) square feet.
					• Landscape. Include both hard and softscape landscape improvements and pedestrian amenities as defined herein.
					• Vertical volume. As a minimum include a vertical volume of space equal from street level to the first story's height or eighteen (18) feet, whichever is greater. Increase/decrease in height may be reviewed/approved as a part of approval.
					• Maximum arcade/loggia lengths. Encroachments of up to eighty (80%) percent of the entire linear length of the building are permitted. Encroachment of the entire length may be requested subject to review and approval at the time of site plan review. Limitations of encroachments on corners of buildings may be required to control view corridors and ground stories building bulk and mass.
					• Vertical encroachment. Structure shall be limited to the following:
					  • Forty-five (45) feet on sixty (60) foot rights-of-way.
					  • Eighteen (18) feet on rights-of-way less than thirty (30) feet.
					  • The encroachment shall be structurally supported entirely from the adjoining private property.
					c. All applicable costs for improvements and/or relocation to utilities, sanitary sewer, storm water, and other associated infrastructure improvements as a result of the request shall be the responsibility of the property owner.
					d. On street parking displaced as a result of the encroachment shall be provided as public parking spaces within the proposed development and compensation for the removed spaces shall be subject to the established City provisions. The building shall include City's public parking signage on the exterior portions of the building to clearly identify public parking spaces are available within the facility. The total number and location of the signage shall be determined at the time of application review.
					e. Any encroachments, construction and penetration into the rights-of-way shall be subject to the following:
					• 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

Table 3. Other development options					
Number	*Residential*	*Non-Residential*	*Mixed Use*	*Type*	*Options*
					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. • Responsible for liability insurance, local taxes, and the maintenance of the encroachment and/or property. • In the event that the owner or any assign and successor shall at any time after approval of the site plan fail to maintain the areas in reasonable order and condition in accordance with the approval, these regulations, City Code or other applicable local, state and federal requirements, the City shall implement appropriate measures pursuant to applicable City provisions. f. Encroachments and the total amount of encroachment shall require review and approval pursuant to applicable City provisions.
3.		✓	✓	Parking requirement exemption for Mediterranean Architectural Design buildings of 1.45 FAR or less (Central Business District only).	Any new building construction or restoration/renovation of a building located in the Central Business District which is designed as Coral Gables Mediterranean Architectural Design as provided for in Section 5-604 and satisfies all other provisions of this Article, may be exempted from off-street parking requirements if the FAR of such building(s) does not exceed 1.45. Property owners, successors and/or assigns shall be limited to the above use restriction in perpetuity. The above provisions shall be enforced via a restrictive covenant or other acceptable means as determined by the City Attorney, subject to City Attorney review and final approval prior to the issuance of a certificate of occupancy for the building.
4.	✓			Multi-family residential density bonus for Mediterranean Architectural Design buildings.	A twenty-five (25%) percent residential density bonus may be awarded to the permitted residential density if the proposed building is designed as Coral Gables Mediterranean Architectural Design as provided for in Section 5-604 and satisfies all other provisions of this Division.

Section 5-605. Coral Gables Mediterranean Architecture Design.

A. Coral Gables Mediterranean Architecture Design. All applications for development approval shall be required to satisfy all of the following:

1. Include design elements and architectural styles of the following buildings:

   a. H. George Fink Offices, 2506 Ponce de Leon Boulevard.

   b. The Colonnade Building, 169 Miracle Mile.

   c. Douglas Entrance, 800 Douglas Road.

   d. Coral Gables Elementary School, 105 Minorca Avenue.

   e. Granada Shops/Charade Restaurant, 2900 Ponce de Leon Boulevard (demolished).

   f. San Sebastian Apartments, 333 University Drive.

   g. Coral Gables City Hall, 405 Biltmore Way.

   h. Biltmore Hotel, 1200 Anastasia Avenue.

Section 5-606. Exterior walls - material and color.

All exterior walls of all buildings shall be constructed of concrete, glass block, poured concrete, stone, hollow tile, coral rock or clay brick provided, however, that in the Commercial and Industrial Districts porcelain enamel panels, metal panels, pebble-faced block, pebble-faced panels, pre-cast panels and architectural concrete may also be used for exterior walls of buildings designed and used for commercial purposes with the express condition that such materials are approved by the Board of Architects, the Building Official and Structural Engineer. All exterior masonry surfaces shall be stuccoed and painted except those of coral rock, stone, glass, clay brick, slump brick, pebble-faced block, pebble-faced panels, pre-cast panels, and architectural concrete. Sunscreens on commercial buildings may be constructed of masonry, metal, glass or plastic where such materials are located in a metal or masonry frame providing that such sunscreens shall be subject to approval by the Board of Architects for architectural design. All exterior coloring shall be approved by the Board of Architects, if different from the Board of Architects approved palette of colors.

Section 5-607. Exterior walls - facing materials.

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

   1. That the exterior walls are constructed of masonry.

   2. That the walls are furred to provide natural air space and moisture control.

   3. That the wood utilized for such wood facings shall be those conducive to salt-sea atmosphere and shall be limited and restricted to the following species:

      a. Solid select heart cypress.

      b. Solid heart mahogany.

      c. Solid heart teak.

      d. Solid heart cedar.

      e. Clear vertical grain heart redwood.

f. Other types/species of wood may be permitted subject to the review and approval by the City Architect and the entire Board of Architects.

4. That where wood facings over masonry walls are approved, the exterior face of all masonry shall be completely and thoroughly covered with one application of black asphaltum waterproofing.

5. That all blocking and furring strips shall be pressure treated.

6. That all wood facings shall be secured to furring and/or blocking with stain resistant nails.

7. That the wood facing material shall have a minimum thickness of three-fourth (¾) inches and shall not be wider than twelve (12) inches.

8. That stains applied to the wood shall be specifically for exterior use and shall be limited to colors approved by the Board of Architects.

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

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

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

2. That the dryvit system shall be used only above the first floor.

3. That the color of the exterior surface shall comply with the palette of colors approved by the Board of Architects.

4. That the building shall have a twenty (20) foot distance separation from all structures and lot lines, as required by the Miami-Dade County Products Control Division.

5. That the method of attaching the dryvit system to the masonry wall shall be subject to approval by the Building Department.

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

1. Aesthetic considerations.

2. Good structural principles.

3. Compliance with applicable standards of the Florida Building Code.

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

Section 5-608. Railings on exterior balconies.

The use of redwood, cedar or cypress wood on single-family and duplex-residence buildings fastened to a continuous metal support shall be permitted as the top handrail only of railings on exterior balconies.

Except as provided above, the use of wood for railings or any part of railings on exterior balconies is hereby prohibited.

Section 5-609. Dormer windows.

The use of wood framed dormer windows shall be permitted on single-family, townhouse and duplex-residence buildings subject to the approval of the Board of Architects and the Structural Engineer.

Section 5-610. Wind break panels.

Wind break panels consisting of soft pliable vinyl material installed in extruded vertical sliding frames may be attached to screened enclosure panels and screened porch panels, provided that the supporting members of the screened enclosure, screened porch and wind break panels are designed to meet and comply with the wind load and structural requirements of the Florida Building Code and provided further, that when the wind break panels are in an open position the area of the panels shall not exceed twenty-five (25%) percent of the area of the screened walls of which they are a part.

The color of the vinyl material shall be in accordance with a palette approved by the Board of Architects.

Section 5-611. Prefabricated fireplace chimneys.

Prefabricated fireplace chimneys constructed of steel angle frame and a stucco finish may be installed on duplexes and single-family residences only when the fireplace addition is proposed on an existing structure and is located on an interior wall. Fireplace chimney additions on exterior walls (outside of existing building footprint) may not be prefabricated. All prefabricated fireplace chimneys shall be subject to Board of Architects review and approval, and must be designed to meet or exceed Florida Building Code requirements, and be approved by the City Structural Engineer.

Division 7. Distance Requirements

Section 5-701. Purpose and applicability.

It is the purpose of this Division to provide for appropriate distances between particular uses in order to mitigate any adverse impacts between particular uses.

Section 5-702. Sale of alcoholic beverages and liquors.

A. No alcoholic beverage sales (package) shall be permitted upon premises closer than five hundred (500) feet from any religious institution or school without approval by the Board of Adjustment.

B. In reviewing an application for alcoholic beverage sales (package), the Board of Adjustment shall consider, but not be limited to the following criteria:

    1. Location of building on the building site.

    2. Location of entrances and exits to the licensed establishment.

    3. Proposed hours of operation.

    4. Other uses of business adjacent to or between the licensed establishment and the church or school.

    5. Vehicular and pedestrian paths between the licensed establishment and the church or school.

    6. Shall determine that the location is not detrimental to the public health, safety and welfare.

C. The five hundred (500) foot lateral distance shall be measured and computed by following a straight line from the nearest point of the school grounds and/or religious institution in use as part of the school grounds and/or religious institution to the nearest property line of the building site of the place of business.

Section 5-703. Adult bookstore, adult theater, and massage salon.

A. No adult bookstore or adult theater or massage salon shall be established or located within a distance of one thousand (1,000) feet from any other adult bookstore, or adult theater or massage salon. Such distance shall be measured and computed by following a straight line between the main entrances of the places of business.

B. No adult bookstore, or adult theater or massage salon shall be located or established within a distance of one thousand (1,000) feet from a residential district and/or from a religious institution or school. Such distance shall be measured and computed, in the case of a religious institution or school, by following a straight line from the nearest point of the school and/or institution grounds in use as part of the school grounds and/or religious institution to the closest exterior door of the place of business, and in the case of residentially zoned property by following a straight line from the closest portion of a residential district to the closest exterior door of the place of business.

Division 8. Docks, Wharves, Mooring Piles and Watercraft Moorings

Section 5-801. Purpose and applicability.

It is the purpose of this Division to set forth all regulations applicable to docks, wharves and moorings in the City to ensure that such facilities are constructed in a manner that protects neighboring properties and the property on which they are located.

Section 5-802. Docks, wharves and mooring piles - canals, lakes, or waterways.

The construction, erection or installation of mooring piles and/or watercraft docks or similar landing facilities for watercraft, in any water body, or on land abutting thereon, shall be subject to the following conditions and restrictions:

A. No dock, wharf or similar structure shall be constructed over or in any canal, lake or more than five (5) feet outward from the bank except as described for specific properties and the Mahi Canal in Appendix A.

B. No mooring piles shall be placed or set in the water bodies which shall be located at a greater distance than twenty-five (25) feet from the bank of such water or waterways.

C. Except as described for specific properties and the Mahi Canal in Appendix A, no dock or mooring piles shall be placed in any waterway within the City at a greater distance from the bank thereof, which, when allowance is made for the erection or placing of a dock or mooring piles on the opposite bank at a similar distance from the bank, will leave less than seventy-five (75) feet of open unobstructed navigable water between such piles, docks and similar structures on the opposite bank.

D. No dock extending outward over or in the water from the bank shall be permitted in connection with any lot which a reasonable area along the shore thereof shall be at such level as to provide a natural landing stage or platform for persons embarking on or debarking from watercrafts.

E. All mooring piles, docks and/or similar structures shall maintain the same minimum setback from the adjacent owner's property line extended as established for the main structure permitted on each building site, except as described for specific properties and the Mahi Canal in Appendix A.

F. Except as described for specific properties and the Mahi Canal in Appendix A, and as provided for under Section 5-802(C) above, the mooring of watercraft in water bodies shall be forbidden unless

such moorings, and similar mooring on the opposite bank, shall leave unobstructed passageway in the water body of at least seventy-five (75) feet in width.

G. Where the width of the water body permits mooring of watercraft parallel to the banks, but does not permit the erection of docks or the placing of outer mooring piles, fender or mooring piles may be placed at a distance not greater than eighteen (18) inches from the bank or shore, and such piles shall be Venetian type, painted and ornamentally capped.

Section 5-803. Docks and mooring piles - Biscayne Bay.

The construction, erection or installation of watercraft docks or similar landing facilities for watercraft, pilings and dolphins on the bay front edge or in Biscayne Bay shall be subject to the following conditions and restrictions:

A. No docks shall extend more than twenty-five (25) feet from the property line into Biscayne Bay.

B. All mooring piles, dolphins and/or docks shall set back a minimum distance of twenty-five (25) feet from the adjacent property owner's lot line extended.

C. No docks, pilings or dolphins may be set until a permit therefore is first granted by the Department of the Army of the United States Government.

D. Mooring piles and dolphins shall not be set more than twenty (20) feet into the bay from the dock line.

Section 5-804. Mooring of watercraft.

In single-family residential districts, where watercraft is permitted to be moored in water bodies, all watercraft shall be moored parallel to the property line abutting the water body.

Section 5-805. Davits, watercraft lifts and floating watercraft lifts.

Davits, watercraft lifts and floating watercraft lifts shall be permitted as an accessory use to property in a residential district, subject to the following conditions and restrictions, except as further provided for specific properties and the Mahi Canal in Appendix A:

A. That the appropriateness of the proposed location shall be reviewed and approved by an administrative site plan approval.

B. That certified engineering drawings be submitted with details of the proposed method of attachment.

C. That the minimum side setback for such davits, watercraft lifts or floating watercraft lifts shall be the same as the minimum side setbacks, extended, for the main structure.

D. Permitted number of davits, watercraft lift or floating watercraft lift:

1. One (1) set of davits, watercraft lift or floating watercraft lift may be permitted for each single-family dwelling or duplex.

2. On properties with two hundred (200) feet or more of waterfront lot width one (1) additional set of davits may be permitted for each single-family dwelling or duplex.

3. Multi-family buildings may have at least one (1) set of davits, watercraft lift or floating watercraft lift, but may not have more than one (1) set of davits, watercraft lift or floating watercraft lift per ten (10) residential dwelling units.

E. That watercraft lifts or floating watercraft lifts shall not extend beyond twenty-five (25) feet from the banks of waterways.

F. That the remaining, navigable waterway shall be a minimum of seventy-five (75) feet in width.

G. That watercraft lifts or floating watercraft lifts shall maintain safety light reflectors visible at night, and guide poles to show the submerged portion of the lift.

Section 5-806. Bulkheads and retaining walls.

No bulkhead, retaining wall or similar installation along a water body shall be built or constructed unless such bulkhead, retaining wall or similar installation be constructed of reinforced concrete, pre-stressed concrete or gravity mass non-reinforced concrete, providing, however, that in those water bodies west of LeJeune Road and north of Sunset Road, bulkheads and retaining walls may be constructed of concrete block or native stone. All bulkheads and retaining walls shall be subject to the following conditions:

A. All plans for such bulkheads and walls shall be designed by a registered engineer, qualified under the laws of the State of Florida, to prepare such plans.

B. All such bulkheads and walls and components shall be designed to meet loads imposed by saturated backfill.

C. The minimum elevation of such bulkheads and walls shall be plus five (5) and no hundredths feet, U.S.E.D. Bay Datum.

Division 9. Group Homes; Assisted Living Facilities (ALF) and Child Care Facilities

Section 5-901. General.

Each group home or assisted living facility shall be in conformance with all applicable provisions of the Florida Building Code, Miami-Dade County Health Code, appropriate state agencies, and standards and regulations of any other agency or department which has authority over facilities of this type.

Section 5-902. Assisted Living Facilities.

All Assisted Living Facilities (ALF) in Multi-family or Commercial Districts shall not exceed an FAR of 3.0. Mediterranean bonuses may apply as permitted in these regulations. Maximum permitted number of living units shall be calculated according to the following table (two (2) persons max/unit):

Comprehensive Plan	*Maximum ALF Living Units/Acre*
Commercial	
Low-Rise Intensity	60
Mid-Rise Intensity	120
High-Rise Intensity	180
Residential (Multi-family)	
Low Density	60
Medium Density	120
High Density	180

A. No more than two (2) persons per bedroom, (excluding staff), shall be allowed as a means of determining maximum occupant density per dwelling unit. There shall also be a minimum of eighty (80) square feet per person of bedroom space for each dwelling unit.

B. Minimum off-street parking shall be provided at 0.5 spaces per ALF unit. Group homes shall provide off-street parking according to the requirements established in Article 5, Division 14 of these regulations.

C. Recreational space shall be provided at a minimum of one hundred (100) square feet per resident, of which thirty (30%) percent shall be interior space. Exterior recreational space shall be properly landscaped and buffered for the benefit of both the residents and adjacent properties. A portion of required exterior space shall be provided on the building's front façade to allow for the passive observation of common outdoor areas and public right-of-way by residents.

D. Facilities shall be aesthetically compatible with the surrounding neighborhood and adjacent properties.

E. Assisted Living Facilities (ALF) shall only be permitted as a conditional use.

Section 5-903. Childcare facilities.

Childcare facilities shall be provided in accordance with the provisions of Miami-Dade County Code Chapter 33, Article XA.

Division 10. Heliport and helistops

Section 5-1001. Purpose and applicability.

The purpose of this Division is to set out standards for the provision of heliports and helistops in the City. A heliport may be approved as a conditional use in a Special Use District. A helistop may be approved as a conditional use in a Special Use District, Commercial District or Industrial District.

Section 5-1002. Heliport and helistop standards.

A. The Planning and Zoning Board shall consider the following standards, in addition to the general standards for conditional uses in Article 3, Division 4 in deciding whether to approve, approve with conditions or deny an application for a conditional use for a heliport or helistop:

   1. Proximity to residential and noise sensitive areas.

   2. Height and location of surrounding buildings, utility lines/towers and vegetation.

   3. Projected average decibel readings.

   4. Volume of vehicular traffic and hours of operation.

   5. Proposed site plan, including all structures, service facilities, landing pads, fueling and safety equipment, night lighting, wind directional indicators, associated parking and other accessory uses as appropriate and applicable.

B. The applicant shall provide proof of compliance with Federal Aviation Administration (FAA) requirements established in the Federal Aviation Regulations for helicopter and heliport development.

C. Take-off and landing of any helicopter is prohibited except at an approved heliport or helistop. Essential public safety services, being emergency helicopter services to and from any designated use district within the City and trauma centers, hospitals, fire stations and law enforcement agencies, shall be excluded from these requirements.

Division 11. Landscaping

Section 5-1101. Purpose.

The purpose of this Division is to preserve the existing natural environment and provide landscape improvements on private properties and rights-of-way in order to encourage amenities and screening that promotes a positive urban image, enhancement of property values, strengthening of the historic fabric, promotion of orderly growth, and overall enhanced aesthetic quality in the City.

Section 5-1102. Applicability.

A. Miami-Dade County Code applicability. The minimum landscape requirements for the City of Coral Gables are governed by all requirements within the following Miami-Dade County Codes as amended:

1. Chapter 18A, Landscaping Ordinance;

2. Chapter 24, Environmental Protection Ordinance;

3. Chapter 33, Zoning Code; and

4. Landscape Manual.

The provisions in this Division are supplemental to and generally more restrictive than Miami-Dade County Code provisions. As provided for in the Miami-Dade County Code provisions, if these provisions are not enforced by the City, Miami-Dade County may enforce the same. Should a conflict arise between these provisions and Miami-Dade County provisions, the most restrictive shall apply.

B. Applicability thresholds. Unless exempted as provided herein, these provisions shall be a minimum standard and shall apply to all development when a building permit is required in accordance with the applicable zoning district(s).

1. MF1, MF2, MFSA, MXD, CL, C, I, S, UCD, PAD and P zoning districts:

a. New construction; or

b. Redevelopment, if either of the two (2) thresholds are exceeded:

i. The proposed redevelopment cost exceeds fifty (50%) percent of the total property value; or
ii. Results in a fifty (50%) percent or more increase in building square footage; or

c. Where a paving permit is required for expansion of existing vehicle use area (VUA) or new VUA.

2. SFR zoning district and duplexes/town homes in MF zoning districts:

a. New construction; or

b. Redevelopment, if either of the two (2) thresholds are exceeded:

i. The proposed redevelopment cost exceeds ten (10%) percent of the total property value; or
ii. Results in a ten (10%) percent or more increase in building square footage.

Section 5-1103. Application and plan review requirements.

A. Application requirements. The Building and Zoning Department shall determine the minimum application requirements for adherence to the provisions of this Division.

B. Landscape plan. A landscape plan(s) shall be prepared pursuant to Miami-Dade County requirements.

C. Irrigation plan. An irrigation plan shall be prepared pursuant to applicable building code requirements and Miami-Dade County Code, Chapter 33.

D. Additional information. Any additional plans or information may be requested as determined by the Building and Zoning Department as deemed necessary for its review.

Section 5-1104. General requirements.

A. The following are general requirements that are applicable to all rights-of-way (r.o.w.) and private properties within the City, unless exempted herein:

	Type	*Minimum requirements*
1.	Drainage.	All properties shall maintain the required drainage onsite as required pursuant to Florida Building Code.
2.	Irrigation.	a. At the time of installation, all newly planted and relocated plant material shall be watered by temporary or permanent irrigation systems that produce a minimum of one hundred and ten (110%) percent plant material coverage. b. Irrigation shall be prohibited within native plant communities and natural forest communities, except for temporary systems needed to establish newly planted material. Temporary irrigation systems shall be disconnected immediately after establishment of plant communities. Irrigation systems shall be designed to conserve water by allowing differential operation schedules based on hydrozone. c. Irrigation systems shall be designed, operated, and maintained to not overthrow or overflow onto any impervious surfaces. i. Low trajectory spray heads, and/or low volume water distributing or application devices, shall be used. Overhead irrigation systems shall only be permitted in bonafide agricultural activity areas. ii. Gray water shall be used where approved systems are available. iii. A moisture or rain sensor device shall be required on all irrigation systems equipped with automatic controls. Irrigation systems shall be timed to operate only during hours and on days permitted under Miami-Dade County Code. d. Properties in SFR zoning districts shall be exempt from these provisions.
3.	Installation.	a. All landscaping shall be installed in a sound manner and according to accepted good planting practices. b. The selection and location of vegetation on the planting site shall to the greatest extent possible minimize storm related damage and avoid damage to above and below ground infrastructure including but not limited to septic tanks/systems, water, sewers, sidewalks, and utilities. c. All street tree plantings shall satisfy the State of Florida Department of Transportation “tree clearance planting zone requirements.”
4.	Lineal property line calculations.	Paved vehicular and pedestrian points of ingress/egress shall not be calculated in determining the lineal property calculations. This area may be subtracted from the lineal dimension used to determine the minimum required quantity of vegetation.
5.	Maintenance.	a. All landscaped areas shall be maintained in good condition to present a healthy, neat, and orderly appearance, such that landscaping is permitted to mature to the required size and intended aesthetic benefit. b. All planting areas shall be kept free from refuse and debris. c. All plant material located within triangles of visibility required pursuant to Section 5-1406, shall be kept clear of visual obstructions between the height of three (3) feet and eight (8) feet above the established grade. d. If any plant material expires or is degraded through any means such that the plant materials can no longer satisfy the requirements of this Division, the plant materials shall be replaced with the same landscape material or a City approved substitute. e. Trees shall be pruned in the following manner:

	Type	*Minimum requirements*
		i. All cuts shall be clean, flush and at junctions, laterals or crotches. All cuts shall be made as close as possible to the trunk or parent limb, without cutting into the branch collar or leaving a protruding stub. ii. Removal of dead wood, crossing branches, weak or insignificant branches, and suckers shall be accomplished simultaneously with any reduction in crown. iii. Cutting of lateral branches that results in the removal of more than one-third (1/3) of all branches on one (1) side of a tree shall only be allowed if required for hazard reduction or clearance pruning. iv. Lifting of branches or tree thinning shall be completed to distribute over half of the tree mass in the lower two-thirds (2/3) of the tree. v. No more than one-third (1/3) of a tree's living canopy shall be removed within a three (3) year period. Trees shall be pruned according to the current ANSI A300 Standards and the Miami-Dade Country Landscape Manual. At no time shall trees be maintained such that the plant material is thwarted from achieving its intended mature size. vi. Hatracking of trees shall be prohibited.
6.	Plant materials.	a. Plants installed pursuant to this Code shall conform to, or exceed, the minimum standards for Florida Number One as provided in the most current edition of "Grades and Standards for Nursery Plants" prepared by the State of Florida Department of Agriculture and Consumer Services. b. Vegetation requirements specified herein shall be installed in accordance with all of the following unless noted otherwise: i. Large shade trees. Minimum planting height of twelve (12) feet/two (2) inch caliper. Large shade trees shall have a mature height of greater than twenty-five (25) feet and an average mature spread of crown of greater than fifteen (15) feet. • Substitutions. Palms trees or medium shade trees as described in below Section 6(b) (ii) may be substituted at three-to-one (3:1) ratio. A maximum of twenty-five (25%) percent of the total may be palm varieties. • Tree species with trunk(s) that can be maintained in a clean condition (leafless) shall have a minimum of five (5) feet clear wood. • Trees installed pursuant to this Division shall have one (1) primary vertical trunk and secondary branches free of included bark up to a height of six (6) feet above natural grade. • A minimum of thirty (30%) percent of the total trees shall be native species. • Exceptions. Exceptions to minimum planting size may be granted based upon availability or if exceptional plant materials are provided. Exceptions are subject to Public Service Department review and approval. ii. Palm trees and medium shade trees. Minimum planting height of ten (10) feet and mature height of greater than fifteen (15) feet. A maximum of twenty five (25%) percent of the required large shade tree quantity requirements from above Section 6 (b)(i) may be substituted with palms and medium shade trees at a three-to-one (3:1) ratio. A minimum of thirty (30%) percent of the total trees shall be native species. iii. Shrubs. All shrubs shall be a minimum of eighteen (18) inches in height at planting, with a maximum average spacing of twenty-four (24) inches on center. Shrubs shall be planted and maintained to form a continuous, unbroken, solid, visual screen within a maximum of one (1) year after time of planting. A minimum of thirty (30%) percent of total shrubs shall be native species. iv. Vines. Vines used in conjunction with fences, screens, or walls to meet

	Type	*Minimum requirements*
		landscaping requirements of these regulations, shall be a minimum of thirty (30) inches in height at time of planting and one (1) gallon container v. Ground cover. A combination of vegetative ground cover, lawn grass, mulch or other City approved ground cover shall be provided on all exposed earth. The intent is to provide one-hundred (100%) percent ground coverage. If vegetative ground covers are provided, the vegetation shall provide complete coverage within three (3) months after planting. vi. Lawn grass. All lawn areas shall be sodded. Sod shall be planted in species well adapted to localized growing conditions in Miami-Dade County and shall be clean and reasonably free of weeds and noxious pests or diseases.
7.	Soils and infrastructure protection measures.	a. Structural soil, other City approved subsurface root zone product, or other construction methodology shall be utilized in all urban planting areas to provide adequate root space and minimize the potential adverse impacts of roots on surrounding infrastructure. b. Properties in SFR zoning districts and duplexes/town homes in the MF zoning districts shall be exempt from these provisions. c. Additional exemptions may be granted to these provisions by the Public Service Department.
8.	Street and driveway intersection visibility requirements.	a. All vegetation shall be installed and maintained to satisfy the following: i. City approved traffic signage, signals, etc., are not obstructed. ii. Visibility triangle regulations in Section 5-1406.
9.	Surface level vehicle use areas (VUA's) landscape buffer requirements.	a. Surface level VUA's adjacent to r.o.w.'s or other properties shall provide all of the following: i. Minimum buffer width of five (5) feet; ii. One (1) large shade tree for each twenty-five (25) feet of the total property line or fraction thereof; and iii. One (1) shrub for each two (2) feet of the total lineal property line or fraction thereof. The intent is to form a continuous vegetative hedge. Walls up to three (3) feet in height may be installed to satisfy the above shrub/continuous hedge requirements. However, two (2) shrubs or five (5) vines or combination thereof shall be planted for each ten (10) feet of wall length or fraction thereof. The plants shall be planted within a three (3) foot minimum landscape buffer between the wall and the abutting r.o.w. and/or property line. b. Surface level VUA's located within MF1, MF2, MFSA, MXD, CL, C, I, S, UCD, PAD and P zoning districts adjacent to SFR zoned properties and duplexes/town homes in MF districts shall provide all of the following: i. Minimum buffer width of five (5) feet; ii. One (1) large shade tree for each twenty-five(25) feet of the total property line or fraction thereof; iii. One (1) shrub for each three (3) feet of the total property line or fraction thereof. The intent is to form a continuous vegetative hedge; and iv. Six (6) foot continuous wall installed the total property line length. Two (2) shrubs or five (5) vines or combination thereof shall be planted for each ten (10) feet of wall length or fraction thereof. The plants shall be planted within a three (3) foot minimum landscape buffer between the wall and the abutting property line. c. Where VUA's abut alleys, a three (3) foot minimum landscape buffer shall be provided with the required landscaping quantity subject to the abutting property zoning requirements provided within this Section. The buffer may either be installed adjacent to the VUA, alley/r.o.w., or adjacent property with the appropriate landscape easements and restrictive covenant subject to City review and approval. d. Exemptions.

	Type	*Minimum requirements*
		i. If the property contains a building or is adjacent to a building on an abutting property that has a zero (0) setback, the provisions in this Section as it relates to landscape buffer requirements shall not apply for that portion occupied by the building. ii. Driveways in SFR zoning districts and duplexes/town homes in MF zoning districts shall be exempt from these provisions.
10.	Surface level VUA's interior landscaping requirements.	a. Surface level VUA's shall be subject to all of the following: i. A minimum of ten (10) square feet of interior landscape area for each parking space; ii. One (1) large shade tree for each one-hundred (100) square feet or fraction thereof of required interior landscaped area. Such landscaped areas shall be located in such a manner as to divide and break up the expanse of paving. As a minimum, no more than ten (10) parking spaces are permitted without an interior landscape island; iii. Ten (10) shrubs for each one-hundred (100) square feet or fraction thereof of interior landscaping; and iv. Interior landscape islands shall be no less than fifty (50) square feet in size and minimum width of five (5) feet. b. Driveways in SFR zoning districts and duplexes/town homes in MF zoning districts shall be exempt from these provisions.
11.	VUA's integrated into buildings.	a. If VUA's that are integrated into a building at grade level or partially below grade and are abutting any of the following: 1) r.o.w.'s; 2) MF1, MF2, MFSA zoning districts; or 3) residential uses in building in MXD, S, UCD, PAD and P zoning districts shall provide all of the following: i. A minimum buffer width of five (5) feet; ii. A decorative fence or fence/wall combination that is at least four (4) feet in height along the portion of the building that is used for off-street parking; iii. One (1) palm tree and/or medium shade tree for each twenty-five (25) feet of the total property line or fraction thereof; and iv. One (1) shrub for each two (2) feet of the total lineal property line or fraction thereof. The intent is to form a continuous vegetative hedge. b. Parking garage exterior façade treatment. The exterior façades of parking garages that are not subject to subsection "a" above shall be designed and improved so that the use of the building for parking is not readily apparent. c. Automated parking systems. Automated parking systems shall be located within a structure so that a visual barrier is in place to screen the parking from pedestrian view. The structure shall be subject to all standards that apply to the design and location of parking garages.

Section 5-1105. Landscape requirements.

A. Public rights-of way. Properties within MF1, MF2, MFSA, MXD, CL, C, I, S, UCD, PAD and P zoning districts exceeding the applicability thresholds as defined in Section 5-1102(B) shall be required to install the improvements listed below. The required improvements are based upon the properties lineal property dimension abutting the r.o.w. The requirements provided herein and any potential conflicts shall be subject to review and approval by the Public Works Department and Public Service Department.

	Type	*Minimum Requirements*
1.	Drainage.	All properties shall be required to install drainage within the r.o.w. pursuant to the Department of Public Works requirements.
2.	City Streetscape Master Plan and/or Citywide Traffic Calming Plan.	a. Landscaping, landscape islands, bulbouts, curbing, pedestrian crosswalks bulbouts, drainage and other associated traffic calming improvements shall be required pursuant to the City Streetscape Master Plan and accompanying standards and/or Citywide Traffic Calming Plan. If the City Streetscape Master Plan and accompanying standards are not applicable to the area in which the proposed development is contemplated, see Section 5-1105(A)(3) below for minimum r.o.w. planting requirements.
3.	Right-of-way planting requirements not associated with the City Streetscape Master Plan.	a. Landscaping shall be installed within the City r.o.w. and shall be installed in accordance with all of the following: i. Large shade trees. Provide one (1) large shade tree, minimum planting height of sixteen (16) feet/three-and-a-half (3½) inch caliper per thirty-five (35) linear feet or fraction thereof of right-of-way abutting the property. Palm or medium shade tree, minimum planting height of fourteen (14) feet/two-and-a-half (2½) inch caliper may be utilized to satisfy the above large shade tree requirements at a three-to-one (3:1) ratio. A maximum of twenty-five (25%) percent of the required total may be palm varieties. ii. Shrubs. Provide one (1) shrub per one (1) linear foot or fraction thereof of the right-of-way abutting the property.
4.	Medians and/or traffic calming devices required pursuant to the City Streetscape Master Plan or Citywide Traffic Calming Plan.	a. If a median exists or can be established on the abutting r.o.w., the improvements listed in above Section 5-1105(A)(3) shall be installed pursuant to the City Streetscape Master Plan and accompanying standards and/or Citywide Traffic Calming Plan. b. If a median exists or can be established on the abutting r.o.w. and is not included within the City Streetscape Master Plan, a median shall be provided subject to all of the following: i. Large shade trees. One (1) large shade tree, minimum planting height of sixteen (16) feet/three-and-a-half (3½) inch caliper per thirty-five (35) feet linear feet or fraction thereof of right-of-way abutting the property. Palm or medium shade tree, minimum planting height of fourteen (14) feet/two-and-a-half (2½) inch caliper may be utilized to satisfy the above large shade tree requirements at a three-to-one (3:1) ratio. A maximum of twenty-five (25%) percent of the required total may be palm varieties. ii. Shrubs. One (1) shrub per one (1) linear feet or fraction thereof of the right-of-way abutting the property.
5.	Lawn grass.	All unpaved surfaces on rights-of-way shall be sodded. Groundcover may be substituted in lieu of lawn grass subject to City review and approval.
6.	Payment in lieu of installation.	In lieu of the requirements set forth in Section 5-1105(A)(2)-(4), the City Manager or designee in accordance with these rules and regulations may allow for the payment of the above improvements into a designated fund in lieu of providing the improvements if either of the following exist: 1) the off site improvements are provided; 2) if onsite constraints exist that prohibit the improvements; or, 3) if the City determines that a comprehensive installation of the improvements will be more beneficial. The estimate shall be based upon design, installation, and costs of all improvements. Applicants shall provide the City an estimate prepared by a licensed civil engineer or other City approved entity. The City shall evaluate and approve all estimates in accordance with

	Type	*Minimum Requirements*
		the City's rules and regulations. These funds shall be allocated in a special fund towards street improvements in close proximity to the provider.

B. Single-family residential properties. All single-family residential properties within SFR zoning districts and duplexes/town homes in MF1, MF2 and MFSA zoning districts shall comply with the below listed provisions.

	Type	*Minimum Requirements*
1.	Landscape open space.	a. The landscape open space for building sites shall be provided as follows: i. All building sites shall provide landscaped open space of not less than forty (40%) percent of the area of the building site. ii. At least twenty (20%) percent of the required forty (40%) percent of landscape open space shall be located in the front yard area. iii. The landscaped open space required by this Section shall consist of landscape material.
2.	Planting requirements.	a. Installation of all of the following: i. Large shade tree. One (1) large shade tree for each five-thousand (5,000) square feet or fraction thereof of total land area; ii. Palm and medium shade trees. Two (2), palm or medium shade trees for each five-thousand (5,000) square feet or fraction thereof of total land area; iii. Shrubs. Fifteen (15) shrubs for each five-thousand (5,000) square feet or fraction thereof of total land area; iv. Lawn grass. Lawn grass up to a maximum of sixty (60%) percent of the total lot area; and v. Lawn grass in r.o.w. All unpaved surfaces adjoining the property on the r.o.w. shall be sodded. b. A minimum of two (2) trees and sixty-six (66%) percent of the required shrub quantity shall be in front of the residence. c. Quantity and size substitutions of these provisions shall not be permitted.

C. Other properties. Properties within MF1, MF2, MFSA, MXD, CL, and C zoning districts exceeding the applicability thresholds as defined in Section 5-1102(B) shall be subject to the following:

	Type	*Minimum requirements*
1.	Landscape open space.	a. The following zoning districts shall provide landscape open space as follows: i. MF1 District. Forty (40%) percent of the total area. At least twenty (20%) percent of the required landscape open space shall be located in the front yard area. ii. MF2 and MFSA Districts. Twenty-five (25%) percent of the total area as landscape open space. iii. CL District. Ten (10%) percent of the area of the building site. Such landscaped area shall not be less in width or depth than five (5) feet. iv. C Districts. Ten (10%) percent of the area of the building site shall be provided. Such landscaped area shall not be less in width or depth than ten (10) feet. Plazas, courtyards, arcades and loggias paved with a pervious material may be considered open space and counted as such toward the open space requirement up to a maximum of seventy-five (75%) percent. b. Townhouses as permitted in applicable districts. At least twenty-five (25%) percent of the parcel shall be maintained as landscaped or urban open space, or courtyards, elevated decks, and other amenities which are open to the sky. c. With the exception of Commercial District properties, the landscaped open space required by this Section shall consist of pervious landscaped area and shall not consist of any paved or otherwise impervious areas.
2.	Planting	a. Large shade trees. A minimum of twenty-eight (28) large shade trees per acre

	requirements.	of lot area or fraction thereof shall be located onsite. b. Shrubs. A minimum of two-hundred-and-twenty-four (224) shrubs per acre or fraction thereof shall be located onsite.
3.	Mixed use district alley planting requirements.	If vegetation can be installed within an alley, the below listed vegetation shall be installed along alleyways (rights-of-way) whenever practicable. a. One (1) palm or medium shade tree per thirty-five (35) feet linear feet or fraction thereof of alley abutting the property. A maximum of twenty-five (25%) percent of the total may be palm varieties. b. One (1) shrub per three (3) linear feet or fraction thereof of the alley abutting the property. The requirements provided herein and any potential conflicts shall be subject to review and approval by the Public Works Department and Public Service Department.

Section 5-1106. Vegetation removal, preservation of existing vegetation and credits.

A. Tree removal permits or natural forest community vegetation removal permits are required by the City prior to the removal of trees or any vegetation in a natural forest community pursuant to City Code Chapter 82 and Miami-Dade County, Chapter 18A.

B. Desirable landscaping shall be preserved in its natural state to the maximum extent possible. General landscaping requirements and standards established by these provisions for off-street parking, yards and open space shall be considered supplemental to retention of desirable natural features. Placement of structures and vehicular use areas shall be designed to retain, to the extent reasonably practical, desirable existing landscaping, open space, and natural features, and to promote provisions of compatible new landscaping. Desirable native plant materials and well-adapted exotic plant materials shall be preferred in plant selection.

C. Existing trees required by law to be preserved on site and that meet the requirements of Section 18A-6(C), Miami-Dade County Code, may be counted toward fulfilling the minimum tree requirements.

D. Credit for existing plant material. In instances where healthy plant material exists on a site prior to its development, in part or in whole, the City may adjust the application of the standards in this Division to allow a credit for such plant material if such an adjustment is in keeping with and will preserve the intent of this Division.

Section 5-1107. Automobile service station special landscape regulations.

A. Automobile service stations. In addition to the standards provided in the Division, all automobile service station sites shall comply with all of the following:

1. No less than ten (10%) percent of the automobile service station site shall be landscaped; and

2. Provide curbing around all landscaped areas abutting the VUA.

B. Any potential conflicts with these provisions and this Article shall be subject to Building and Zoning Department review and approval.

Section 5-1108. Landscape variances.

A. Variances to the landscape provisions for private properties may be provided subject to satisfying all requirements for variances as prescribed in Section 3-806. The City shall not consider requests for variance from the requirements of Chapter 24, the Miami-Dade County Environmental Protection Code, including specimen tree and natural forest community variance requests. Any such requests shall be made according to the provisions of Miami-Dade County Code Sections 24-48 and 24-49. Additionally, the City shall not have authority to modify or adjust any part of Miami-Dade County Code in relation to landscape provisions as provided for therein.

Division 12. Lighting

Section 5-1201. Purpose and applicability.

It is the purpose of this Division to establish minimum standards for the provision and use of outdoor lighting in order to provide for the safe and secure night time use of public and private property while at the same time protecting adjacent land uses from intrusive light conditions.

Section 5-1202. Outdoor lighting permitted with standards.

Outdoor lighting for areas such as but not limited to, tennis courts, golf courses, sporting grounds, outside lighting for security purposes and night lighting of commercial buildings, any of which abut residential areas shall be permitted under the following conditions:

A. A permit for outdoor lighting may be issued if, after review of the plans and after consideration of the adjacent area and residential uses, the proposed lighting will be deflected, shaded and focused away from adjacent properties and will not be a nuisance to such adjacent properties.

B. Outdoor lighting shall be designed so that any overspill of lighting onto adjacent properties shall not exceed one-half (½) foot-candle (vertical) and one-half (½) foot candle (horizontal) illumination on adjacent properties.

Division 13. Miscellaneous Construction Requirements

Section 5-1301. Minimum standards.

The following minimum standards shall be required for construction:

A. Wall studs. Minimum bearing or non-bearing interior partition studding shall be two (2) by four (4) inches with greater dimension perpendicular to the wall surface provided, however, that studs on non-bearing interior partition within a room may be placed parallel to the wall surface.

B. Wall construction. All portions of exterior walls, including interior walls of garages, rooms exceeding twenty-five (25) square feet in area which lie within a garage, recessed areas above or below normal tie beams as in carports or recessed porches, entries or on limited areas, such as gable roof ends, shall be of the same type construction as the main walls of the building and properly topped with tie beam or rakes, unless the building is located within a designated flood hazard area whereby specially designed blow-out panels are required by local, county, state or federal regulations. Wall construction within a designated flood hazard area where specially designed blow-out panels are required shall be designed with a safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot. Designs in excess of twenty (20) pounds per square foot may be utilized if designed and certified by a Professional Engineer and approved by both the Board of Architects and the City's Structural Engineer. But in no case shall the design load be in excess of one hundred (100) pounds per square foot. Such enclosed space shall be useable solely for the parking of vehicles, building access, or storage. The use of fill for any reason is prohibited within these spaces. Said blow-out or break-away walls shall be constructed of materials as the Board of Architects and Structural Engineer shall deem suitable.

C. Beams. All structural supporting beams, including beams on external walls of porches, carports, loggias, and similar areas shall be of reinforced concrete or structural steel, provided, however, that pressure treated wood structural members, so stamped and certified will be permitted on entries, loggias and porticos which are not enclosed or intended to be enclosed or screened and where enclosed walls are to be used as vehicular cover.

D. Floor elevations for residential. Minimum floor elevations of residential, duplex, or multiple-family structures, except as otherwise noted herein, shall be not less than sixteen (16) inches above the established grade as determined and established by the Zoning Department, pursuant to this Code and a current survey showing elevations, but in no case shall be less than eight (8) feet above M. L. W. USED Bay Datum. Open or enclosed porches and Florida rooms may be eight (8) inches lower than required for the main structure, except in high flood hazard zones.

E. Floor elevations for commercial. Minimum floor elevations of commercial, industrial structures, private or public garages, cabanas, utility rooms, storage rooms and similar structures shall be not less than six (6) inches above the established grade as determined and established by the Building and Zoning Department, pursuant to this Code and a current survey showing elevations, and in no case shall be less than six and one-half (6½) feet above M. L. W. USED Bay Datum. The elevation of floors where alley rights-of-way exist shall be elevated near the alley to a point of six (6) inches higher than the highest point of the alley paving abutting the property. Where alleys or streets have not been improved, design grades as furnished by the Public Works Department shall apply.

F. Floor elevations for existing buildings. Floor elevations for improvements to existing buildings shall meet the requirements above, but in no case shall be less than the floor elevation of the existing structure where such existing floor does not meet the above minimum elevations and provided that the cost of the improvements are less than fifty (50%) percent of the assessed value of the structure either (1) before the improvements are started, or (2) if the structure has been damaged and is being restored.

G. Yard elevations. Where ground elevations are raised above that of adjoining lots or lots graded to shed water onto adjoining property, a retaining wall or curb and/or drainage ditch or well, subject to the approval of the Building Official, shall be installed to protect said adjoining property.

H. Foundations. Foundations of buildings may project on public property, provided such projection shall not exceed six (6) inches into an alley, and provided that the top of the foundation is not less than twelve (12) inches below the established grade of a sidewalk nor less than forty-two (42) inches below the grade of an alley.

I. Foundations in special locations.

1. All structures lying within the shaded area shown on Appendix B: Special Locations Requiring Pile Foundations, must be supported by pile foundations designed by a professional engineer. Construction of the foundations shall be under the inspection control of a special inspector as set forth in the Florida Building Code.

2. Exception. Structures within the area that do not lie in a V-zone (HFH) classification may be founded on spread footings provided that the footings bear on a natural undisturbed sound rock formation that is at least five (5) feet thick and that the bottom of the footings are at least six (6) inches below the top of the natural sound rock formation.

Section 5-1302. Sustainability Standards.

A. Purpose and applicability.

1. The City of Coral Gables wishes to promote and encourage new development utilizing sustainable design and construction best practices. It recognizes the positive environmental impacts of energy efficient building designs, construction, operation and maintenance methods and materials. It also strives to combat the depletion of natural resources such as clean air, water and natural light.

2. The City of Coral Gables has established a Sustainability Master Plan (SMP) to serve as a strategic roadmap to guide efforts and decision making in order to make the City a more sustainable and resilient community. In addition, the Green Elements of the City's

Comprehensive Plan (CP) establish goals for certified green building development. The sustainable design and construction standards contained in this section are derived from the SMP and CP conservation measures and management policies and shall also be in full compliance with the Florida Building Code currently in effect.

B. Green Building Requirements: The following new construction that have not yet applied for Board of Architects' preliminary review is required to achieve no less than Leadership in Energy and Environmental Design (LEED) Silver certification under the latest applicable version of the LEED Green Building Rating System of the US Green Building Council (USGBC), or Silver certification by the Florida Green Building Coalition (FGBC), or under another nationally recognized certification program approved by the City Manager or City Manager's designee:

1. All buildings over 20,000 square feet not owned by the City of Coral Gables.

2. City of Coral Gables buildings and buildings constructed on City of Coral Gables property. This requirement may be waived by the City Manager or City Manager's designee if it can be demonstrated that compliance with this requirement would create an unreasonable burden on the construction project that would be inconsistent with furtherance of the economic development goals of the city.

3. Commercial and multi-family buildings where the developers of such property request a right-of-way encroachment (except for awnings and signs), abandonment or vacation of right-of-way, mixed use site plan review, planned area development or receiver site for Transfer of Development Rights, which requests require the review of the Planning and Zoning Board and approval of the City Commission.

C. Green Building Bond.

1. Prior to the issuance of a Building Permit for a project that is subject to the requirement of this section, the developer/owner/contractor shall provide the City with a performance bond, cash or irrevocable letter of credit payment (Green Building Bond) in the amount of three (3%) percent of the master building permit construction cost value.

2. The City will hold the Green Building Bond for the time necessary for the green certification, or equivalent, to be issued or twenty-four (24) months after issuance of the Certificate of Occupancy or Completion; whichever is less. Upon receiving final documentation of certification from the developer/owner/contractor, the City shall release the full amount of the bond within thirty (30) days.

3. If the developer/owner/contractor is unable to provide proof of green certification, or equivalent, within twenty-four (24) months after issuance of the Certificate of Occupancy or Completion, the full amount of the Green Building Bond shall be forfeited to the City. Any proceeds from the forfeiture of the bond under this section shall be allocated toward funding Sustainability Master Plan initiatives.

Division 14. Parking, Loading, and Driveway Requirements

Section 5-1401. Purpose and applicability.

A. Purpose. The purpose of this Division is to ensure that:

1. Adequate off-street parking is provided for uses that are permitted by these regulations.

2. Vehicular use areas are designed and lighted to promote public safety.

3 Vehicular use areas and landscaped areas relate to each other in a manner that protects and enhances community character.

4. Adequate loading areas are provided that do not interfere with the function of other vehicular use areas.

5. Sufficient parking is provided in nonresidential areas that are near residential neighborhoods, so that the character and quality of life in the residential neighborhoods are protected from overflow parking.

B. Applicability.

1. Except as provided for in subsections 2, 4 and 5, the requirements of this Division apply to:

   a. New buildings, uses, or structures.

   b. The net new area of any building, structure, or outdoor use that is modified or expanded.

   c. The net new parking demand generated by a change in the use of all or part of a building, structure, or property in residential, mixed use, and special use districts.

2. The requirements of this Division do not apply to a change of use in the Commercial Limited and Industrial Districts.

3. Parking and loading areas that are required by this Division shall be maintained for as long as the use to which they relate is continued.

4. Any building or structure located in a residential, commercial or industrial zoning district which existed as of March 11, 1964, may be altered -- including renovations, remodels, repairs, and changes in use -- without providing off-street parking facilities or additional off-street parking facilities if there is no more than a five (5%) percent total increase in floor area, based on conditions as of March 10, 1964, and if there is no change in zoning to a zoning district requiring more off-street parking than the existing zoning district, subject to the following exceptions:

   a. Any single-family residence which is increased in size more than fifty (50%) percent of the gross floor area of the building as it existed as of March 11, 1964, shall provide off-street parking for the residence as required herein.

   b. Any residential unit in a duplex building which is increased in size more than twenty-five (25%) percent of the gross floor area of the residential unit as it existed as of March 11, 1964, shall provide the off-street parking required for the residential unit as required herein.

   c. Any apartment unit in an apartment building which is increased in size more than five (5%) percent of the gross floor area of the apartment unit as it existed as of March 11, 1964, shall provide the off-street parking required for the apartment unit as required herein. Any apartment unit or units which are added to an existing apartment building shall provide off-street parking for the apartment unit added as required herein. Any building or structure other than single-family residences or duplexes, which is increased in size more than fifty (50%) of the gross floor area as it existed as of March 11, 1964, shall provide off-street parking for the entire building.

5. Any building or structure, other than single-family residences, duplexes or apartment buildings, which is increased in size more than five (5%) percent but less than fifty (50%) percent of the gross floor area as it existed as of March 11, 1964, shall provide off-street parking for the added portion as outlined hereinafter but will not be required to provide additional parking facilities for the presently existing portion unless required by a change of zoning.

Section 5-1402. Geometric standards for parking and vehicular use areas.

A. Dimensions and configuration of parking spaces.

1. Required parking space dimensions:

a. Parallel parking spaces: Nine (9) feet by twenty-two (22) feet.

b. Angled parking spaces: Eight and one-half (8½) feet by eighteen (18) feet.

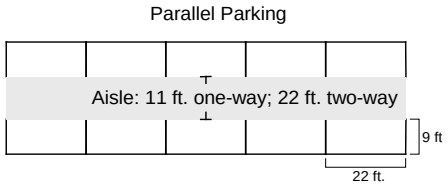
c. Disabled parking spaces shall be dimensioned in accordance with Chapter 11 of the Florida Building Code.

2. Wheel stops and curbing. Precast concrete wheel stops or curbing shall be provided for all angled parking spaces that abut a sidewalk such that cars are curbed at sixteen and one-half (16 ½) feet. The balance of the required depth of the parking spaces between the wheel stop or curb and the sidewalk shall be clear of obstructions.

3. Required aisle widths. Minimum required aisle widths shall be as follows:

Parking Angle	*One-Way Aisle*	*Two-Way Aisle*
0° (parallel) (a); 30° (b); 37.5° (c)	11 feet	22 feet
45° (d)	12 feet	22 feet
52.5° (e)	14 feet	22 feet
60° (f)	16 feet	22 feet
90° (g)	22 feet	22 feet

(a)*



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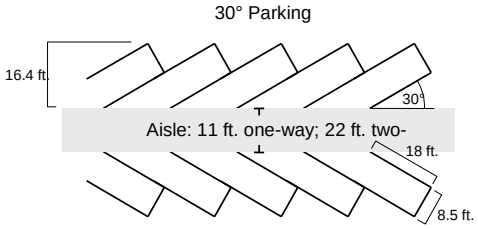

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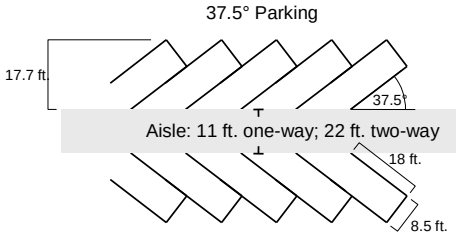

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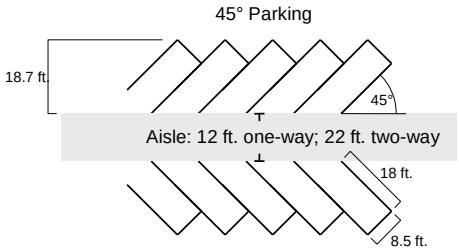

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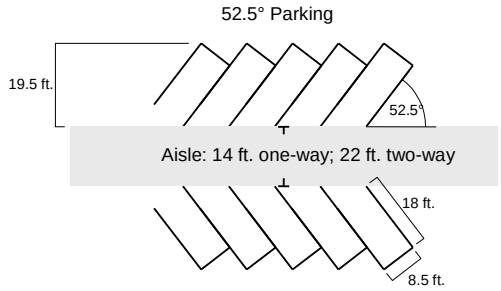

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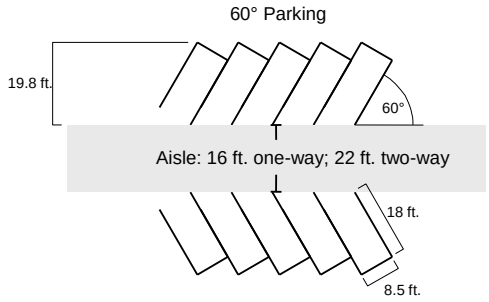
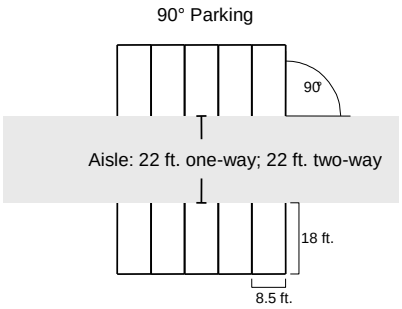
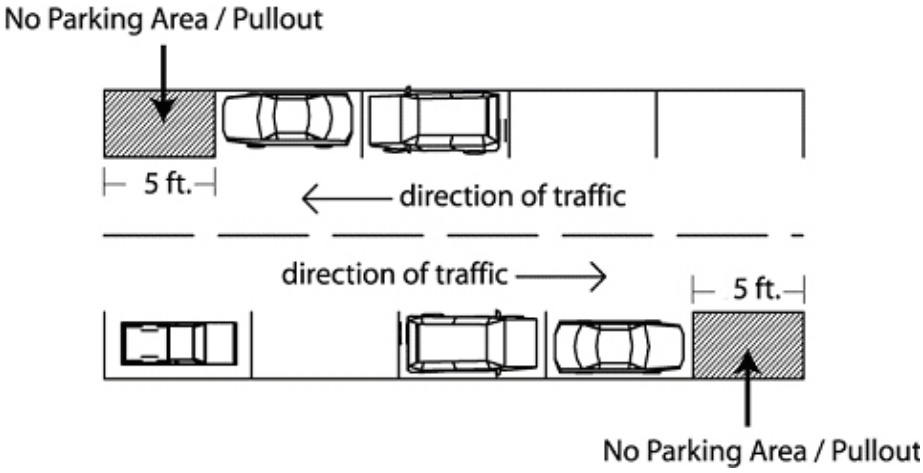


(g)**



* Parallel parking spaces shall be setback an additional one and a half (1 ½) feet from walls.
** 90 degree parking spaces shall be setback an additional one (1) foot from walls.

4. Parallel parking pull-out. A five (5) foot long pull-out area shall be provided at the front end of each group of contiguous parallel parking spaces, as shown in the figure below. It shall be marked "no parking."



5. Dimensions of garages and carports.

   a. The minimum dimensions of garages, carports and porte-cocheres are as follows:

Type	*Interior Width*	*Interior Length*
One-car garage	12 feet	22 feet
Two-car garage	22 feet	22 feet
One-car carport	12 feet	22 feet
Two-car carport	22 feet	22 feet
Porte-cochere	12 feet	22 feet
For each additional space	An additional ten (10) feet in width shall be required for each additional car being stored in a garage or carport.	

   b. A minimum clearance of nine (9) feet by eighteen-and-a-half (18.5) feet must be maintained within garages to satisfy the requirements for storage of one (1) vehicle.

   c. Existing carports that were constructed before October 1, 1992 may be converted into enclosed garages if they have the following minimum dimensions:

Type	*Interior Width*	*Interior Length*
One-car garage	9 feet	19 feet
Two-car garage	18.5 feet	19 feet

B. Dimensions of loading spaces. Loading spaces shall be at least ten (10) feet wide by twenty-five (25) feet long, and shall provide at least fourteen (14) feet of vertical clearance.

C. Configuration and connectivity of access driveways and aisles.

   1. Access to parking spaces. Access to parking spaces shall be provided in accordance with the following:

Access to parking spaces from:	*Permitted methods of access to parking:*	*Permitted methods of egress from parking:*
Alley	Direct access from alley to parking space; or access from aisle to parking space.	Directly from parking space to alley or from aisle to alley. Forward and reverse (back-out) movements are permitted.
Local residential street	Direct access from street to parking space; or access from aisle to parking space.	Directly from parking space to street or from aisle to street. Forward and reverse (back-out) movements are permitted for single-family residence.
Arterials	Access only from aisle.	Directly from aisle to street; back out for single-family residence on lots of less than seventy five (75) feet.

   2. Ingress and egress driveways.

      a. The minimum width of ingress and egress driveways shall match the entrance and exit aisle width, pursuant to the provisions in Section 5-1402(A)(3).

b. Ingress and egress driveways shall connect to the adjacent street or alley such that the intersection of the centerlines of the driveway and the street create an angle that is between eighty (80) and one-hundred (100) degrees.

c. Ingress and egress driveways shall be designed such that:

i. Drivers can enter and exit the from the property without endangering themselves, pedestrians, or vehicles traveling on abutting streets; and
ii. Interference with the free and convenient flow of traffic on adjacent streets or alleys is minimized.

D. Configuration of parking bays within automated parking systems. Automated parking systems shall be designed or restricted such that the positioning of any one vehicle within the automated parking system does not prevent access to any other vehicle, unless the bays that contain the obstructing vehicle and obstructed vehicle are under the control of the same person.

Section 5-1403. Parking, driveway, and vehicular use areas: provision, location and setbacks.

A. Provision of driveways and driveway approaches.

1. Driveways and driveway approaches required. All vehicular use areas shall have a driveway or driveway approach connection to the street.

2. Permitting and construction costs. Permitting and construction of driveway approaches within the public right-of-way shall be at the sole expense of the property owner.

B. General location.

1. Special Use Districts. All required parking in Special Use Districts shall be provided behind buildings, in enclosed garages, and/or in the interior side setback area behind the front building line, except if:

a. There is no principal building or the principal building is too small to screen the required parking; or

b. The use of the property is a marina, cemetery, or open space area.

2. Attached residential uses. All required parking for attached residential uses shall be provided behind buildings or in enclosed garages.

C. Setbacks.

1. Setbacks from buildings. All parts of parking spaces shall be set back from building entrances and exits a distance of at least three (3) feet from the outside edge of the open door.

2. Parking garages and accessory decks greater than three and one half (3.5) feet in height. Parking garages and accessory decks of a height that is greater than three and one-half (3.5) feet above established grade are subject to the same setback regulations as principal buildings.

3. Parking garages and accessory decks less than or equal to three and one half (3.5) feet in height). Parking garages and accessory decks of a height that is less than or equal to three-and-one-half (3.5) feet above established grade shall be set back a sufficient distance to comply with perimeter landscaping and sight triangle requirements.

4. Parking garages (underground). There is no minimum setback for parking garages or parts thereof that are located completely underground, below established grade.

5. Vehicular use areas. Vehicular use areas shall be set back:

a. Sufficient distance to comply with perimeter landscaping and sight triangle requirements; or

b. If no perimeter landscaping requirement or sight triangle applies: Eighteen (18) inches from all property lines.

D. Townhouse parking design standard. All off-street parking for townhouses shall be accessed from the rear of the property, either off of an alley or off of a driveway acting as an alley at the rear of the property. No driveways or garage doors shall be permitted along the street frontage of any individual townhouse.

Section 5-1404. Materials, construction, and drainage.

A. Surfacing**.** Surfacing of all access aisles, driveways and off-street parking areas shall be composed of one or more of the following:

1. Asphalt.

2. Chattahoochee gravel laid in asphalt with all loose gravel removed.

3. Clay or cement brick.

4. Concrete.

5. Decorative concrete pavers.

6. Loose gravel, provided that areas of loose gravel are set back five (5) feet from all property lines and bordered by another permitted driveway material.

7. Rock laid in asphalt with all loose gravel removed.

8. Wood block.

B. Engineering standards. The design, materials, drainage requirements, and engineering specifications of parking spaces, access aisles, driveways, points of ingress and egress, turnarounds, and other related items not specifically addressed in this Division shall comply with the technical standards promulgated or approved by the Director of the Public Works Department.

C. Parking of vehicles on any surface on private property other than the aforementioned surfaces shall be prohibited.

Section 5-1405. Landscaping, screening, and design.

A. General. Landscaping shall be provided as required by Article 5, Division 11.

B. Screening of integrated structured parking.

C. When required. Screening of parking that is structurally and architecturally integrated into or located under a building is required pursuant to this Section 5-1405(B)(2) when:

1. The building is in an MF2, MFSA, CL, C, I or MXD Districts;

2. Any part of the area in or under the building that is used for parking (from finished floor to ceiling) is located above established grade and closer than twenty (20) feet to the front building setback line; and

3. No intervening use (e.g., retail, lobby, etc.) is located between the parking and the front setback line at ground level.

D. Parking garage exterior façade treatment.

1. The exterior façades of parking garages that are not subject to Subsection B shall be designed and improved so that the use of the building for parking is not readily apparent.

2. Parking garages that are not subject to Subsection B shall reflect the architectural character and exterior finishes of the principal building that is to be served.

E. Automated parking systems. Automated parking systems shall be located within a structure so that a visual barrier is in place to screen the parking from pedestrian view. The structure shall be subject to all standards that apply to the design and location of parking garages.

Section 5-1406. Visibility triangles.

A. General.

1. All triangles of visibility that are required by this Section shall be kept clear of visual obstructions between a height of two and a half (2½) feet and eight (8) feet above the established grade.

2. Visibility triangles for driveways and intersections that are not included in this section shall be provided in accordance with the standards set out in the Miami-Dade County Code.

B. Ingress and egress driveways. All ingress and egress driveways in residential districts and Special Use Districts that connect to streets shall provide triangles of visibility as follows:

1. If a sidewalk is located between the property line and the street (see Figure B.1), then the legs of the triangle of visibility shall:

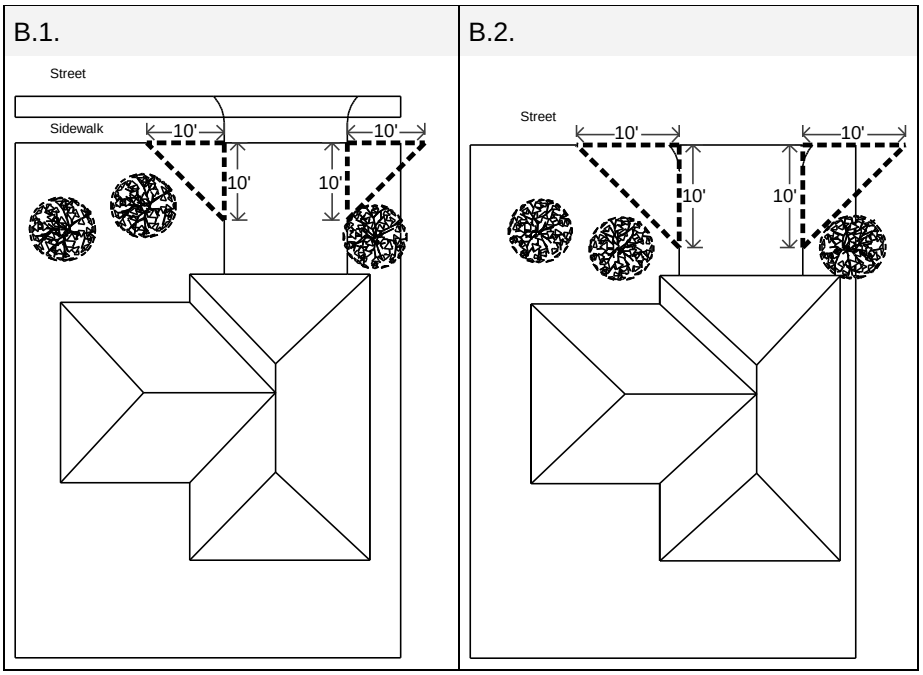
a. Be ten (10) feet long; and

b. Meet at the point of intersection of the driveway and the edge of the sidewalk that is closest to or on the property line.

2. If there is no sidewalk located between the property line and the street (see Figure B.2), then the legs of the triangle of visibility shall:

a. Be ten (10) feet long; and

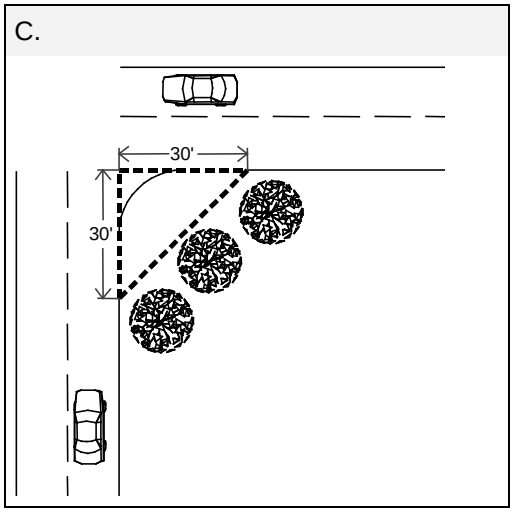
b. Meet at the point of intersection of a line that extends from the edge of the driveway and a line that extends from the edge of pavement of the abutting street (flare outs are included within the triangle of visibility).



C. Street intersections. Triangles of visibility shall be maintained at all street intersections within or abutting residential and special use districts (see Figure C). The legs of the triangles of visibility shall:

1. Be a minimum of thirty (30) feet long; and

2. Meet at the point of intersection of a line that extends from the edge of pavement of the intersecting streets (curb radii are included within the triangle of visibility).



D. In cases where site specific conditions prohibit compliance with triangle of visibility requirements the Building and Zoning Director may approve and require the use of convex mirrors. The Building and Zoning Director shall impose conditions as appropriate on a case-by-case basis.

Section 5-1407. Illumination.

Illumination of parking areas shall be provided in accordance with the standards set out in Chapter 8C of the Miami-Dade County Code.

Section 5-1408. Common driveways and remote off-street parking.

A. Common driveways. Adjacent properties are permitted to share a common driveway, provided:

1. The property owner(s) submit an appropriate restrictive covenant or access easement in recordable form acceptable to the City Attorney; and

2. The restrictive covenant or access easement provides for the continued existence of the shared driveway until such time as the City Manager releases the obligation of the restrictive covenant or access easement.

B. Remote off-street parking. As an alternative to, or in conjunction with providing required parking onsite or through payment in-lieu of providing required parking pursuant to City Code Section 74-201(d), an applicant may apply to use remote off-street parking to meet the off-street parking requirements of the Zoning Code for an expansion or change in use of an existing project. The ability to use remote parking may be granted in the reasonable discretion of the City in compliance with the terms of this subsection. The Development Services Director shall approve an application to provide remote off-street parking that is located in the City within one thousand (1,000) feet of the site of the applicant's proposed project, upon finding that all of the requirements of this subsection have been satisfied.

1. Definition. For purposes of this subsection, the "applicant" is defined as the owner(s) of the land on which the uses(s) seeking to utilize remote parking is located. The owner of the land on which the remote parking is located may not apply for remote parking, unless that owner also owns the property on which the use seeking to utilize remote parking is located.

2. Applicability.

   a. Location of project and of remote parking spaces. Applications for remote parking shall only be accepted in association with a proposal to expand, or change the use of, an existing project located in the CBD. The remote parking spaces shall be located in the CBD, unless waived pursuant to subsection B.11, but regardless of whether a waiver is obtained, must always be located in the City.

   b. Infeasibility or impracticability of providing required parking. Applications may be approved if the physical layout of the project, as determined in the reasonable discretion of the Director of Development Services, cannot reasonably be altered to provide the Zoning Code-required parking onsite as part of the proposed expansion or change of use.

   c. Applicability not a basis for later enforcement. Notwithstanding anything to the contrary herein, the initial determination of applicability under this subsection B.2 is final, and the City may not later determine that an approved remote parking arrangement is out of compliance based on applicability requirements of this subsection B.2.

3. Maximum distance and measurement.

   a. Distance. The remote parking spaces must be located within one thousand (1,000) feet of the applicant's project site.

   b. Measurement. The distance shall be measured using airline measurement from the property line of the project site to the property line of the off-street parking facility(ies) containing the remote parking spaces.

4. Zoning of remote parking facility. The remote parking facility(ies) must not be located in a single-family zoning district.

5. No cap on remote parking. The applicant may request to use remote parking spaces for up to one-hundred (100%) percent of the Code required off-street parking for the project.

6. Application. The applicant shall file an application in the form specified by the City, including all of the following at a minimum:

    a. A survey showing the exact location, traffic flow and current physical layout of the proposed remote parking spaces;

    b. Documentation demonstrating and certifying that the remote parking spaces:

        i. Are owned by the applicant, if the applicant owns the structure containing the use requiring remote parking; or

        ii. Have been secured for the applicant's use by means of a lease with a term of at least one (1) year, if the applicant leases the structure containing the use requiring remote parking; and

        iii. Are in excess of those parking spaces required to serve any onsite development. The number of required parking spaces shall be measured based on the square footage and parking demand of each approved onsite use, assuming one-hundred (100%) percent occupancy;

    c. If the remote parking spaces are leased, then documentation of the remote parking lease arrangement must be acceptable to the City Attorney and acceptable in substance to the Development Services Director, and must be recorded in the public records of Miami-Dade County against both the applicant's project site and the property housing the remote parking spaces. The lease for the remote parking spaces must have a term of at least one (1) year and can be terminated on no less than ninety (90) days advance notice, which shall be provided to both the Development Services Director and the parties. The lease must also assure the City's right to access the remote spaces to inspect them as provided herein;

    d. Copies of the approved plans for the remote parking spaces, as they may have been amended to date;

    e. Sworn affidavits from the owner of the remote parking spaces establishing that no leases, approved plans, or other commitments exist or will be entered into for the life of the remote parking approval, if the spaces are owned, or the life of the lease if the spaces are leased, that would interfere with the proposed use of the remote parking spaces for remote parking; and

    f. The application fee.

7. Covenants. The application shall also be accompanied by an appropriate covenant which shall run with the land and declaration of restrictions for the remote parking spaces executed by the owner of the property containing the remote parking spaces and the applicant, as applicable, in recordable form acceptable to the City Attorney and acceptable in substance to the Director of Development Services, including at least all of the following:

    a. That the owner of the remote spaces (and the heirs, successors, personal representatives and assigns, and upon all mortgagees and lessees and others presently or in the future having any interest in the property) assures the continued rights to the remote parking spaces until such time as the City Manager or designee releases the obligation, and if the spaces are leased, the City's right to access the remote spaces to inspect them as provided herein;

b. That, if the applicant plans to relocate the remote parking spaces to another location that meets the requirements of this subsection, it shall submit an application to amend the remote parking approval promptly, at least ninety (90) days prior to the termination of the remote parking arrangement. Such amendment shall be subject to the same application requirements, procedure and fee as a new application, and shall be implemented in a manner that assures the continuous availability of the remote parking for the project;

c. That the applicant shall report any unplanned changes in the facts related to the application or approved remote parking arrangement to the Director of Development Services within five (5) business days of the occurrence of the change, and shall submit a remedial plan consistent with the requirements of subsection 8 below, together with the review fee, within ten (10) business days of the occurrence of the change. The Development Services Director shall have the sole but reasonable discretion to approve the remedial plan and set the timing of implementation, and may extend the above deadlines if good cause is shown;

d. That the applicant and the property owner of the remote parking spaces authorize the City to inspect the remote parking spaces at will to determine the continuing adequacy of the remote parking arrangements, during the normal hours of operation of the use that is being served by the remote parking spaces;

e. That the applicant shall annually submit an affidavit confirming that the facts supporting the applicant's initial approval of the use of remote parking remain accurate at the time of renewal of the certificate(s) of use for the applicant's property(ies);

f. That at the time of entering into a new lease or renewing a lease, the applicant shall submit renewed documentation and affidavits as required by B.6 above; and

g. That the applicant recognizes and accepts that any material failure to meet the requirements of this subsection (or the requirements of the related agreements, covenants or conditions) that is not cured as provided herein will immediately subject the applicant to the original and full parking requirements of the Zoning Code. The materiality of any failure shall be determined by the Development Services Director, in consultation with the City Attorney.

8. Remedial plan. The submittal of a remedial plan, whether required pursuant to subsection B.7 above or subsection B.9 below, shall be accompanied by a review fee which shall be the same as the application fee. If the Development Services Director finds, in his or her reasonable discretion, that the remedial plan fully meets the parking requirements for the remaining uses and square footages, utilizing any combination of alternatives permitted by the City Code and Zoning Code in effect at the time, and the requirements of this subsection B, then the Development Services Director shall approve the remedial plan. The remedial plan may include any or all of the following options, and shall be implemented according to the timing and schedule established in the individual remedial plan:

a. Provide a payment in lieu of required parking in accordance with Section 74-201(d) of the Code of Ordinances, or

b. Modify the use of the applicant's property(ies) so that the remote parking spaces are no longer required to be provided to meet the Code parking standards (for example, by reducing the square footage of uses, or changing one or more uses to a use(s) with a lower parking requirement), or

c. Secure alternate remote parking spaces meeting all of the requirements of this subsection, including execution of any required agreements and affidavits, or

d. Provide additional onsite parking spaces.

9. Renewal. The applicant shall, prior to the annual renewal of the certificate(s) of use for the applicant's property(ies) using remote parking, submit renewed documentation if required by 7.f above, and an affidavit affirming that the matters addressed under subsections B.6.b and B.6.e above as originally approved remain in effect, which shall be reviewed by the Development Services Director. The certificate(s) of use shall not be issued unless the affidavit, and documentation if required, demonstrates that all the requirements of this subsection B.3-B.9 continue to be met for the remote parking arrangement as it was approved.

10. Noncompliance. If the Development Services Director discovers at any time, including during a renewal review, that the applicable requirements of this subsection are not met in any material way or that the remote parking is not maintained continually as described in the application and provided in the recorded covenant, he or she shall notify the applicant and require the applicant either to (i) demonstrate that the violation has been cured or did not exist, or (ii) provide a remedial plan meeting the requirements of subsection B.8 above, together with the review fee. The materiality of any noncompliance shall be determined by the Development Services Director, in consultation with the City Attorney. The applicant's response shall be reviewed and approved in the sole but reasonable discretion of the Development Services Director. The Development Services Director shall set the deadline for the applicant to develop and submit the remedial plan and may extend it if good cause is shown.

    Also, if the Development Services Director determines that the applicant has failed to meet any of the following four (4) requirements, the Director shall deem the applicant's remote parking approval void, and the applicant shall not again seek to use remote parking until six (6) months have elapsed from the date that the approval is deemed void:

    a. The requirement to notify the City of changes pursuant to 7.c above within the required time frame;

    b. The requirement to submit a remedial plan by any deadline set or extended by the Development Services Director;

    c. The requirement to implement the remedial plan according to the implementation schedule approved or extended by the Development Services Director; or

    d. The requirement to comply in any other material regard with all of the requirements of this subsection, including failure to comply with the recorded covenants as required herein. The materiality of any noncompliance shall be determined by the Development Services Director, in consultation with the City Attorney.

11. City Commission waiver.

    a. Standard for waivers. The City Commission may approve a waiver pursuant to this subsection B.11 upon finding that the waiver will neither (A) harm the public interest nor (B) create parking problems in the area surrounding the applicant's project site.

    b. Requirements that may be waived. If the Director of Development Services reviews and rejects a remote parking application on the basis of any of the following requirements, then an applicant may request that the City Commission review its application for remote parking and, following a public hearing, approve a waiver of one (1) or more of these requirements, and may impose any conditions it deems necessary on such waiver:

        i. The one-thousand (1,000) foot maximum distance between the remote parking spaces and the applicant's project site; and

        ii. The requirement that the remote parking be located in the CBD; and

iii. The requirement that the land containing the use seeking to utilize remote parking be located in the CBD.

c. Effect of waiver. All of the remaining requirements of section 5-1408.B, that have not been waived by the City Commission, must be satisfied.

12. Appeals. The applicant may appeal any determinations made by the Development Services Director under this subsection through the process set forth in Article 3, Division 6 of the Zoning Code.

Section 5-1409. Amount of required parking.

A. Exemptions from required parking. Buildings that are located within the Central Business District (CBD) that have a floor-area-ratio of 1.25 or less (1.45 or less if Mediterranean bonus is used) are not required to provide off-street parking for any uses except residential units.

B. Calculation of parking requirements.

1. Required parking shall be provided for each use on a building site, according to the following table:

Use	*Minimum parking requirements*
Residential	
Detached dwellings.	One (1) parking space per unit consisting of a roofed structure, which utilizes the same materials as the principle structure and that is a garage, carport, or porte-cochere.
Duplex.	One (1) parking space per unit consisting of a roofed structure, which utilizes the same materials as the principle structure and that is a garage, carport, or porte-cochere.
Live work.	One (1) space per unit, plus one (1) space per three-hundred-and-fifty (350) square feet of work area.
Multi-family dwellings.	Efficiency and one (1) and bedroom units – 1.0 space per unit. Two (2) bedroom units – 1.75 spaces per unit. Three (3) or more bedroom units – 2.25 spaces per unit.
Single-family.	One (1) parking space consisting of a roofed structure, which utilizes the same materials as the principle structure and that is a garage, carport, or porte-cochere.
Townhouses.	Two (2) parking spaces per unit consisting of a roofed structure, which utilizes the same materials as the principle structure and that is a garage, carport, or porte-cochere.
Non-residential	
Adult uses.	One (1) space per two-hundred-and-fifty (250) square feet of floor area.
Alcoholic beverage sales.	One (1) space per two-hundred-and-fifty (250) square feet of floor area.
Animal grooming/boarding.	One (1) space per two-hundred-and-fifty (250) square feet of floor area.
Assisted living facilities.	One (1) space per full-time employee equivalent (FTE), plus two (2) spaces per five (5) beds.

Use	*Minimum parking requirements*
Auto service stations.	One (1) space per two-hundred-and-fifty (250) square feet of accessory retail floor area.
Bed and breakfast.	One (1) space, plus one (1) space per sleeping room.
Camp.	One (1) space per FTE, plus one (1) space per four (4) students aged sixteen (16) years or older based on maximum capacity.
Cemeteries.	If services provided in a building, one (1) space per four (4) fixed seats plus one (1) space for each forty (40) square feet of floor area used for temporary seating.
Community center.	One (1) space per two-hundred-and-fifty (250) square feet of floor area.
Congregate care.	One (1) space per FTE, plus two (2) spaces per five (5) beds.
Day care.	Day care for children: One (1) space per one-hundred (100) square feet of floor area. Day care for adults: One (1) space per three-hundred (300) square feet of floor area.
Educational facilities.	One (1) space per student station.
Funeral homes.	One (1) space per four (4) fixed seats plus one (1) space for each forty (40) square feet of floor area used for temporary seating.
Golf or tennis grounds.	Four (4) spaces per hole (golf). Three (3) spaces per court (tennis). One (1) space per eighteen (18) linear feet of bleachers.
Group homes.	One (1) space per FTE, plus one (1) space per three (3) beds.
Heliport and helistop.	One (1) space per tie-down.
Hospitals.	Two (2) spaces per patient bed.
Indoor recreation / entertainment.	The greater of one (1) space per five (5) fixed seats or one (1) space per three-hundred (300) square feet of floor area.
Manufacturing.	One (1) space per three-hundred (300) square feet office floor area, plus one (1) space per one-thousand (1,000) square feet of all other floor area.
Marinas and marina facilities.	One (1) space per marina slip, plus one (1) space per three-hundred-and-fifty (350) square feet of floor area of marina facilities.
Medical clinic.	One (1) space per two-hundred (200) square feet of floor area, plus one (1) space per FTE.
Medical Marijuana Retail Center.	One (1) space per 150 square feet of floor area, plus one (1) space per FTE and one (1) space for every two (2) PTEs.
Mixed use or multi-use.	Parking shall be provided for each use in the mix of uses in correlation with the requirements of this table.
Nursing homes.	One (1) space per FTE, plus one (1) space per three (3) beds.
Offices.	One (1) space per three hundred (300) square feet of floor area.
Outdoor recreation / entertainment.	One (1) space per four (4) visitors during estimated peak use periods.

Use	*Minimum parking requirements*
Outdoor retail sales, display and/or storage.	One (1) space per three hundred and fifty (350) square feet of land area delineated or put to such use.
Overnight accommodations.	One and one-eighth (1 1/8) spaces per sleeping room.
Private club.	One (1) space per two-hundred-and-fifty (250) square feet of floor area.
Private yacht basin.	Three (3) spaces per four (4) yacht slips.
Public transportation facility.	One (1) space per one hundred (100) square feet of terminal and station area.
Religious institutions.	One (1) space per five (5) fixed seats plus one (1) space per fifty (50) square feet of assembly room area without fixed seats (not including classrooms).
Research and technology uses.	One (1) space per three-hundred (300) square feet of office floor area, plus one (1) space per one thousand (1,000) square feet all other floor area.
Restaurants.	Twelve (12) spaces per one-thousand (1,000) square feet of floor area.
Restaurants, fast food.	Twelve (12) spaces per one-thousand (1,000) square feet of floor area.
Retail sales and services.	One (1) space per two-hundred-and-fifty (250) square feet of floor area.
Sales and/or leasing offices.	One (1) space per three-hundred (300) square feet of floor area.
Schools.	One (1) space per FTE, plus one (1) space per four (4) students aged sixteen (16) years or older based on maximum capacity.
Self-storage warehouses.	One (1) space per three-hundred (300) square feet of office floor area, plus one (1) space per one thousand (1,000) square feet all other floor area.
Telecommunications towers.	Zero (0) spaces.
TV / radio studios.	One (1) space per three-hundred (300) square feet of floor area, plus One (1) space per three (3) studio audience members at maximum capacity.
Utility / infrastructure Facilities.	Zero (0) spaces.
Utility substations.	Zero (0) spaces.
Vehicle sales /displays.	One (1) space per three-hundred (300) square feet of office floor area, plus one (1) space per six-hundred (600) square feet of showroom floor area, plus one (1) space per five (500) square feet of all other floor area.
Vehicle sales/displays, major.	One (1) space per three-hundred (300) square feet of office floor area, plus one (1) space per one thousand (1,000) square feet all other floor area.
Vehicle service, major.	One (1) space per three-hundred (300) square feet of office floor area, plus one (1) space per five hundred (500) square feet all other floor area
Veterinary offices.	One (1) space per two-hundred-and-fifty (250) square feet of floor area.
Wholesale / distribution / warehouse facility.	One (1) space per three-hundred (300) square feet of office floor area, plus one (1) space per one thousand (1,000) square feet all other floor area.
Post office.	One (1) space per two-hundred (200) square feet of floor area.

2. If a calculation of required parking spaces results in a fractional space, the number of required parking spaces shall be rounded up to the next whole number.

C. Alternative parking requirements. If a use is not listed in Section 5-1409(B)(1), then the off-street parking requirement shall be the same as the requirement for a functionally similar use that is listed in Section 5-1409(B)(1), as determined by the Development Review Official.

D. Loading spaces. Loading spaces shall be provided for all nonresidential or mixed use-buildings that exceed a floor area of one hundred thousand (100,000) square feet of floor area, as follows:

Nonresidential Floor Area	*Required Loading Spaces*
<100,000 sq. ft.	Zero (0)
100,000 sq. ft. to 199,999 sq. ft.	One (1)
200,000 sq. ft. to 299,999 sq. ft.	Two (2)
300,000 sq. ft. to 399,999 sq. ft.	Three (3)
Each additional 100,000 sq. ft. or fraction thereof	One (1) additional loading space

E. Calculation of compliance with parking requirement.

1. Excluded parking spaces. Parking spaces that meet any of the following criteria shall not be counted in determining the amount of parking provided pursuant to this Section 5-1409:

   a. Off-street parking spaces that are operated as a commercial parking lot.

   b. Off-street parking spaces that are provided for residential and overnight accommodation uses and are available only upon payment of a fee.

2. Valet parking spaces. Valet parking spaces for overnight accommodations, restaurants, and minor vehicle sales in any zoning district may comprise up to twenty-five (25%) percent of the required parking spaces for those uses.

3. Remote parking spaces. Remote parking spaces may comprise up to one-hundred (100%) percent of the required parking spaces if approved pursuant to Section 5-1408.B.

4. Counted parking spaces. All parking and loading spaces that are provided on-site and all parking spaces that are in permitted remote off-street parking facilities count in determining the amount of parking provided pursuant to this Section 5-1408, except as provided in Section 5-1409(E)(1)-(4).

Section 5-1410. Shared parking reduction standards.

A. Intent and Purpose. The intent and purpose of this section is to recognize the synergy among different uses within a mixed use development such that peak times for parking for one use occurs at a different time from another use. Also, because mixed uses gives the opportunity for persons being able to live and work within the same building, parking requirements are reduced. It is further recognized that the reduction of excessive parking spaces can positively affect the aesthetics of the building design that meets the spirit and intent of Section 5-602 “Design Review Standards” of the Zoning Code.

B. Reductions from the minimum required parking spaces from the Zoning Code may be approved as part of a Mixed Use (MXD) site plan or Planned Area Development (PAD) that meets the standards of Leadership in Energy and Environmental Design (LEED) criteria specified by the U.S. Green Building Council, or similar rating agency. Reductions shall be calculated using an accredited system for calculating shared parking. Such reduction shall exclude any and all proposed and anticipated parking spaces reserved exclusively for a specific use such as office, residential, retail, etc. Dedicated valet parking spaces, however, may be part of the shared parking reduction. A restrictive covenant

shall be required stating that the amount of parking required as a result of the shared parking reduction shall not be reserved exclusively for a specific use.

The number of required spaces may be reduced by any one (1) or more of the following methods, as may be required by the City:

1. Urban Land Institute (ULI) Shared Parking Methodology using the City's parking code requirements. A ULI Shared Parking Methodology and the assumptions in the calculation must be approved by the City.

2. Shared parking matrix. The shared parking matrix provides the method for calculating shared parking for mixed use buildings and planned area developments.

   a. Methodology. MXD or PAD projects containing two (2) or more uses shall multiply the amount of required parking for each individual use, as provided within Section 5-1409, by the appropriate percentage listed in the table below for each of the designated time periods. Calculate the resulting sum for each of the six (6) vertical columns within the table below. The minimum parking requirement shall be the highest sum resulting from the calculations.

	Weekday			Weekend		
Use	Day; 8am - 5pm	Evening; 5pm - 12am	Night; 12am - 8am	Day; 8am - 5pm	Evening; 5pm - 12am	Night; 12am - 8am
Residential	60%	90%	100%	80%	90%	100%
Office	100%	10%	5%	10%	5%	5%
Retail	70%	90%	5%	100%	70%	5%
Restaurant	50%	100%	10%	75%	100%	10%
Hotel	80%	100%	80%	80%	100%	75%
Entertainment	40%	100%	10%	80%	100%	10%
Other	100%	100%	100%	100%	100%	100%

3. Applicants may provide a parking study completed by a licensed professional engineer, engineering firm or similar, justifying the proposed parking solution as provided below.

   a. Parking study. A study must be prepared using a professionally appropriate methodology that is approved by the City, detailing land uses in accordance with Institute of Transportation Engineers (ITE) parking generation categories. At a minimum, the methodology must incorporate all of the following considerations, as well as any other data or analyses that the City deems appropriate for the requested reduction:

      i. Parking characteristics of similar projects and uses. The study must evaluate factors such as the uses, hours of operation, peak parking demands, location, amount and type of off-street parking that is proposed, the proposed impact on nearby on-street parking, and occupancy rates of similar uses and projects in comparison to those of the proposed uses and project.

      ii. Operational assessment. The study must demonstrate how the project will optimize the parking operations and traffic conditions within a quarter (1/4) mile of the project boundaries, and propose and agree to provide appropriate mechanisms to protect the surrounding neighborhood, including but not limited to appropriate signage and the locations of all ingress and egress points.

      iii. Transit. The study must analyze the impact of nearby transit services on parking demand for the project, and must also analyze the projected use of other alternative modes of travel such as bicycle and pedestrian. The study must reference and the project must propose to contribute to the enhancement of nearby transit services through expanding routes and lengthening hours of service.

iv. Valet plan. If valet services are proposed, the study must reference and the project must propose to provide adequately staffed valet services during the hours of operation of all uses, including an appropriate time following closing to accommodate the departure of valet parked cars. Projects shall submit an operational plan for the valet service, specifying details, including but not limited to maximum wait times, distance from valet drop-off points to valet parking areas, operational modifications to the functioning of any required parking areas such as stacking, and the number of operators at peak and non-peak hours.

Section 5-1411. Miscellaneous parking standards.

A. Tandem spaces. Tandem spaces are permitted as required parking; provided each set of tandem parking spaces are assigned to an individual unit within the building.

B. Automated, parking systems, structures and vertical parking lifts. Parking spaces in automated, parking systems, structures and vertical parking may be utilized for required parking spaces per this Article, provided that all of the following are satisfied:

1. Systems may be self service or fully automated.

2. Vertical parking lifts may utilize the following maximum percentages to satisfy required parking spaces, calculated at two (2) parking spaces per lift, within a building:

   a. Twenty percent (20%) of the first fifty (50) parking spaces; and,

   b. Ten percent (10%) from fifty-one (51) spaces to two-hundred (200) spaces; and

   c. Five percent (5%) thereafter.

   Vertical parking lift systems shall be limited to two-levels/decks and each lift shall be controlled exclusively by one (1) tenant/unit

3. The use of automated mechanical parking systems, structures and vertical parking lifts parking does not increase the building bulk and mass, in that the building and mechanical access parking structure or parking lift(s) is no greater in volume than the largest building and parking structure that could be constructed on the parcel proposed for development in strict compliance with the underlying zoning district regulations, with the same number of parking spaces configured exclusively as conventional structured parking.

4. All systems shall have an average delivery rate of no more than five (5) minutes.

5. The parking system shall be located entirely within the confines of the building and is not visible from outside any portion of the structure.

C. Additional/supplemental parking spaces as vertical parking lifts. Vertical parking lifts may be utilized for all additional/supplemental parking spaces in excess of the parking requirements as required per this Article with no maximum limitation as to total number of lifts subject to all of the following:

1. Vertical parking lift systems shall be limited to two-levels/decks.

2. All systems shall have an average delivery rate of no more than five (5) minutes.

3. The parking system shall be located entirely within the confines of the building and is not visible from outside any portion of the structure.

Conversion of additional/supplemental parking lifts to satisfy required parking may be permitted, however, shall be subject to above Section 5-1410 standards.

D. Implementation and monitoring of all vertical parking lifts as provided in Section 5-1410 shall be enforced via a restrictive covenant subject to final review and approval by the City Attorney's Office prior to issuance of a Certificate of Occupancy of the applicable structure(s).

Division 15. Platting Standards

Section 5-1501. Purpose and applicability.

The purpose of this Division is to provide standards of subdivision design that provide for and encourage:

A. Development of sound and economically viable communities, and the creation of healthy living environments.

B. Efficient, adequate, and economic supply of utilities and services to land developments.

C. Prevention of traffic hazards and the provisions of safe and convenient vehicular and pedestrian traffic circulation in land developments.

D. Provision of public open spaces in land developments for recreational and educational purposes.

This Division shall apply to any application for the subdivision of land reviewed and approved pursuant to Article 3, Division 9 of these regulations.

Section 5-1502. Minimum requirements conflicts.

Minimum platting requirements for the City are controlled by the Miami-Dade County Code of Ordinances. In the event of a conflict between provisions and the Miami-Dade County Code, the Miami-Dade County requirements shall control.

Section 5-1503. Bulkhead line.

Whenever land adjacent to Biscayne Bay or other open bodies of water is subdivided, the final plat shall show the bulkhead line established by Miami-Dade County, as recorded on sheet numbers 6, 7, 8 and 9, of plat book 74, page 3 of the Public Records of Miami-Dade County and approved by the City Commission under Ordinance Number 1403 which is on file in the office of the City Clerk.

Section 5-1504. Street design.

A. Conformity. The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to:

1. Existing and planned streets.

2. Topographical conditions.

3. Public convenience.

4. Safety.

5. Appropriate relation to the proposed use of the land to be served by such street.

B. Relation to adjoining street system. The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas.

C. Street projection. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets.

D. Street carried to property line. When a new subdivision adjoins unsubdivided land susceptible of being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided.

E. Dead-end street or cul-de-sac. Dead-end streets or cul-de-sacs, designed to be so permanently, shall not be longer than six hundred (600) feet, unless approved by the City Commission, and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty-four (84) feet, and a street property line diameter of at least one hundred (100) feet. If a dead-end street is of a temporary nature, a similar turn-around shall be provided and provision made for future extension of the street into adjoining properties.

F. Marginal access streets. Where a subdivision abuts or contains an existing arterial street, marginal access streets may be required, or other such treatment as may be necessary for adequate protection of residential properties, and to afford separation of through and local traffic.

G. Minor streets. Minor streets shall be so laid out that their use by through traffic will be discouraged.

H. Minimum street widths. Street widths shall not be less than as follows:

Street Type	*Width*
Arterial	100 feet
Collector	75 feet
Minor	60 feet however, the width shall be 70 feet for all industrial areas
Marginal Access	50 feet, however the width shall be 70 feet in industrial areas
Alleys	20 feet

I. Railroads or limited access highways abutting subdivision. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, a street approximately parallel to and on each side of such right-of-way may be required, at a distance suitable for the appropriate use of the intervening land for park purposes in residential districts or for commercial or for industrial purposes in appropriate districts. Such distances shall be determined with due regard for the requirements of approach grade and future grade separation in accordance with uniform standards prescribed by the manual of public works construction.

J. Street width in commercial areas. Where a proposed commercial use abuts a right-of-way, the width of the right-of-way shall be increased on each side to ensure the free flow of through traffic without interference by parked or parking vehicles, and to provide safe parking spaces for such use.

K. Intersections. Street intersections shall be rounded with a radius of twenty-five (25) feet measured at the property line when the said intersection occurs at right angles. If an intersection occurs at an angle other than a right angle, it shall be rounded with a curve of a radius acceptable to the public works director. In business districts, the City may permit comparable cut-offs or chords.

L. Subdivision into tracts larger than ordinary building lots. Where a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the opening of future streets and logical further re-subdivision.

M. Street grades. No street grade shall be less than twenty-five-hundredths (.025%) percent.

N. Half streets. Half streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with other requirements of these regulations, and where the City finds it will be practical to require the dedication of the other half when adjoining property is subdivided. Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tracts.

O. Street names and numbers. Names of new streets shall not duplicate existing or platted street names unless they are extensions. House numbers shall be assigned in accordance with the house numbering system now in effect in the City.

P. Street jogs prohibited. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be prohibited unless because of unusual conditions the plat division determines that a lesser centerline offset is justified.

Q. Reverse curves. A tangent of at least one hundred (100) feet long shall be introduced between reversed curves on arterial and collector streets.

R. Street intersections. Streets shall be laid out so as to intersect as nearly as possible at right angles.

S. Property lines at straight intersections. Property lines at street intersections shall be rounded with a radius of twenty-five (25) feet. A greater radius may be prescribed by the City in special cases in accordance with uniform standards prescribed by the City's Manual of Public Works Construction. The City may permit comparable cutoffs or chords in place of rounded corners.

T. Sight distance and safe turning movement. When connecting street lines deflect from each other at any one (1) point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance and safe turning movement in accordance with the Uniform Standards set forth in the City's Manual of Public Works Construction.

Section. 5-1505. Alleys.

A. Where required. Alleys shall be required in all commercial and industrial districts. Alleys are not required in residential districts.

B. Waiver of requirement. The Public Works Director may waive the requirement for alleys in commercial and industrial districts where other definite and assured provisions are made for service access. Examples of such provisions for service access include areas designated for off-street loading and unloading and the continued availability of adequate parking and access for the uses proposed.

C. Width of alley. The right-of-way width of an alley shall be not less than twenty (20) feet, and shall provide adequate turning areas at changes in angles.

D. Dead-end alleys. Dead-end alleys are prohibited.

Section. 5-1506. Easement dimensions.

A. Utility easements. Easements with a minimum right-of-way width of six (6) feet shall be provided on each side of all rear lot lines and along certain side lot lines where necessary for utilities.

B. Drainage easements. Where a subdivision is bordered by or traversed by a watercourse, drainage way, channel, or stream, there shall be provided a minimum twelve (12) foot storm water easement at intervals to provide storm drainage to the waterway in accordance with the storm drainage plan proposed for the subdivision.

Section 5-1507. Blocks.

Block length and width or acreage within bounding roads shall accommodate the size of lot required in

the area by these regulations and to provide for convenient access, circulation control and safety of street traffic. Block length shall not exceed one thousand five hundred (1,500) feet, or be less than four hundred (400) feet, unless a lesser or greater length is requested by the subdivider and is deemed advisable because of unusual conditions by the City. In blocks nine hundred (900) feet in length or over, pedestrian crosswalks not less than ten (10) feet wide may be required to provide circulation or access to school, playground, shopping center, transportation, and other community facilities.

Section 5-1508. Lots.

A. Dimensions. Lot dimensions and area shall not be less than the requirements of these regulations.

B. Location. All lots shall abut by their full frontage on a publicly dedicated street or a street that has received the legal status as such.

C. Lot lines. Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines.

D. Corner lots. Corner lots for residential use, unless otherwise approved by the board, shall have extra width to permit appropriate building setback from both streets.

E. Uninhabitable lots. Lots subject to flooding and lots deemed to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

F. Lot remnants. All remnants of lots below the minimum size left over after subdividing a larger tract must be added to the adjacent lots, rather than allowed to remain as unusable parcels.

G. Means of access. Each lot shall be provided access, by means of a public street, with satisfactory access to an existing public street or in the case of units within a townhouse site, or planned developments; each lot shall be provided perpetual right of access by a private street or roadway to an existing public street.

H. Double frontage lots. Double frontage or through lots shall be avoided except where essential to provide separation from residential development from traffic arteries or to overcome specific disadvantages of topography or orientation. A decorative masonry wall, or in the discretion of the City, a combination of a fence and landscaping that provides a satisfactory buffer may be required along the rear property line, across which there shall be no right of vehicular access. This portion of the block line shall be shown as a limited access line on the final plat.

Section 5-1509. Public sites and open spaces.

Where a proposed park, playground, school or other public use shown in a master plan is located in whole or in part within a subdivision, the subdivision shall dedicate or reserve adequate space for such purpose in such area within the subdivision.

Section 5-1510. Standards for subdivision improvements.

The following design and construction standards shall apply:

A. Monuments. Monuments shall be placed at all block corners, angle points, points of curves in streets, and at intermediate points as shall be required by the Director of Public Works. The monuments shall be of such material, size and length as may be approved by the Public Works Director.

B. Streets. Streets, alleys and appurtenances thereto shall conform to the following:

1. All streets and alleys shall be constructed and surfaced in accordance with the standard specifications of the Public Works Department. Such construction shall be subject to inspection and approval by the Public Works Director.

2. Drainage and drainage structures shall be provided on all streets and alleys in accordance with the standard specifications of the Public Works Department. In addition, curbs and gutters shall be provided in all commercial, apartment, hotel, industrial and similar districts. Such construction shall be subject to the inspection and approval by the Public Works Director.

C. Sidewalks. In all commercial, multi-family, industrial and similar districts concrete sidewalks shall be constructed along each side of every street shown on the plat in accordance with the standard specifications of the Public Works Department.

D. Street name signs. Street name signs shall be placed at all street intersections within or abutting the subdivision. Such signs shall be of a type approved by the City, and shall be placed in accordance with the standard specifications of the Public Works Department.

E. Street lighting. Street-lighting facilities shall be provided and installed in all subdivisions. The minimum requirement for such lighting facilities shall be one (1) foot candle average maintained. However, no luminance ratio shall exceed twelve-to-one (12:1). A detailed plan showing the light standards, the locations of the light, wiring diagram and construction details, for the system shall be submitted to the Public Works Director for approval.

F. Water supply. The subdivider shall furnish the public works director a plan showing all proposed and existing water mains, and give sufficient proof that arrangements have been completed to insure installation of such water system. The water main plan shall be subject to approval by the Public Works Director.

G. Fire hydrants. Fire hydrants shall be installed in all subdivisions. Evidence shall be submitted to give proof that arrangements have been made to complete installation of such hydrants. The plan for hydrant locations shall be subject to approval by the Public Works Director.

H. Sanitary sewer. Where a public sanitary sewer is reasonably accessible, each lot within the subdivided area shall be provided with a connection thereto. All connections shall be subject to the approval of the Public Works Director.

I. Parkway landscaping. All parkways shall be properly treated with topsoil, sprigged, landscaped, and maintained until growth is relatively permanent. The plan for such landscaping shall be equal to the established standards of the City, and subject to the approval of the Public Service Director.

J. Land filling. All land within subdivisions shall be filled to minimum average settled elevation of plus six (6) feet above the national geodetic vertical datum (N.G.V.D.) or mean sea level (M.S.L.), and no elevation shall be less than plus five and five-tenths (5.5) feet above the national geodetic vertical datum (N.G.V.D.) or mean sea level (M.S.L.); provided, however, that where bulkheads are provided on waterfront property, the land within a distance of ten (10) feet from the bulkheads may gradually slope to the minimum required elevation of such bulkheads. The plan and additional documents showing proposed elevations, test borings, sources and types of fill, methods of filling, and method of disposal of vegetation and undesirable materials shall be subject to approval by the Public Works Director. After completion of land filling, the subdivider shall submit to the city a topographical survey prepared by a registered land surveyor or engineer to assure compliance with the minimum standards of this Subsection.

K. Bulkheads. When contour of the land is changed, bulkheads shall be required on all waterfront property. The minimum elevation of such bulkheads shall be plus four and five-tenths (4.5) feet national geodetic vertical datum (N.G.V.D.) or mean sea level (M.S.L.), and the type and design shall conform to the public works department standards and shall be subject to the approval by the Public Works Director and the City's Structural Engineer.

L. Bridges. Bridges shall be provided by the subdivider across all canals and waterways to provide adequate ingress and egress to all areas. The design of such bridges shall be in accordance with the Public Works Department standards and shall be subject to approval by the Public Works Director.

M. Underground utilities. All utility lines shall be installed in conformance with the requirements of Article 5, Division 22.

Section 5-1511. Utility easements.

Easements shall be provided for the installation of underground utilities or relocating existing facilities in conformance with the respective utility company's rules and regulations. In subdivisions of less than twenty-one (21) lots the directors of the Public Works and Planning Departments may waive the requirements for underground installations if the service to the adjacent area is overhead and it does not appear that further development will occur.

Section 5-1512. Construction standards.

Properly qualified and licensed contractors shall pay for and obtain proper permits from the Public Works Department for all construction and improvement work within the subdivision. Should any work within the subdivision be performed not in conformity with any provisions of this Division or any other Ordinances of the City, the City Manager shall immediately give notice by certified mail to the subdivider and any contractors performing work in that area that all permits are suspended, and that all improvements, construction, development and other work within the subdivision shall cease within twenty-four (24) hours of receipt of notice. The subdivider and contractor shall in such case further be subject to penalties as set forth in Article 7 of these regulations.

Section 5-1513. Improvements or bond required.

Before consideration of a final plat of a subdivision, the City Commission must be satisfied that all improvements required by Section 5-1510 are to be constructed. The Director of Public Works shall prepare an estimated cost of all required improvements. The estimated costs shall be based on the actual computed cost of improvements plus ten (10) percent. In lieu of the completion of the improvements, a bond executed by a surety company qualified to transact business in the state, shall be furnished by the subdivider in an amount equal to the estimated cost of the construction plus ten (10) percent of such improvements, including engineering supervision, testing and miscellaneous charges. The surety will be subject to the condition that the improvements will be completed within twelve (12) months after approval of the final plat, and in the event they are not completed, the City shall proceed with the work and hold the owner and the bonding company jointly responsible for the costs thereof. If the bond proves insufficient to complete the improvements covered, the City shall have the right to finish all work by creating a special assessment district, and assess the amount of the additional funds required equally against all divisions of land within the subdivision. As an alternative, the subdivider may deposit a certified or cashier's check with the City Clerk payable to the City in lieu of the surety bond.

Section 5-1514. Certificate of insurance and indemnification of City.

The subdivider shall hold the City harmless against any liability or damage which may occur during construction of any improvements in, about or upon any land or water dedicated for public use as shown upon the final plat. In addition to saving the City harmless as herein provided, the subdivider shall provide the city with a certificate of insurance naming the city as an additional insured in an amount specified by the City. Nothing herein contained shall be construed to relieve the subdivider from any negligence on its part on account of any such improvements or damage to other persons or property of others.

Section 5-1515. Supplemental subdivision building site and design standards.

A. Single-Family and Multi-Family Districts. Except as may be provided hereinafter to the contrary, in connection with replats, subdivisions, specific regulations and specifically described lots or parcels of land, all buildings or structures located in Single-Family or Multi-Family Districts 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.

B. Residential Estates. No replat or subdivision for a Residential Estate shall be approved where the building sites have an area of less than one and one-half (1½) acres, a minimum width of two-hundred (200) feet and a minimum lot depth of two hundred and fifty (250) feet.

C. Replats and subdivisions south of the Coral Gables waterway and east of Old Cutler Road. The following minimum size building sites shall be required for all replats and subdivisions for all lands lying south of the Coral Gables Waterway and east of Old Cutler Road, excluding the area within the plats of Coral Bay Sections B, C and D.

1. One (1) acre building sites, one (1) tier deep, with a minimum street frontage on Old Cutler Road of one-hundred fifty (150) feet and maximum street frontage on Old Cutler Road of two hundred eight (208) feet on the east side of Old Cutler Road from Casuarina Concourse, as shown on Plat Book 60 at Page 37 of the Public Records of Miami-Dade County, Florida, to the intersection of Old Cutler Road and Red Road, as shown on Plat Book 57 at Page 97 of the Public Records of Miami-Dade County, Florida, and on the east side of Red Road from the intersection of Old Cutler Road and Red Road, as shown on Plat Book 57 at Page 97 of the Pubic Records of Miami-Dade County, Florida, to Avenue Campamento, as shown on Plat Book 57 at Page 97 of the Public Record of Miami-Dade County, Florida.

2. Corner lots not abutting upon a waterway:

   a. Minimum street frontage of one hundred fifteen (115) feet.

   b. Minimum depth of one hundred twenty-five (125) feet.

3. Inside lots not abutting upon a waterway:

   a. Minimum street frontage of one hundred (100) feet.

   b. Minimum depth of one hundred twenty-five (125) feet.

4. Corner lots abutting upon a waterway:

   a. Minimum street frontage of one hundred fifteen (115) feet.

   b. Minimum depth of one hundred forty-five (145) feet.

5. Inside lots abutting upon a waterway:

   a. Minimum street frontage of one hundred (100) feet.

   b. Minimum depth of one hundred forty-five (145) feet.

D. Commercial and Industrial Districts. No replat or subdivision in Commercial, Commercial Limited or Industrial Districts shall be approved where the building sites have a street frontage of less than twenty-five (25) feet and a depth of less than one-hundred (100) feet.

Division 16. Roofs

Section 5-1601. Roofs; general.

Except as provided for in this Division, all roofs for single-family residences, townhouses, duplexes, overnight accommodations and uses in a Special Use District shall be constructed of tile, coral rock slabs, slate or copper in its natural state and allowed to oxidize and patina.

Section 5-1602. Flat roofs without a parapet.

Except on Lots 1 through 18, inclusive, Block 89, Lots 20 through 36, inclusive, Block 91, Riviera Section Part Three and Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 and Lots 11 through 16, Block 6, French Village, flat roofs without a parapet shall be permitted upon buildings subject to the following restrictions noted hereinafter.

A. Above porch or room additions within the L, T or U of a residential building having all tile roofs provided:

   1. A tile roof is not practical, as shall be determined by the Board of Architects.

   2. The flat roof portion shall not exceed fifteen (15%) percent of the ground area of the building.

   3. The flat roof portion is not visible from the front elevation of the building on an inside lot, or is not visible from the front or side street elevations on a corner lot.

B. Above one-story rooms in the rear of a two-story residence, duplex or apartment on inside lots, or over one-story rooms in the rear of a two-story residence, duplex or apartment where the room is not visible from the front or side street elevation on corner lots, providing in all cases some type of metal or masonry railing, as shall be approved by the Board of Architects is installed upon such flat roof.

C. Industrial Districts where the roof is constructed entirely of non-combustible materials.

D. On boathouses, provided some ornamental railing, design or other treatment, as shall be approved by the Board of Architects, is placed upon such flat roof.

E. Above meter rooms, elevator towers, elevator machinery and equipment rooms, stair towers, and air-conditioning rooms in Commercial Districts where the roof is constructed entirely of non-combustible materials.

F. Above one (1) story areas of a two (2) story building, or as a balcony, tower or other feature used to enhance the architecture of a building (as with the Colonial or Mediterranean style), provided that if located on an elevation visible to the street, the flat roof portions visible to the street shall not constitute more than twenty (20%) percent of the building's total roof area and a metal or masonry railing is installed on such flat roof.

G. Above two (2) story areas of a two (2) story building, or as a balcony, tower or other feature used to enhance the architecture of a building (as with the Colonial or Mediterranean style), provided that if located on an elevation visible to the street, the flat roof portions visible to the street shall not constitute more than twenty (20%) percent of the building's total roof area and that said flat roof shall not exceed the maximum allowable height above established grade.

Section 5-1603. Flat roofs with a parapet.

Except on Lots 1 through 18, inclusive, Block 89, Lots 20 through 36, inclusive, Block 91, Riviera Section Part Three, and Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 and Lots 11 through 16, Block 6,

French Village, flat roofs with a parapet (minimum eight (8) inches thick) shall be permitted upon single-family residences and accessory buildings and structures subject to restrictions noted hereinafter:

A. The residence has a flat roof with a parapet and with a pitched roof area that is lesser in size and proportion to the flat roof area. The roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed twenty four (24) feet above established grade and the top of the parapet shall not exceed twenty six (26) feet and six (6) inches above established grade. For residences in flood hazard districts with a maximum height of thirty nine (39) feet above established grade, the roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed thirty four (34) feet above established grade and the top of the parapet shall not exceed thirty six (36) feet and six (6) inches above established grade. The roof shall be pitched in accordance with the provisions of the Florida Building Code.

B. The residence has a flat roof with a parapet with and a pitched roof area that is greater in size and proportion to the flat roof area. The roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed twenty four (24) feet above established grade and the top of the parapet shall not exceed twenty six (26) feet and six (6) inches above established grade. For residences in flood hazard districts with a maximum height of thirty nine (39) feet above established grade, the roof deck of the flat roof with a maximum thirty (30) inch high parapet shall not exceed thirty four (34) feet above established grade and the top of the parapet shall not exceed thirty six (36) feet and six (6) inches above established grade. The roof shall be pitched in accordance with the provisions of the Florida Building Code.

C. Over boat houses.

D. Upon buildings designed and devoted to MF2, MFSA, C, and I Districts.

Section 5-1604. Roofs for commercial buildings.

Except for motels, commercial and mixed use buildings shall be permitted to have flat roofs with a parapet (minimum eight (8) inches thick and eighteen (18) inches above the roof at all points, provided, however, that where the height of the building and other attendant and connected circumstances and features of said building justify a lesser height, such parapet wall may be as low as six (6) inches at any point above the roof) where the roof is constructed entirely of non-combustible materials.

Section 5-1605. Pitched roofs, material.

Except in Golden Gate, MacFarlane Homestead and St. Alban's Park, Coconut Grove Warehouse Center, that part of the Industrial District and/or Mixed-Use District abutting South Dixie Highway (U.S. Route 1), and where plastic or glass translucent material is used as permitted elsewhere in this article, pitched roofs shall be constructed of:

A. Vitrified clay tile.

B. White concrete tile. The finished surface for white concrete tile shall be a mixture of one (1) part Portland white cement to three (3) parts white silica sand, together with a waterproofing and plasticizer ad-mix. These ingredients shall be mixed with water to a consistency equal to that of a finishing coat of plaster. The mix thus obtained shall be pressure troweled onto the surface of the freshly extruded tile at the time of manufacture.

C. Colored cement tile, provided the tile is color saturated with the same color intensity throughout and the color is not surface applied, and provided the color meets with approval of the Board of Architects, taken in conjunction with the surrounding areas. Such colored cement tile roofs, which have been installed according to approved plans may be painted or repainted a different color from the original color of the installed tile subject to approval of the application and the paint specifications by the Board of Architects.

D. Coral rock slabs laid shingle fashion.

E. Thick butt variegated colored slate as approved by the Board of Architects.

F. White Bermuda roof, with a minimum pitch of not less than five (5) inches in twelve (12) inches.

G. Where there exists a pitched roof of other material that was permitted at the time of the original construction, additions to or replacements to said building may use the same material.

H. Roofs on accessory or auxiliary buildings shall conform to the roof requirements for the principal building provided, that bomb shelters and/or fallout shelters may be constructed with a flat roof that the maximum height of such shall not exceed four (4) feet above grade.

I. Roof tiles with surfaces applied glaze under the manufacturer's process, provided, that the color meets with the approval of the Board of Architects taken in conjunction with the surrounding area and provided further that the tile shall not be painted or repainted.

J. Copper in its natural state and allowed to oxidize and patina may be used as a roofing material for residential uses subject to approval of design, manner of installation, and conformity with the architectural design, style and composition of the proposed residential structure as shall be approved by the Board of Architects. An approved copper roof must remain in its natural state as a metal, thereby prohibiting painting, coating, surface application, or any other fabrication or manufacturing process that alters its natural metallic state.

Section 5-1606. Flat roofs, material.

All flat roofs shall have coverings of approved standard quality, such as concrete, gypsum, tile, built-up roofing of tar and paper, or tar paper and gravel, asbestos roofing, or of like grade, which would rank as Class A or B under test specifications of the National Board of Fire Underwriters.

Section 5-1607. Plastic, fiberglass, glass and aluminum roofs.

Any plastic or glass translucent material or flat aluminum material, as approved by the Board of Architects may be used as a roof covering on screened enclosures or screened porches of residences providing it does not extend out from the outside wall of the building more than six (6) feet including any existing roof overhang and further provided it is not visible from the street.

Section 5-1608. Skylights.

Skylights may be constructed in roofs provided that such skylights comply with the following conditions and restrictions:

A. The size, location and architectural design of such skylights shall be subject to approval by the Board of Architects.

B. The structural design of such skylight shall be subject to approval by the Structural Engineer.

Section 5-1609. Roof projections.

Roofs may project into the required minimum setback area not more than the following:

A. On setbacks from five (5) feet to ten (10) feet, roofs may project not more than two-and-one-half (2½) feet into the required minimum setback area.

B. On setbacks from ten and one-tenth (10.1) feet to fifteen (15) feet, roofs may project not more than three (3) feet into the required minimum setback area.

C. On setbacks from fifteen and one-tenth (15.1) feet to twenty (20) feet, roofs may project not more then three-and-one-half (3½) feet into the required minimum setback area.

D. On setbacks from twenty and one-tenth (20.1) feet to twenty-five (25) feet, roofs may project not more than four-and-one-half (4½) feet into the required minimum setback area.

E. On setbacks of twenty-five (25) feet or more, roofs may project not more than five (5) feet into the required minimum setback area.

Section 5-1610. Trussed rafters.

The minimum size for upper and lower truss cords in all buildings shall be two (2) inches by six (6) inches.

Division 17. Sanitation Requirements

Section 5-1701. Air conditioning.

New commercial construction or renovation of an existing commercial structure, the use of which involves food products (such as restaurants, cafeterias, etc.), where the cumulative cost of such renovation is in excess of twenty-five (25%) percent of the assessed value of the existing commercial structure shall make provisions for the installation of an air conditioning system for commercial trash containers.

Section 5-1702. Commercial trash containers.

New commercial construction or renovation of an existing commercial structure where the cumulative cost of such renovation is in excess of twenty-five (25%) percent of the assessed value of the existing commercial structure shall make provisions for a trash container room or enclosure in accordance with the following provisions:

A. All new commercial construction projects and all renovation projects having a setback of less than ten (10) feet on the side of the property best suited for the servicing of trash containers shall include a trash container room for the purpose of housing dumpsters or other trash receptacles.

   1. The trash container room may only be located on the rear or side of the proposed development and shall be easily accessible for servicing.

   2. The trash container room shall be fully enclosed and include lockable doors.

B. Renovation projects having a setback of ten (10) feet or more on the side of the property best suited for the servicing of trash containers shall include a trash container room pursuant to subsection A(1) and A(2) above, or a trash container enclosure in accordance with the following:

   1. The trash container enclosure may only be located in the rear yard, rear setback area, side yard or side setback area.

   2. The trash container enclosure shall be placed at least five (5) feet from any property line, but not within the triangle of visibility required in Section 5-1406.

   3. The trash container enclosure shall be located such that garbage or trash trucks will not block the intersections of streets or alleys while servicing trash containers.

   4. The trash container enclosure shall consist of:

      a. A concrete pad or impervious pavers as a base;

b. Five (5) foot high enclosure walls; and

c. An access gate.

5. An impervious surface shall be provided between the trash container enclosure and the street or alley from which the containers will be serviced.

6. Whenever possible, a hedge, or similar landscaping material, shall abut the enclosure walls.

C. Upon written request of a property owner, the requirements specified in (A) and (B) above may be waived by order of the City Manager or his designee provided the following conditions are met:

1. The trash generated within the subject commercial building can be disposed of in a shared consolidated waste container/compactor located off-site.

2. The trash disposal location is acceptable to the City's commercial waste disposal contractor.

3. A legal instrument, as prescribed by the City Attorney, is executed by the subject property owners acknowledging that the City Manager shall be empowered to direct full compliance with the above trash enclosure/room requirements if the use of the consolidated waste container is no longer available.

Division 18. Screening

Section 5-1801. Solar water heaters and equipment.

The erection and/or installation of solar water heaters and equipment shall be subject to the following conditions and restrictions:

A. Collectors located in the same parallel plane of a sloping roof shall be fastened to a maximum of one and one-fourth (1¼) inch by one-eighth (⅛) inch metal angles placed directly on the roofing membrane. Surrounding tile shall butt to the edge of the side of the collector.

B. Collectors located in a different plane from the roof shall incorporate an architectural masking device to screen the underside and edge of the collector apparatus from ground view where such collector is visible from the street. Such screening device may be roof planes, mansard roofs, shed roofs, parapet walls, chimneys or such other features.

C. Collectors located on a flat roof may be mounted directly upon the roof or may be elevated above the roof provided, however, that all portions of the elevated apparatus are screened from ground view by means of some architectural screening device as provided for under B above.

D. Where rooftop hot water storage tanks are used they shall be screened from 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 the Board of Architects.

E. Where collectors are mounted on the ground they shall be screened from view from the abutting streets, and the setbacks for such collectors shall be as required for mechanical equipment.

F. All piping and other serving utilities shall be concealed from view.

G. The size, location, attachment and design of solar water heating devices shall be in conformity with the building design and overall neighborhood character.

H. Adequate architectural details shall be drawn to show the proper installation of the system and particularly the roof mounting and method of attachment.

Section 5-1802. Screening of rooftop equipment.

Air-cooled condensing and/or compressor equipment, water cooling towers and any other type of mechanical or service equipment or apparatus installed on roofs of all buildings constructed on or after October 1, 1969, shall be screened from 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 the Board of Architects.

Those buildings constructed prior to October 1, 1969, shall be exempt from this requirement until such time as renovation or rehabilitation of any portion of said building is permitted. At the time of permitting for any renovations or rehabilitation in which the value of such construction exceeds twenty (20%) percent of the assessed value of the structure, any air-conditioning and/or mechanical apparatus mounted on roof tops, whether new or existing, shall be screened. Said screen shall be subject to the discretion and approval from the Board of Architects for design and screening material.

Section 5-1803. Screening of storage areas.

All storage areas permitted under these regulations shall be enclosed on all sides with a solid or louvered masonry wall, not less than six (6) feet in height, with necessary openings.

Section 5-1804. Air-conditioning units and equipment, and other types of mechanical equipment or apparatus installed on or attached to premises.

A. Air-cooled condensing and/or compressor equipment which is a part of an air-conditioning system or a water cooling tower, and any other type of mechanical equipment or apparatus installed on or attached to premises shall meet setback requirements for the principal structure with the following conditions:

   1. All air-conditioning units or equipment shall meet noise level requirements in the City Code.

   2. Any air-conditioning unit or equipment, except for window wall units, shall be visually screened from view from a canal, waterway, lake, bay, golf course or street view with a wall or landscaping.

Division 19. Signs

Section 5-1901. Purpose and applicability.

A. The purpose of this Division is to ensure that:

   1. Each sign user has an opportunity to provide information, identification and direction to a permitted use.

   2. The unique character and quality of the City's appearance, which is essential to its economic, cultural, and social welfare, is protected and preserved.

   3. The City's property values, which are essential to the City's sustainability and the general welfare of its residents, are maintained and enhanced.

   4. That the safety of the public is promoted by avoiding visual clutter, reducing conflicts between and among signs, reducing the incidence of certain design elements that tend to distract motorists, promoting proper maintenance, requiring removal of abandoned signs, and by subjecting signs to design review.

   5. The number, size, scale, proportions, design and balance of signs are regulated according to content-neutral standards that are based on architectural quality and character.

6. A sound economic and business climate is promoted through the reinforcement and encouragement of graphic excellence.

7. Safe and efficient wayfinding is promoted.

8. Incentives are provided that encourage pedestrian-scale signs.

9. Signs are no larger in area than is necessary to convey the speaker's message.

10. The First Amendment rights of property owners are respected, and the right to signage is regulated to protect the aesthetics of the City while reducing the distractions to and aiding in the ease of navigation for drivers, consistent with the requirements of *Metromedia, Inc. v. City of San Diego,* 453 U.S. 490 (1981) and other applicable caselaw.

B. Signs installed, erected, altered, painted or repainted in the City shall comply with any applicable requirements of this Division, unless otherwise provided herein.

C. The permitting requirements of this Division shall not apply to the installation, alteration, erection, painting or repainting of the following signs, which may be installed without prior approval by the City except as necessary for structure permits required under the Florida Building Code and the related Board of Architectural approval required for permanent structures:

1. Temporary signs authorized by this Division, including but not limited to:

   a. Temporary noncommercial signs, provided they comply with Section 5-1909 of the Zoning Code.

   b. Real estate signs, provided they comply with Section 5-1907 of the Zoning Code.

   c. Signs announcing or advertising a licensed going-out-of-business sale, provided they comply with Section 14-70 of the City Code.

   d. Paper or other such temporary signs in show or display windows or doors, provided they comply with Section 5-1908(A) of the Zoning Code.

   e. Decorative signs displayed for City-wide celebrations, conventions, and commemorations when authorized by the City Commission or City Manager's designee for a prescribed period of time.

2. Signs that are not visible from public rights-of-way, public waterways, or neighboring properties.

3. Signs that are less than one-half (½) of one (1) square foot in area that are incorporated into machines or equipment.

4. Signs that are affixed to merchandise, provided they comply with Section 5-1908(C) of the Zoning Code.

5. Signs identifying the entrance or exit of parking lots and parking garages that do not contain any commercial advertisements, provided they comply with the portion of Section 5-1904 of the Zoning Code that relates to parking garages.

6. Flags that comply with Section 5-1902 of the Zoning Code and that meet the following criteria:

   a. In all zoning districts:

      i. No individual flag shall exceed fifteen (15) square feet in area;

ii. Flags that are displayed on a ground mounted flagpole shall not exceed a lateral dimension (length) greater than twenty-five (25%) percent of the height of the flagpole;
iii. Flags may be displayed at duly licensed marinas or boat docking facilities for navigation purposes as necessary or required for the safety of boaters;
iv. No more than two (2) flags may be displayed per flagpole; and
v. No flag may display a commercial message or be used to draw attention to a commercial establishment, except as otherwise expressly permitted by law.

b. In addition to the criteria in Section 5-1901(C)(6)(a), in MXD, MF2, MFSA Districts, and all nonresidential districts:

i. The total area of all flags displayed on a building site shall not exceed forty-five (45) square feet; and
ii. No building site shall have more than three (3) flagpoles (which may be either vertical or mast-arm) installed.

c. In addition to the criteria in Section 5-1901(C)(6)(a), in SFR and MF1 Districts:

i. The total area of all flags displayed on a building site shall not exceed fifteen (15) square feet; and
ii. No building site shall have more than one (1) flagpole (which may be either vertical or mast-arm) installed.

7. Signs that are affixed to merchandise and are not larger than six (6) square inches in area and that are not prohibited by Section 5-1902.

8. Paper or other such temporary signs that are affixed or otherwise attached to or displayed within glass display windows of commercial establishments and stores, provided that:

a. Not more than one (1) such sign shall be permitted within or upon any one (1) display window;

b. Not more than two (2) signs shall be permitted in any one (1) business establishment; and

c. No such sign shall exceed two hundred fifty (250) square inches in sign area.

D. Signs erected and maintained pursuant to the discharge of governmental functions, or that are required by law, ordinance, or government regulation, or that are required to be posted in order to effectuate a legal right, shall not be subject to the provisions in this Division.

E. No person may post, display, or distribute any signs, advertisements, circulars, handbills, or printed or written matter relating to any business or commercial activities on any property or facilities owned or operated by or for the City without first obtaining authorization in writing from the City Commission or City Manager's designee or unless otherwise authorized by law.

F. Nothing in this Division shall be read to permit or authorize any sign that displays an image or message which is not within the protection of the First Amendment to the U.S. Constitution or of the Florida Constitution, including an image or message that is obscene (as that term is construed in Miller v. California, 413 U.S. 15 (1973)), or that violates any valid state or federal law, including, for example, laws governing libel and extortion.

Section 5-1902. General design standards that are applicable to all signs.

All signs shall comply with the following design standards:

A. Signs shall not disfigure or conceal architectural features or details of a structure.

B. The size and location of signs shall be proportional to the scale of the related structure and compatible with adjacent signage.

C. The use of lettering and sign design shall enhance the architectural character of the related structure, and if the sign is an attached sign, the particular facade on which the sign is located.

D. The following sign types and design elements are prohibited:

1. Abandoned signs, defined as any owner or lessee identification signs advertising a commodity or service associated with a premises that is still in place more than sixty (60) days from the date the premises are vacated and such activity has ceased to exist on the premises.

2. Bare bulb signs.

3. Box signs.

4. Cabinet signs.

5. Diagonal lettering, except with respect to temporary noncommercial signs governed by Section 5-1909, or as otherwise permitted herein.

6. Exposed neon tubing.

7. Pennants, banners, streamers, balloons, blinking and flashing lights, streamer lights, flags except as provided in Section 5-1901(C) herein, and any other fluttering, spinning, rotating or similar type attention attractors and advertising devices.

8. Portable signs, displaying a commercial message, which are designed to be transported on a vehicle or worn on a person, including, but not limited to: a sign mounted on a bike trailer, vehicle trailer, or truck bed that is used to advertise any business or product that is not the business or principal purpose of the vehicle; or a human sign. However, this provision shall not prohibit any of the following:

   a. Those signs on a vehicle that identify its business, purpose, or principal products, so long as such vehicle is engaged in the usual business or regular work of the vehicle owner, and not used merely, mainly, or primarily to display advertisement;

   b. Such advertising devices as may be attached to or displayed on and within the normal unaltered lines of the vehicle of a licensed transit carrier, when and during that period of time such vehicle is regularly and customarily used to traverse the public highways during the normal course of business;

   c. Signs on public buses or trolleys;

   d. Signs on taxicabs; and

   e. Bumper stickers.

9. Temporary lettering or graphics, except with respect to temporary noncommercial signs governed by Section 5-1909, or as otherwise permitted herein.

10. Signs attached to or placed on a vehicle (including trailers) that is parked on public or private property. This prohibition, however, shall not apply in the following cases:

   a. Identification of a firm or its principal products on a vehicle operating during the normal hours

of business, provided, however, that no such vehicle shall be parked on public or private property with signs attached or placed on such vehicle for the purpose of advertising a business or firm or calling attention to the location of a business or firm.

b. Vehicles carrying a sign displaying only a noncommercial message, including, but not limited to, signs dealing with the candidacy of individuals for elected office.

c. Passenger automobiles which require governmental identification, markings or insignias of a local, state or federal government agency.

11. Vertical lettering, except with respect to temporary noncommercial signs governed by Section 5-1909, or as otherwise permitted herein.

12. Animated or flashing signs, except that temporary animated or flashing signs attached to amusement rides, vending carts, and sideshow equipment used in a City event specifically authorized by the City Commission shall not be prohibited.

13. Electronic signs.

E. All exterior signs shall be in good repair and free of chipping, pitting, cracking, peeling, fading or discoloration. Lighted signs shall have all lights working.

Section 5-1903. Illumination.

The following conditions and restrictions shall apply to illuminated signs:

A. Except as hereinafter provided in this section, illuminated signs, or illumination in show windows, display windows and displays, in or upon any building or structure, shall have the source of light concealed from view from the exterior of the building or structure, except that where channel letters or figures are used for any sign the illumination thereof may be visible if recessed within the depth of the channel.

B. Intensities of illumination in all cases shall be approved by the Electrical Inspector before the issuance of a sign permit for compliance with the following Maximum Illumination Intensity Levels:

Type of illumination	*Located within 200 feet and visible from a residential zone*	*Located within 200-500 feet and visible from a residential zone*	*Located beyond 500 feet of a residential zone*
Direct, Internal or Backlighted	90 foot-lamberts	150 foot-lamberts	250 foot-lamberts
Indirect or Reflected Sign	10 foot-candles	25 foot-candles	50 foot-candles

C. Illuminated signs located within five hundred (500) feet of a residential zone, and which are visible from such residential zone, shall be turned off not later than 10:00 PM each night.

D. No intermittent or flashing illumination will be permitted.

E. Hanging exposed neon tubing signs will be permitted on the inside of glass show windows, provided that the size of said signs shall not exceed ten (10%) percent of the total glass area where they occur, or six-hundred (600) square inches, whichever is less. All such signs located within a distance of five (5) feet from any glass show window shall be subject to the above regulations.

F. Transformer boxes, outlets, conduits, and other accessory equipment for any sign shall be placed so that they are not visible from the exterior.

G. Wooden signs shall not have electric lights or fixtures attached to them in any manner.

Section 5-1904. Standards for on premise signs.

The provisions contained in the following table shall be applicable within the following zoning districts:

A. Commercial Limited (CL) District.

B. Commercial (C) District.

C. Industrial (I) District.

D. Mixed Use (MXD) District.

E. Single-Family Residential (SFR) District, Multi-Family 1 Duplex (MF1) District, Multi-Family 2 (MF2) District and Multi-Family Special Use (MFSA) District, but only with regard to such signs that include the said district names in the column entitled “Type of Sign.”

The provisions are as follows:

Type of sign	*Maximum number permitted*	*Maximum sign area*	*Maximum length of sign*	*Maximum lettering height*	*Maximum/ minimum height of sign **	*Projection and/or separation ***	*Other requirements*
Awning or canopy.	One (1) per awning or canopy.	Four (4) square feet per awning. Sign to occupy no more than sixty (60%) percent of height of valence on which it is placed.	Fifty (50%) percent of awning or canopy.	Six (6) inch lettering, however, height not to exceed sixty (60%) percent of height of valance on which it is placed.	Twelve (12) feet maximum.	Minimum of three (3) feet from established inside of curb line, adjacent lease line, adjacent property line, or street r.o.w. whichever is less.	1. Awning or canopy signs are prohibited if tenant signs are provided. 2. Sign lettering must be located on valance of awning or canopy. 3. Permitted text shall only include tenant name and/or logo. 4. Street level tenant names signs on awnings/canopies are only permitted for those uses located at street level. 5. Backlighting of awnings and canopies is prohibited. 6. Internal illumination of sign lettering is permitted. 7. External illumination of awnings/canopies is permitted for the purpose of only identifying the lettering, logos, or other text of the awning. The type and location of light fixture shall be included as a part of the review of the sign.
Directory sign.	One (1) per building entrance.	1. Buildings less than four (4) floors-fifteen (15) square feet. 2. Buildings five (5) or more floors-twenty-five (25) square feet.			Eight (8) feet maximum.	Four (4) inch maximum projection from wall surface (A.D.A. Requirement).	1. Signage locations shall be at street level to be viewed by pedestrians. 2. Logos are permitted. 3. May be freestanding if located a minimum of twenty-five (25) feet from property line or R.O.W.
Doorway entrance sign.	One (1) per street level tenant.	Five (5) square feet.		Six (6) inches.	Twelve (12) feet maximum.	Four (4) inch maximum projection from wall surface (A.D.A. Requirement).	1. Sign shall be located over doorway/entrance. 2. Internal or external Illumination of sign lettering and sign is prohibited. Backlighting via ambient light is permitted. 3. Sign shall be proportionate to the facade on which it is located, respecting the integrity of the architecture of the building.
Mixed-use residential buildings with ground/street	Signage located at street/ground level is subject to applicable provisions dependent upon type of sign.				Twenty-five (25) feet maximum.	Subject to applicable provisions dependent upon	1. Signage identifying ground floor/street level retail and commercial uses are prohibited twenty-five (25) feet above the

Type of sign	*Maximum number permitted*	*Maximum sign area*	*Maximum length of sign*	*Maximum lettering height*	*Maximum/ minimum height of sign **	*Projection and/or separation ***	*Other requirements*
level uses whereas the building contains seventy-five (75%) percent or more residential square footage.						type of sign.	established grade. 2. One wall sign shall be permitted for residential developments subject to the following: a. Sign Area: Twelve (12) square feet. b. Maximum sign length: Fifty (50%) percent of lineal building frontage. c. Maximum height of sign lettering: Twelve (12) inches or an increase in size to eighteen (18) inches if sign is design sign as provide herein. d. Projection: Twelve (12) inches. 3. Sign shall be proportionate to the facade on which it is located, respecting the integrity of the architecture of the building.
Parking garage entrance/exit identification signs in association with principal building.	One (1) building name or business name per one (1) entrance/exit.	One-hundred (100) square feet.	Twelve (12) feet.	Ten (10) inches.	Within ten (10) feet of top of garage opening entrance/exit.	Twelve (12) inch maximum projection from wall surface.	1. Sign text indicating “Entrance” and “Exit “ for parking garages shall be subject to the following: a. Maximum lettering height: Ten (10) inches. b. Maximum sign length: Ten (10) feet. 2. Sign shall be proportionate to the facade on which it is located, respecting the integrity of the architecture of the building.
Plaques.	One (1) per public pedestrian entrance/exit.	Four (4) square feet.	Two (2) feet.		Eight (8) feet maximum.	Four (4) inches.	1. Construction materials should be fabricated in a manner to complement the architecture of the building.
Projection sign (Street level).	One (1) per street level tenant. Tenants on corners of r.o.w. shall be permitted one (1) per r.o.w.	Three (3) square feet.		Six (6) inches.	Ten (10) feet maximum.	1. Eight (8) feet max. projection from external bldg. wall if awning / canopy exists; or 2. Four (4) feet maximum projection from ext.	1. One sign is permitted per street level tenant. 2. Tenants occupying a corner at two (2) r.o.w.’s shall be permitted one (1) additional sign. 3. Internal or external illumination of sign lettering and sign is permitted. 4. Sign content/text shall only include tenant name and/or logo. 5. Wood signs are permitted. 6. Decorative treatments and three-

Type of sign	*Maximum number permitted*	*Maximum sign area*	*Maximum length of sign*	*Maximum lettering height*	*Maximum/ minimum height of sign **	*Projection and/or separation ***	*Other requirements*
						bldg. wall with no awning/ canopy. 3. Five (5) feet maximum encroachment into r.o.w. to outer edge of sign is permitted.	dimensional use of materials is encouraged. 7. If canopies or awnings exist, the projection sign shall be located under canopy or awning with sufficient vertical clearance for the passage of pedestrians.
Temporary construction signs (nonresidential use districts and Special Use District).	One (1) per site or development.	Sixteen (16) square feet.			Eight (8) feet maximum.	Six (6) inches if attached to a building.	1. Applies to nonresidential-zoned properties. 2. Freestanding signs shall be a minimum of ten (10) feet from property line and/or r.o.w. 3. Sign can be mounted on building or fence subject to all other provisions. 4. Must be removed with seventy-two (72) hours of the issuance of temporary or final certificate of occupancy. 5. If freestanding the sign shall be fastened securely to each of two (2) supports, one (1) on each end of the sign, installed a minimum of three (3) feet below the established grade in a secure manner utilizing concrete or other suitable method. 6. The sign text may only identify the property, the owner or agent, contractor, or professional affiliations, property address and telephone numbers who are involved in the construction of improvements on the property. 7. The sign shall be constructed of metal, plastic, wood or pressed wood. 8. Such sign shall be kept in good repair and shall not be illuminated or constructed of a reflective material and shall not contain any flags, streamers, movable items or like devices.

Type of sign	*Maximum number permitted*	*Maximum sign area*	*Maximum length of sign*	*Maximum lettering height*	*Maximum/ minimum height of sign **	*Projection and/or separation ***	*Other requirements*
Temporary real estate signs, construction signs, and professional affiliation signs, in Single- family, Multi-family 1, and Multi-family 2 Districts.	One (1) per site or development.	Forty (40) square inches.			Six (6) feet maximum.		1. A property owner may erect one (1) temporary real estate sign, temporary construction sign or professional affiliation sign. 2. Real Estate signage shall be regulated via the provisions contained in Section 5-1907, titled "Real estate, for sale, lease or rental of property or buildings." 3. Construction signs and professional affiliation signage may be permitted subject to the following provisions: a. The purpose of the sign is identification, and the sign may identify the property, the owner or agent and the address and telephone number of the agent of work completed to the premises upon which the sign is located, and other similar information. b. The sign shall be constructed of metal, plastic, wood or pressed wood. c. If freestanding, the sign shall be fastened to a supporting member constructed of angle iron not exceeding one (1) inch by one (1) inch or two (2) inch by two (2) inch wooden post. The supporting member shall be all white or all black in color and have no letters/ numbers upon it. d. The supporting member shall be driven into the ground to provide that the top of the face of such sign shall not be more than four (4) feet above the finished grade of the ground. e. All such signs shall be lettered professionally. Sign shall not require permit issuance or Board of Architects approval. f. Such sign shall be so erected

Type of sign	*Maximum number permitted*	*Maximum sign area*	*Maximum length of sign*	*Maximum lettering height*	*Maximum/ minimum height of sign **	*Projection and/or separation ***	*Other requirements*
							or placed that its centerline is parallel or perpendicular to the front property line. g. Such sign shall not be erected or placed closer than five (5) feet to the front property line unless the main part of the building is less than five (5) feet from the front property line, in which case the sign may be placed in or upon a front or side door, window or wall of the building. h. Where such sign is suspended from an arm of the support, such arm shall not exceed a length of sixteen (16) inches. i. All such signs shall be erected on a temporary basis. j. Such sign shall be kept in good repair and shall not be illuminated or constructed of a reflective material and shall not contain any flags, streamers, movable items or like devices. k. The sign must be removed within seventy-two (72) hours of the issuance of temporary or final certificate of occupancy for the property or as determined by the Building and Zoning Department.
Tenant signage (street level).	One (1) per street level tenant per street right-of-way frontage.	Eighteen (18) square feet per tenant.	Fifty (50 %) percent of lineal tenant frontage.	Twelve (12) inches or an increase in size to eighteen (18) inches if sign is design sign as provided herein.	Eighteen (18) feet maximum.	1. Twelve (12) inch maximum projection from wall surface. 2. The maximum projection may be exceeded for design signs, subject to Board of Architect review and approval.	1. Tenant signage is prohibited if awning or canopy signage is provided. 2. Street level tenant names signs are permitted for those uses located at street level. 3. Permitted text shall only include tenant name and/or logo.

Type of sign	*Maximum number permitted*	*Maximum sign area*	*Maximum length of sign*	*Maximum lettering height*	*Maximum/ minimum height of sign **	*Projection and/or separation ***	*Other requirements*
Wall mounted signs for buildings 45.0 feet or less in height.*	One (1) per street right-of way frontage.	1. 0.75 square feet per lineal foot of primary street frontage not to exceed one hundred-fifty (150) s.f. 2. 0.25 square feet per lineal foot of side street frontage.	Fifty (50%) percent of lineal building frontage.	Eighteen (18) inches.	Twenty-Five (25) feet maximum.	Twelve (12) inch maximum projection from wall surface.	1. Building sign or one (1) curvilinear building name sign is permitted. Only one (1) of the above options is permitted. 2. Building sign content/ text may include up to two (2) names, tenants, etc. 3. No off premises sponsors or advertising signs permitted. 4. Sign shall be proportionate to the facade on which it is located, respecting the integrity of the architecture of the building.
Wall mounted signs for buildings 45.1 to 97.0 feet.*	One (1) per street right-of way frontage.	1. 0.75 square feet per lineal foot of primary street frontage not to exceed one hundred-fifty (150) s.f. 2. 0.25 square feet per lineal foot of side street frontage.	Fifty (50 %) percent of lineal building frontage.	Twenty- four (24) inches.	1. Ninety-seven (97) feet maximum. 2. Minimum thirty-five (35) feet.	Twelve (12) inch maximum projection from wall surface.	1. Building sign or one (1) curvilinear building name is sign is permitted. Only one (1) sign of the above option permitted. 2. Building sign content/ text may include up to two (2) names, tenants, etc. 3. No off premises sponsors or advertising signs permitted. 4. Sign shall be proportionate to the facade on which it is located, respecting the integrity of the architecture of the building.
Wall mounted sign for buildings 97.1 feet or more in height. *	Two (2) per building.	Dependent upon location of the one sign the following standards shall apply: 1 1.0 square foot per lineal foot of primary street frontage, not to exceed two-hundred (200) sq. ft. 2. 0.50 sq. ft. per lineal foot of side street frontage or building façade frontage on buildings not fronting on a street frontage, not to exceed	Fifty (50%) percent of lineal building frontage.	Thirty (30) inches.	1. Maximum of twenty-five (25) feet above the ceiling of the top floor. 2. Minimum ninety-seven (97) feet.	Twelve (12) inch maximum projection from wall surface.	1. Building sign or one (1) curvilinear building name sign is permitted. 2. Building sign content/ text may include up to two (2) names, tenants, etc. 3. No off premises sponsors or advertising signs permitted. 4. Sign shall be proportionate to the facade on which it is located, respecting the integrity of the architecture of the building.

Type of sign	*Maximum number permitted*	*Maximum sign area*	*Maximum length of sign*	*Maximum lettering height*	*Maximum/ minimum height of sign **	*Projection and/or separation ***	*Other requirements*
		one hundred and fifty (150) sq. ft.					
Wall mounted signs in Special Use Districts.	One (1) sign.	Twelve (12) sq. ft.	Fifteen (15) feet.	Ten (10) inches.	Twelve (12) feet maximum.	Six (6) inches.	1. Sign shall be subject to the following: a. Shall include no illumination. b. Must be attached to principal building 2. No other signage is permitted. 3. Sign shall be proportionate to the facade on which it is located, respecting the integrity of the architecture of the building.
Window signs displaying a commercial message.		Ten (10%) percent maximum of street level total window area or twenty (20) sq. ft., maximum, whichever is less.		Six (6) inch maximum.			1. Permitted only on primary and side street level frontages. 2. Window signage above the first floor is prohibited. 3. The following text shall be exempt from the sign area calculations: enter; exit and similar decals as indicated below; and, property address of building. 4. Maximum of one and a half (1 ½) square feet of decal signs is permitted to include the following: entrance; exit; credit card advertising or other decals as approved by the Building and Zoning Department. Physical property address signs shall be subject to these limitations. 5. Window signs must be applied to the window in professional manner. 6. The name of the establishment may only be permitted once. One (1) additional establishment name is permitted subject to design review approval. The additional name shall be the same text, lettering style/height, color, etc for both signs.

*Height is measured from the established grade.
**Including all appendages of sign.

All signs attached to a building shall be fastened directly to the walls by well-secured metal anchors in such a manner as to withstand a wind pressure load equal to one-hundred-fifty (150) miles per hour for a one (1) hour period. No signs shall be erected so as to obstruct any door, window, or fire escape and any building or structure, or so as to obstruct the visibility of any traffic control sign or traffic control signal.

Section 5-1905. Detached signs.

Detached signs are subject to the following provisions:

A. Specific locations. Except as provided for under Sections 5-1905(B) and 5-1907, detached signs will be permitted only upon premises zoned for commercial or industrial use and facing, abutting and fronting upon U.S. Route 1, (also known as South Dixie Highway) or upon Southwest Eighth Street, subject to the following conditions and restrictions:

1. The face of any such sign shall not exceed thirty-two (32) square feet in area; and the top of the face of such sign shall not be more than six (6) feet above the finished grade of the ground, except that:

   a. Detached signs, the top of the face thereof being not more than eleven (11) feet above the finished grade of the ground, shall be permitted at the following locations:

      i. Upon premises abutting and fronting upon Southwest Eighth Street and lying east of LeJeune Road and upon premises lying west of LeJeune Road; and
      ii. Fronting upon Southwest Eighth Street, where such premises extend as an entity from street to street measured in an east and west direction; and where the building on such premises, or some portion thereof, is at least two (2) stories in height.

   b. Detached signs, the top of the face thereof, being not more than twelve (12) feet above the finished grade of the ground, shall be permitted upon premises facing, abutting and fronting upon U.S. Route 1 (also known as South Dixie Highway).

2. Foundations shall be of masonry; supporting members shall be of metal or masonry construction; the sign itself shall be metal, masonry or plastic construction.

3. The face of any such sign shall be set back at least five (5) feet from the front or any side property line, except in the case of such signs erected upon premises abutting and fronting upon Southwest Eighth Street east of LeJeune Road, and upon premises abutting and fronting upon Southwest Eighth Street west of LeJeune Road where no front setback shall be required; the sign shall be so set and placed that its centerline is at a normal to, or is parallel with, the front property line; and both faces of the sign, or the face and the back thereof, shall be parallel to each other.

4. Each such sign shall be landscaped as approved or required by the Building and Zoning Department.

5. A monument sign may contain up to three (3) building tenant names subject to the discretion of the Board of Architects and the following conditions and limitations:

   a. Monument sign structure shall not exceed six (6) feet in height.

   b. Monument signs shall not exceed thirty-two (32) square feet in total area.

   c. Monument signs shall be landscaped subject to the discretion to the Board of Architects.

   d. Monument signs shall be located a minimum of five (5) feet from any right-of-way, sidewalk or driveway.

   e. Only one (1) such sign shall be permitted on any one (1) premises.

f. No monument shall be placed or constructed in such a manner as to produce an unsafe visual clearance at any intersection or driveway location.

B. Specific cases. Subject to the applicable regulations and requirements of this article, detached signs shall be permitted in the following cases, subject to the conditions and restrictions as noted:

1. Apartment buildings, apartment-hotel buildings and hotel. Detached signs the face thereof not exceeding six (6) square feet in area, shall be permitted to be erected upon premises of an apartment building, apartment/hotel building and hotel, but no more than one such sign shall be permitted in connection with any such building or with any group of such buildings operated together as an entity. Such detached sign shall be placed on a standard with cross arms, and the height thereof shall not exceed nine (9) feet from the finished grade of the ground to the top of the standard or post, except, however, that the height of detached signs upon premises of an apartment building, apartment hotel building and hotel facing, abutting and fronting upon U.S. Route 1 (also known as South Dixie Highway), shall not exceed a height of twelve (12) feet from the finished grade of the ground to the top of the standard or post.

2. Service stations. Service stations dispensing products of companies which have a standard trademark sign shall be permitted to erect one such detached trademark sign on the premises of the station, such sign to be of a height and size as in accord with the standard height and size of similar signs of other stations handling the same products, subject to all requirements of the Florida Building Code and ordinances of this City. Signs which advertise the price of gasoline dispensed at a service station shall be permitted to be affixed or otherwise attached to the detached trademark sign pole subject to the following conditions and restrictions:

a. The face of any such sign shall not be larger than a maximum of three (3) feet wide or a maximum of three (3) feet high or larger overall than a total of eight and one-half (8½) square feet, and shall be surrounded by a one (1) inch aluminum or galvanized iron pipe frame.

b. The lettering and context of such signs shall be limited and restricted to the following:

i. The words “Self Serve.”
ii. The grade and price of not more than three (3) gasoline grades.

c. The type style of the letters and numbers shall be Helvetica and the height of the letters and numbers of such signs shall not exceed the following:

i. The words “Self Serve” in upper case letters-three (3) inches.
ii. The letters designating the “Grade”-five and one-half (5½) inches.
iii. The dollars and cents numbers-eight and one-half (8½) inches.
iv. The tenths cent numbers-five and one-half (5½) inches.

d. The color scheme of such signs shall be as follows:

i. Letters and numbers-white.
ii. Background-black.
iii. Pipe frame-black.

e. The sign may be so designed that the letters and/or numbers can be readily removed and replaced.

f. Not more than one (1) price sign shall be permitted to be erected for any one (1) service station. This provision, however, shall not preclude the sign from having a front and back as set forth herein in subparagraph (g).

g. Such price sign shall be so attached or erected on the detached sign pole that the face of such sign is perpendicular to, or parallel with the front property line and both faces of the sign

or the face and back thereof, shall be parallel to each other.

h. No such signs shall be located or placed at a corner intersection of a street in such a manner that it would block or obscure the visibility at the street intersection.

i. No illumination shall be permitted for such sign.

j. The structural design and method of attachments of such sign shall be subject to approval of the Structural Engineer.

k. Such sign shall initially be subject to approval by the Board of Architects and shall not be installed or erected without a permit, however, subsequent changes of the letters and/or numbers shall not require a permit and shall not be required to be submitted to the Board of Architects for approval, provided, however, that all such changes shall be professionally lettered.

l. The Code Enforcement Officer shall cause to be removed any such signs not conforming with the provisions of this section.

3. Parking lots. Detached signs may be erected upon off-street parking lots of ten-thousand (10,000) square feet or more in area, which are operated in connection with stores or other places of business. Wording on the sign shall be limited to the name of the business and may include the words “Customer Parking Only” or any combination thereof. Only one (1) such sign, not larger than twenty-four (24) square feet, shall be permitted on any one (1) such parking lot. Any necessary entrance or exit signs will be permitted with a limit of two (2) signs to each entrance and exit with a maximum area of three (3) square feet and maximum width of two (2) feet, and location must be approved by the Board of Architects. Only the words “Exit only” or “Entrance Only” shall be permitted on said entrance and exit signs.

4. Motels. Detached signs, the face thereof not exceeding thirty-two (32) square feet in area, shall be permitted to be erected upon the premises of a motel. Only one (1) such detached sign shall be permitted on the motel premises. The height of such detached sign shall not exceed nine (9) feet from the finished grade of the ground to the top of the sign, provided, however, that the height of detached signs upon premises of a motel facing, abutting and fronting upon Southwest Eighth Street and upon U.S. Highway 1 (also known as South Dixie Highway) may be erected to a height not to exceed the height limits permitted by Section 5-1905(A) hereof for such streets. The words Motel or Motor Court or similar designation of any motel, as defined herein, shall not be used to designate any building or facility except in a Commercial, Commercial Limited, or Industrial District, even though the area of living units within such building meet the minimum requirements for motels under the Zoning Code.

5. Historical markers. Whenever any building, structure, site or artifact has been designated as an historic landmark by the Historic Preservation Board, a detached historical marker shall be permitted to be erected upon the site, subject to the following conditions and restrictions:

a. The size and design of such historical marker shall be in accordance with the historical markers cast for the State of Florida's Bureau of Historical Sites and Properties as if the same were fully set forth herein.

b. The historical marker and the letters on such historical marker shall be of cast aluminum or cast bronze.

c. The supporting member of such marker shall be of metal imbedded in a masonry foundation.

d. The marker may describe events, people, places, ideas and identify the sponsor, but the text on the marker shall be subject to approval of the Historic Preservation Board.

e. The letters on such marker shall be painted in gold leaf, but the color of the background of

such marker shall be subject to approval of the Historic Preservation Board.

f. The face of any such marker erected on private property shall be set back a minimum of five (5) feet from the front property line and a minimum of fifteen (15) feet from any interior property line.

g. On corner intersections no such marker shall be placed within fifteen (15) feet of any official right-of-way line.

h. Any such historic marker on private property shall be so erected that its face is perpendicular to or is parallel with the front property line.

i. The top of such marker shall not be more than seven and one-half (7½) feet above the finished grade of the ground.

j. The location of the historical marker on private property shall be subject to approval of the Historic Preservation Board.

k. The location of historical markers on public property shall be subject to approval by the City Commission upon recommendation from the Historic Preservation Board.

l. Historical markers erected in Commercial, Commercial Limited, and Industrial Districts may be illuminated, provided, however, that the source of illumination be shaded and not directly visible from any public right-of-way.

Section 5-1906. Advertising in residential districts.

Except as provided for under Section 5-1904 and except for signs herein otherwise permitted upon building sites during construction of a building thereon, no advertising sign, exposed to view from any public street, highway, thoroughfare, waterway or public place shall be erected, used or maintained upon any lot or parcel of land which is, by the terms of a deed or contract for deed still in force, restricted to purposes of improvements or occupation for residential purposes, or which is now or may hereinafter be zoned by ordinance for residence purpose only, whether such residence purpose be single-family, duplex or multiple-family unless the same shall conform in construction, location, size and type to the provisions of this ordinance.

Section 5-1907. Real estate, for sale, lease or rental of property or buildings.

Signs pertaining to the sale, lease, or rental of property or buildings shall be permitted in any use district subject to the following conditions and restrictions:

A. The sign may identify the property, the owner or agent and the address and telephone number of the owner or agent relative to the premises upon which the sign is located. In Commercial, Commercial Limited, and Industrial Districts, signs may also contain information concerning building description, price, terms and availability.

B. The face surface of such sign shall not be larger than:

1. Forty (40) square inches, in SFR, MF1, and MF2 and MFSA, provided, however, that it shall be permissible to attach thereto one (1) of the following additional signs not exceeding forty (40) square inches and containing the wording or information:

   i. “By appointment only.”
   ii. “Open.”
   iii. “Sold.”
   iv. “Listing agent name and telephone number.”

2. In C, CL, MXD and I Districts, the face surface of such signs shall not be larger than two hundred

and fifty (250) square inches.

C. The sign shall be constructed of metal, plastic, wood or pressed wood. In SFR, MF1, MF2 and MFSA, said signs shall be fastened to a supporting member constructed of angle iron not exceeding one (1) inch by one (1) inch or two (2) inch by two (2) inch wooden post, provided that said supporting member shall be all white or all black in color and have no letters or numbers upon it. In Commercial, Commercial Limited, and Industrial Districts, the same criterion applies for signs requiring a supporting member.

D. The supporting member shall be driven into the ground to provide that the top of the face of such sign shall not be more than four (4) feet above the finished grade of the ground.

E. All such signs shall be lettered professionally, but such signs shall not be required to be submitted to the Board of Architects for approval and no permit shall be required for the installation or erection of such signs.

F. Only one (1) such sign shall be permitted on any one (1) premises, provided, however, that where the property abuts a waterway or golf course, a sign may also be placed or erected to be visible from such waterway or golf course with such sign having a setback from the waterway or golf course of not less than five (5) feet.

G. Such sign shall be so erected or placed that its center line is parallel or perpendicular to the front property line.

H. Such sign shall not be erected or placed closer than five (5) feet to the front property line unless the main part of the building is less than five (5) feet from the front property line, in which case the sign may be placed in or upon a front or side door, window or elevation of the building.

I. Nothing contained herein shall be construed as prohibiting the same wording from being on both the front and back of the sign.

J. Where such sign is suspended from an arm of the support, such arm shall not exceed a length of sixteen (16) inches.

K. All such signs shall be erected on a temporary basis.

L. Such sign shall be kept in good repair and shall not be illuminated or constructed of a reflective material and shall not contain any flags, streamers, movable items or like devices.

M. Any such sign shall be removed within five (5) days from the date a binding agreement is entered into for the sale, lease or rental of the property or immediately upon the removal of the property from the market, whichever occurs first.

N. Any Code Enforcement Officer may cause to be removed any such sign not conforming to the provisions of this section.

Section 5-1908. Location in show windows, display windows, door or other windows.

No sign bearing a commercial message, which is visible from the exterior of the building , shall be located or displayed in or from any show window, display window, or door or other window when such sign is so designed or displayed so as to attract attention from the exterior of the building except that:

A. Temporary paper signs will be permitted as provided under Section 5-1901(C).

B. Permanent signs shall be permitted to be installed or affixed to or painted upon any show window, display window, or door or other window as provided for elsewhere in this article as shall be approved by the Board of Architects.

C. The foregoing shall not prohibit the use of bona fide price tags when such tags are affixed to or attached to merchandise displayed for sale, providing that the size and number of such signs shall be aesthetically in keeping with the building as shall be approved by the Board of Architects.

Section 5-1909. Temporary noncommercial signs.

A. Temporary signs displaying only a noncommercial message shall be permitted, subject to all of the following conditions:

1. Except as provided in Section 5-1909(B) below, there shall be no more than one (1) temporary noncommercial sign per building, lot, and/or tenant space.

2. No sign permitted under this Section shall exceed twenty (22) inches by twenty-eight (28) inches in size.

3. Signs permitted under this Section shall be a minimum of five (5) feet from a public right-of-way.

4. Signs permitted under this Section shall not be erected or placed closer than five (5) feet to the front and/or side property line, except that in cases where the main part of the building is less than five (5) feet from the front property line, signs permitted under this Section may be placed in or upon a front or side door, window, or wall of the building.

5. Signs permitted under this Section shall be allowed for a period not to exceed one-hundred and twenty (120) days.

B. Bonus signs. A maximum of two (2) additional temporary signs displaying only a noncommercial message – making a total of three (3) such signs – shall be permitted per building, lot, and/or tenant space during the time period that begins no earlier than ninety (90) days prior to the date of any national, state, or local election and that ends within five (5) days after such an election, provided that such signs comply with all other applicable provisions in this Section.

C. Windows. Temporary noncommercial signs that are otherwise in compliance with this Section may be posted, affixed, or attached to a window.

D. Examples. A temporary noncommercial sign would include, simply by way of example, a sign installed for a temporary period that displays support for a political candidate or issue, that reflects an ideological or religious position, that directs the public to the existence or location of a noncommercial event, or that reflects any other solely noncommercial message.

E. Construction, materials, and maintenance.

1. Sign post(s) shall only be constructed of metal, plastic, wood or pressed wood.

2. Sign face(s) shall only be constructed of metal, plastic, wood, pressed wood, cardboard or paper.

3. Pursuant to Section 5-1902(E), all sign(s) shall be maintained and kept in good repair and otherwise comply with any applicable provisions in Section 5-1902.

F. Prohibited signs.

1. Signs permitted under this Section shall not be pasted, glues, printed, painted, affixed or attached by any means whatsoever to the following: vacant lot(s); utility pole(s); utility pole supports/guy wires; tree(s); light poles; rights-of-way signage; public rights-of-ways and/or surfaces; sidewalk(s); paving surfaces; swales; curbs or any other property of any governmental entity

without first obtaining authorization in writing from the City Commission or City Manager's designee or unless otherwise authorized by law.

2. Signs or sign posts shall not be illuminated or constructed of a reflective material and shall not contain any flags, streamers, movable items, fluttering, spinning, rotating or similar attention attractors or advertising devices.

3. Banners, flags, cloth or signs constructed of other similar materials are prohibited.

G. Penalties.

1. Signs located on public rights-of-way. Failure to comply with all of the provisions contained within this Section shall cause the sign to be removed.

2. Signs located on private properties. The City may issue a courtesy warning followed by a civil citation if compliance is not achieved.

3. These penalties shall be cumulative with other remedies under the Code, including the availability of requests for injunctive relief.

H. Enforcement. The provisions of this Section shall be enforced by the appropriate city personnel as determined by the City Manager.

Section 5-1910. Historical plaques.

Historical plaques may be installed upon buildings, structures and/or artifacts which have been designated as historic landmarks by the Historic Preservation Board, subject to the following conditions and restrictions:

A. The Historic Preservation Board shall establish a standard for an historical marker, which will include its design, material, color, and text.

B. The size of such plaque shall not exceed eighteen (18) inches in width by eighteen (18) inches in height.

C. Such plaque shall be erected flat against the surface of building, structure or artifact.

Section 5-1911. Encroachments over public rights-of-way.

Signs which encroach greater than nine (9) inches over public rights-of-way shall be subject to the following conditions and restrictions:

A. The property owner shall execute a restrictive covenant prepared by the City Attorney, which shall run with the title of the land, agreeing to provide public liability insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as additional insured under the policy.

B. An executed copy of the restrictive covenant, together with certificate of required insurance, shall be presented to the Building Official, prior to the issuance of any permits for such work.

C. Signs must be in accordance with the provisions of this section and the Florida Building Code, and maintained in good condition at all times at the property owner's expense.

D. The City of Coral Gables reserves the right to remove, add, maintain or have the owner remove any sign within the right-of-way at the owner's expense.

E. The property owner shall be legally responsible for the encroachment, and shall defend, indemnify, and hold harmless the City against any claims for damages or injuries resulting in any manner from the encroachment.

Signs which encroach nine (9) inches or less may be administratively approved by the City Architect and must comply with, and are subject to items C, D and E as specified in this section.

Section 5-1912. Restaurant menu boards.

Restaurant establishments may install one permanent outdoor menu board subject to the following restrictions:

A. Restaurant menu boards shall be located within ten (10) feet of that establishment's main entrance.

B. Restaurant menu boards shall be permanently wall-mounted, maintained in good condition and contain current menus.

C. Restaurant menu boards shall not exceed thirty-six (36) inches in height by twenty-four (24) inches in width by four (4) inches in depth.

D. Framing materials (other than fasteners) for menu boards shall be made of wood, brass or aluminum, and shall blend in and be consistent with the color of the building façade.

E. All restaurant menu boards shall be required to have a sliding or hinged glass door, and must have an operational key lock.

F. Backdrop night lighting may be incorporated but must be integrated within the menu board and shielded to reduce glare.

G. Information displayed on the menu board shall be limited to the specific restaurant's menus and the restaurant's hours of operation.

Section 5-1913. Security and alarm system signs.

Free-standing signs identifying the presence of security and alarm systems shall be permitted in any Single-Family, Multi-Family 1, and Multi-Family 2, and Multi-Family Special Area District subject to the following conditions and restrictions:

A. Printed information on the sign shall be limited to a warning message and manufacturer and/or installer's name, address and telephone number.

B. The face surface of such sign shall not be larger than sixty-three (63) square inches in size.

C. The sign shall be constructed of metal or plastic and said signs shall be fastened to a supporting member constructed of metal not exceeding one (1) inch diameter or square. Said supporting member shall be all white or all black in color and have no letters or numbers upon it.

D. The overall height of the sign shall not exceed three (3) feet above finished grade of the ground.

E. All such signs shall be lettered professionally, but shall not be required to be submitted to the Board of Architects for approval and no permit shall be required for the installation or erection of such signs.

F. Only two (2) such signs shall be permitted per property with no more than one (1) per side.

G. Such sign shall not be erected or placed closer than five (5) feet to the front property line unless the main part of the building is less than five (5) feet from the property line, in which case the sign may be placed in or upon the front or side door, window or elevation of the building.

H. Such sign shall be kept in good repair and shall not be illuminated or constructed of a reflective material.

I. Any Code Enforcement Officer may cause to be removed any such sign not conforming with the provisions of this section.

Section 5-1914. Signature event signs.

A. Signature event signs are permitted for "City-owned" museums, theaters or one screen cinemas within the Central Business District (CBD) to promote community based events, activities, exhibits, and shows within the facilities subject to all of the following:

1. Sponsorship. The sign may only be erected by a unit of government or cultural institution.

2. Permitted use and location. "City-owned" museums, theaters or one screen cinemas located within the CBD.

3. Maximum building sign area.

   a. Museums and theaters. A maximum of five (5%) percent of gross surface area of each building façade that faces onto a public street.

   b. One screen cinemas. A maximum of five (5%) percent of gross surface area of only the portion of the building façade utilized for one screen cinemas, excluding any areas of the building façade not utilized for one screen cinemas, that faces onto a public street.

   See "Sign, building façade sign calculation" definition to determine building facade calculations.

4. Sign type. May include pennants, flags, cable-hung banners and vertical banners.

5. Sign content.

   a. May include logos and/or sponsorship/corporate branding up to a maximum of twenty (20%) percent of the allowable sign area.

   b. Shall not include a changeable copy.

   c. Vertical lettering orientation is permitted.

   d. Shall only advertise events, activities, exhibits, and shows contained within the facilities. Offsite advertising is prohibited.

6. Sign location and construction.

   a. Constructed of cloth, synthetics or other flexible/pliable materials.

   b. May hang or be mounted from a building by a pole, wire or similar supporting/mounting device.

   c. Shall be attached to supporting structures capable of withstanding continuous wind without deflections or rotations that would cause deformation, failure or other damage to such signs and structures subject to applicable Florida Building Code requirements.

d. Shall not be mounted or project vertically from the roof, roof structure, towers, poles or any architectural feature or appendage of the building.

e. Projection signage or signage that projects from the building facades or sides is prohibited.

f. Shall not be nailed, taped or affixed by temporary means to any building façade walls, windows, etc.

g. Shall not be directly illuminated.

7. Time limitations for sign placement and removal. Signs may be placed up to ninety (90) days prior to a scheduled event and during the event. All signs shall be removed within seven (7) days of completion of the event, activity, exhibit or show.

B. Review process.

1. Board of Architects. Applicants shall be required to secure approval from the Board of Architects prior to submittal for a building permit.

2. Review and approval for historic properties. Applicants shall be required to secure administrative approval from the Building and Zoning Department and Historical Resources Department prior to building permit review and approval.

3. Encroachments. Signs may encroach into the adjacent right-of-way a maximum of nine (9) inches if such sign is located a minimum of ten (10) feet above the established grade. Building permit review is only required for encroachment per these provisions. An Encroachment Agreement may be required by the Public Works Department.

C. All other applicable provisions of Article 5, Division 6, Section 5-1902., General Design Standards that are applicable to all signs and Divisions 19, Signs shall be applicable unless indicated otherwise within these provisions.

Section 5-1915. Art in Public Places Program signs.

A. Signs identifying artwork that is being presented as part of the City's Art in Public Places Program may be installed on or near such pieces of artwork subject to all of the following:

1. Maximum sign area. Up to a maximum of one- hundred-and-twenty-one (121) square inches may be permitted per sign.

2. Temporary and permanent sign type(s). The Cultural Development Board (CDB) when reviewing temporary and permanent sign types shall satisfy applicable design standard provisions within Article 5, Division 6, Section 5-1902., General Design Standards that are applicable to all signs and Divisions 19, Signs.

3. Sign quantity and content. Up to two (2) permanent signs may be permitted per permanent art piece and one (1) temporary sign per temporary art piece subject to the following:

a. Project name; date of creation; date of installation; artist name; construction materials; artwork title; specific donors; and/or other applicable information, and.

b. Donor name(s); description of the artwork; artist(s) biographical information; dedication information, developer commissioned artwork information and applicable public benefit information.

The discretion for the placement of the second permanent sign shall be subject to Board of Architects review and approval. All of the above signs shall require review and approval by the CDB prior to Board of Architect review.

4. Sign location and construction.

   a. Signs may be affixed to a building, structure or mounting pedestal/base located in close proximity to the artwork.

   b. Mounting pedestals shall not exceed thirty-six (36) inches in height, and shall require review and approval by the CDB.

   c. Signs shall not be internally illuminated.

   d. Signs shall not include changeable copy.

B. Review process.

   1. Board of Architects. Applicants shall be required to secure review and approval for both temporary and permanent signs from the Board of Architects.

   2. Historically designated properties and districts. Art in Public Places Signage that is installed on a historically designated property shall require review and approval by the Historic Preservation Board. Artwork that is designated as a part of the historic landmark may have signage that is in compliance with Section 5-1910, "Historic Plaques" either in conjunction with Art in Public Places Signage, or in lieu of Art in Public Places Signage, subject to review and approval by the Historic Preservation Board.

C. All other applicable provisions of Article 5, Divisions 19, Signs shall be applicable unless indicated otherwise within these provisions.

Section 5-1916. Sign review as a part of the site plan review for new development.

A. Site plan reviews. Applicants requesting site plan review from the Planning Department may request review of signage as a part of the required site plan review process. The Planning Director may require applicants undergoing site plan review to secure sign review and approval in association with site plan review. This shall be applicable to the following reviews:

   1. Developments of Regional Impact (DRI).

   2. Mixed-use developments.

   3. Planned Area Developments (PAD).

   4. Special Use Districts.

   5. Conditional uses.

   6. Subdivisions for residential uses with a minimum of fifty (50) homes and five (5) acres.

B. Review process. Applicants shall apply to the Planning Department for review as a total signage package for such developments. Such applications shall require design review and recommendation before the Planning and Zoning Board and final approval by the City Commission.

C. Review criteria. In reviewing an application, the Planning Department, Planning and Zoning Board and the City Commission shall review the application to determine if the request satisfies all of the following criteria:

1. The design, type, size, number, lettering, logos, construction, materials, type of illumination, and location of the proposed signage are in conformance with the architecture and character of the building, development, etc.

2. The potential use of the signs for advertising instead of identification, informational, or directional purposes.

3. The visibility and impact of the design, type, size, number, lettering, logos, construction, materials, type of illumination, and location of the proposed signs has on adjoining properties.

4. The proposed signage is within the intent and provisions of the current Sign Code provisions.

5. If the proposed signage is consistent and not in conflict with the intent of the Zoning Code, Comprehensive Plan and City Code.

D. Signage that is not permitted as part of this Division shall not be permitted.

E. Application requirements. The Planning Department shall determine the application submission requirements as provided within the Department's Development Review Procedures Handbook.

Section 5-1917. Sign review for larger existing development.

A. Sign review. Applicants requesting signage for existing developed properties for the below listed may request sign review.

1. Special Use Districts; and

2. Subdivisions for residential uses with a minimum of fifty (50) homes and five (5) acres.

B. Review process. Applicants shall apply to the Building and Zoning Department for review. Such applications shall require design review and final approval before the full membership of five (5) or more members of the Board of Architects.

C. Review criteria. In reviewing an application, the Building and Zoning Department and the Board of Architects shall review the application and determine if the request satisfies all of the following criteria:

1. The design, type, size, number, lettering, logos, construction, materials, type of illumination, and location of the proposed signage are in conformance with the architecture and character of the building, development, etc.

2. The potential use of the signs for advertising instead of identification, informational, or directional purposes.

3. The visibility and impact of the design, type, size, number, lettering, logos, construction, materials, type of illumination, and location of the proposed signs has on adjoining properties.

4. The proposed signage is within the intent and provisions of the current Sign Code provisions.

5. If the proposed signage is consistent and not in conflict with the intent of the Zoning Code, Comprehensive Plan and City Code.

D. Signage that is not permitted as part of this Division shall not be permitted.

E. Application requirements. The Building and Zoning Department shall determine the application submission requirements.

Section 5-1918. Variances.

A. In the event that a building, buildings or property exhibits special circumstances, the property owner can submit an application for a variance to the provisions of this Division.

B. The Building and Zoning Department and Board of Adjustment in its review for justification of a variance shall determine if the request satisfies the following criteria:

1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.

2. That the special conditions and circumstances do not result from the actions of the applicant.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district.

4. That literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and would work unnecessary and undue hardship on the applicant (see also definition of necessary hardship).

5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

6. That granting the variance will not change the use to one that is different from other land in the same district.

7. That the granting of the variance will be in harmony with the general intent and purpose of the Zoning Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Section 5-1919. Nonconforming signs.

A. All signs issued sign permits, or that were otherwise lawfully existing at the time of adoption of this Division, but which are not in conformance, may continue as nonconforming signs, subject to the following:

1. No such nonconforming sign shall be enlarged, increased, relocated, nor extended to occupy a greater area than was occupied at the effective date of adoption or amendment of this Article.

2. If any such use for which the sign ceases for any reason for a period of more than twelve (12) months, any subsequent sign shall conform to the regulations specified herein.

3. Nonconforming signs that are damaged by any cause may be repaired if the cost of the repair does not exceed fifty (50%) percent of the current replacement value of the sign. Such repairs shall be limited to routine painting, repair and replacement of electrical components. Change of copy shall not be permitted.

4. Signs that were installed at the time of a building's or structure's initial construction, but were removed or altered, and such building or structure is classified as contributing historic structure

may be restored or replicated subject to Historic Preservation Department and Historic Preservation Board review and approval.

5. The City Commission may require a nonconforming sign to be brought into immediate conformity with all or part of the provisions contained herein or be removed when evidence is presented by City Staff, which indicates the sign to be hazardous to the public or to have been abandoned by its owners. All costs associated may be assessed to the current property owner of record.

B. Any sign lawfully existing as of February 26, 1985, may be continued provided such sign shall not be replaced or structurally altered unless such sign is then made to comply with the provisions of this Division.

C. If a sign is removed from a wall or facade of a building in order to renovate, enlarge, and/or structurally alter such wall or facades, such sign shall not be replaced unless it is made to comply with the provisions of this ordinance; providing, however, that this provision shall not prevent routine maintenance or repair to either the sign or the wall on which it is mounted.

Section 5-1920. Miscellaneous.

Where discrepancies exist between sections and other sections of the Code, the most stringent standards shall apply.

Section 5-1921. Interpretation and severability of regulations within this Division.

A. Interpretation; substitution of noncommercial speech for commercial speech. Notwithstanding anything contained in this Division or Code to the contrary, any sign erected pursuant to the provisions of this Division or Code or otherwise lawfully existing with a commercial message may, at the option of the owner, contain a noncommercial message in lieu of a commercial message. The noncommercial message may occupy the entire sign face or any portion thereof. The sign face may be changed from commercial to noncommercial messages, or from one noncommercial message to another, as frequently as desired by the owner of the sign, provided that the sign is not a prohibited sign or sign-type and provided that the size, height, setback and other dimensional criteria contained in this Division and Code have been satisfied.

B. Severability Generally. If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division.

C. Severability where less speech results. Without diminishing or limiting in any way the declaration of severability set forth above in subsection A, above, or elsewhere in this Division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.

D. Severability of provisions pertaining to prohibited signs and sign elements. Without diminishing or limiting in any way the declaration of severability set forth above in Section 5-1919(A) above, or elsewhere in this Division, this Code, or any adopting ordinance, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Division is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article that pertains to prohibited signs,

including specifically those signs and sign elements that are prohibited by Section 5-1902(D). Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 5-1902 is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of Section 5-1902, thereby ensuring that as many prohibited sign-types as may be constitutionally prohibited continue to be prohibited.

E. It is the intent of the City to regulate signage in a manner that implements the purposes of this Division as expressed in Section 5-1901. The City finds that the purposes stated in Section 5-1901 are legitimate, substantial, and compelling public interests, that the regulation of signage provided by this Division is unrelated to the suppression of free expression, and that the incidental restrictions on expression that may occur as a result of these regulations is no more than is essential to the furtherance of the public interests. However, if a court of competent jurisdiction finds any regulation herein to be based upon content and, further, declares such regulation unconstitutional, then it is the intent of the City of Coral Gables that only that portion of the provision that is found unconstitutional be severed from this Division, and if it is not possible for the court to strike only the portion of the provision that is found unconstitutional, then it is the intent of the City of Coral Gables that all signs that would be subject to the stricken provision will instead be subject to the next surviving provision for a sign of like geometry and character that is more restrictive than the stricken provision in terms of sign area.

Division 20. Telecommunications

Section 5-2001. Purpose and applicability.

The requirements establish general guidelines for the siting of wireless telecommunications towers and antennas and are intended to accomplish the following purposes:

A. Protect and promote the public health, safety and general welfare of the residents of the City and support the City's public safety and internal communications needs;

B. Provide for the appropriate location and development of telecommunications facilities within the municipal limits;

C. Minimize residential areas and land uses from potential adverse impacts of towers and antennas;

D. Encourage the location of towers to the extent possible on property used for municipal purposes and in non-residential areas to minimize the adverse impact on the community;

E. Minimize the total number of towers throughout the community by strongly encouraging the co-location of antennas on pre-existing towers and other structures as a primary option rather than construction of additional telecommunications towers;

F. Encourage users of telecommunications towers and antennas to configure them in a way that minimizes the adverse visual impact of the telecommunications towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques;

G. Minimize potential damage to property from telecommunications towers and facilities by requiring such structures be soundly designed, constructed, modified and maintained; and

H. Enhance the ability of the providers of personal wireless services to provide such services to the community through an efficient and timely application process. In furtherance of these goals, the City shall at all times give due consideration to the City's Comprehensive Plan (CP), zoning map, existing

land uses, and environmentally sensitive areas, including hurricane preparedness areas, in approving sites for the location of telecommunications towers and antennas.

Section 5-2002. Administration.

A. All new towers shall be considered as a Conditional Use subject to all of the requirements of Article 3, Division 4 of these regulations and this Division. All antennas and other Telecommunications Facilities shall be considered as a Permitted Use, subject to the standards in this Division. To the extent a conflict should arise between this Division and the Conditional Use requirements under the City's Zoning Code, the latter shall control. All new towers and antennas and repairs or modifications to existing telecommunications facilities in the City shall also be subject to the regulations in this Division to the full extent permitted under applicable state and federal law. Telecommunications facilities owned by the City shall not be subject to this Division, except as specifically referred to herein.

B. Pre-existing telecommunications towers and antennas shall be required to meet the requirements of this Division, unless prohibited by applicable law.

C. Personal Radio Services antennas. This Article shall not govern any telecommunications facilities owned and operated for providing personal radio services. Refer to Section 5-2011, for provisions applicable to personal radio services.

D. Pending applications. This Division shall not apply to all applications that have received a preliminary approval from the Board of Architects preliminary review and are considered vested. Those applications with preliminary approval shall comply with the prior Code requirements. All applications not yet vested shall comply with the new Code requirements set out in this Division.

E. Non-essential services. The providing of Personal Wireless Services and the siting and construction of telecommunications facilities shall be regulated and permitted pursuant to this Division and shall not be regulated or permitted as essential services or City telecommunications.

F. Except for matters herein specifically reserved to the City Commission, the City Manager shall be the principal City official responsible for the administration of this Division. The City Manager may delegate any or all of the duties hereunder unless prohibited by applicable law.

Section 5-2003. Application requirements.

A. The City shall create an application form that may be amended from time to time, for a person to apply for the construction, installation, or placement of a telecommunications facility, telecommunications tower, or antenna within the City consistent with the terms of this Division.

B. The following information must be included in an application.

1. Name and contact information for the applicant.

2. Whether the proposed facility is the Principal or Accessory Use. Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or telecommunications tower on such lot. A statement regarding whether the tower is a new installation or is a modification of an existing structure to be used as a tower. A statement regarding the proposed antenna(s) that will be placed on the proposed tower or attached to or placed upon an existing building.

3. Lot size. For purposes of determining whether the installation of a telecommunications tower or antenna complies with the zoning provisions, including, but not limited to, setback requirements, lot coverage requirements, and other such requirements, the dimensions of the entire lot shall

control, even though the antenna or telecommunications tower may be located on leased parcels within such lot.

4. Specific information about the proposed location, height, and design of the proposed telecommunications facilities.

5. Inventory of existing sites.

   a. Each applicant shall provide the City with an inventory of its pre-existing telecommunications towers and antennas within the City, and the pre-existing sites of other service providers' telecommunications towers within a one (1) mile radius from the proposed site regardless of City boundaries.

   b. The City encourages and hereby establishes a preference for collocation. For applications for new telecommunications towers, the applicant must provide information to demonstrate, pursuant to the procedures listed within this subsection that no pre-existing telecommunications tower, structure, or state of the art technology, can accommodate or be modified to accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing telecommunications tower, structure, or state of the art technology is suitable may consist of the following:

      i. An affidavit with supporting plans and calculations demonstrating that pre-existing towers or structures located within the geographic search area as determined by a Florida professional engineer experienced in the design of telecommunications systems do not have the capacity to provide reasonable technical service consistent with the applicant's technical system, including but not limited to, applicable FCC requirements.
      ii. An affidavit by a Florida professional engineer experienced in design of telecommunications systems demonstrating that pre-existing towers or structures are not of sufficient height to meet applicable FCC requirements, or engineering requirements of the applicant.
      iii. An affidavit with supporting plans and calculations by a Florida professional engineer experienced in design of telecommunications systems demonstrating that pre-existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
      iv. An affidavit that the applicant's proposed antenna would cause interference with antennas on pre-existing towers or structures, or the antenna on the pre-existing towers or structures would cause interference with the applicant's proposed antenna.
      v. An affidavit that the applicant's proposed antenna on a pre-existing tower or structure would cause interference with the City's telecommunications facilities.
      vi. An affidavit demonstrating that the applicant made diligent efforts but was unable to obtain permission to install or collocate the applicant's telecommunications facilities on pre-existing telecommunications towers or usable antenna support located within a one (1) mile radius from the proposed site.
      vii. An affidavit demonstrating that there are other limiting factors that render pre-existing towers and structures unsuitable.

6. Information to demonstrate compliance with land use siting hierarchies contained in Section 5-2004.

7. An engineering report, certified by a Florida professional engineer experienced in the design of telecommunications systems that shall include:

   a. Information for site plan and Planning and Zoning Board review, including without limitation, a legal description of the parent tract and leased parcel if applicable, on-site and adjacent land uses, Master Plan classification of the site, a visual impact analysis and photo digitalization and landscaping embellishment and/or methods used for concealment or camouflage of the

proposed telecommunications facilities viewed from the property line, as well as at a distance of two hundred and fifty (250) feet and five hundred (500) feet from all properties within that range, or at other points agreed upon.

b. Due consideration must be given to potential construction details, including preliminary structural analysis for any proposed structures, such as equipment screen walls.

c. A statement of compliance with this Division and all applicable building codes, associated regulations and safety standards. For all telecommunications facilities attached to existing structures, the statement shall include certification that the structure can support all existing and additional superimposed loads from the telecommunications facility, in compliance with all applicable building codes, associated regulations and safety standards.

d. A certification from a Florida professional engineer experienced in design of telecommunications systems that the proposed facility including reception and transmission functions, will not interfere with or obstruct transmission to and from existing City telecommunications facilities.

e. A remedial action plan, subject to the City's approval, that includes, but is not limited to, procedures to rectify any interference or obstruction with City telecommunications, its plans to make all necessary repairs and/or accommodations to alleviate the interference or obstruction, and a period of compliance.

8. Additional information that the City may request consistent with this Division, all other applicable City zoning requirements and applicable law to process the application. In the event the City requests any additional information, the time in which an application is processed shall be tolled pending receipt and further evaluation.

C. Applications for a telecommunications facility on any property owned, leased or otherwise controlled by the City shall require a lease agreement approved by the City Commission and executed by the City and the owner of the proposed telecommunications facility. The City may require, as a condition of entering into a lease agreement, the dedication of space on the facility for City communications purposes, as well as property improvement on the leased space. As part of any application to collocate facilities on City owned property, the City may require that the applicant improve the structural integrity of the building, structure or other City facility. Any dedications and improvements shall be negotiated prior to execution of the lease.

1. No lease granted pursuant to this Division shall convey the exclusive right, privilege, permit or franchise to occupy or to use the public lands of the City for delivery of telecommunications services or any other purpose.

2. No lease granted pursuant to this Division shall convey any right, title or interest in the public lands other than a leasehold interest, and shall be deemed only to allow the use of the public lands for the limited purposes and term stated in the lease. No lease shall be construed as a conveyance of a title interest in the property.

3. The City Manager, or his or her designee, may enter into an entry and testing agreement with a service provider to allow for the entry on City property for the purpose of testing. Such entry and testing agreements shall provide for a reasonable time period for such entry and testing, insurance and indemnification requirements, and shall be subject to the approval of the City Attorney.

D. Filing fee. Failure to comply with the filing fee and cost recovery requirements in the City's Code shall cause the application to be deemed withdrawn or any approvals previously issued to be revoked.

E. All applications shall be executed by a person with authority to act on behalf of the applicant and

verified under penalty of perjury that the information contained within the application is true and correct to the best of the person's knowledge. All subsequent information submitted to the City and appearances at City hearings shall be by a person with authority to act on behalf of the applicant.

Section 5-2004. Review process.

A. Unless otherwise authorized by state or federal law, no person shall construct, install or maintain a telecommunications facility within the City without the City's approval pursuant to this Division. The City shall review and respond to an application within the time dictated by the nature and scope of the individual application, subject to the generally applicable time frames and consistent with the intent of the Telecommunications Act and Florida law.

B. The City shall review the application for consistency with the City's Comprehensive Plan (CP), these regulations, and compatibility of the proposed telecommunications facility with the surrounding neighborhood.

C. Timeframes for application.

1. The City may establish separate applications for the various administrative approvals needed by an applicant including, but not limited to, site plan, zoning compliance, public safety, and building permit reviews.

2. Notification of completeness. The City shall notify the applicant within twenty (20) business days after the date the application is submitted as to whether the application is, for administrative purposes only, properly completed, containing sufficiently reliable information, and has been properly submitted in accordance with the requirements set forth above. However, such determination shall not be deemed as an approval of the application. Such notification shall indicate with specificity any deficiencies which, if cured, could make the application properly completed. If the application has been properly submitted, the application shall be scheduled for the next regularly scheduled public hearing of the Planning and Zoning Board, if such a hearing is required by applicable law.

3. Timeframe for decision. Each application for a new tower or antenna shall be approved or denied by the City within ninety (90) business days after the date that the properly completed application is submitted to the City, provided that such application complies with all applicable federal regulations, and applicable local zoning and/or land development regulations, including but not limited to any aesthetic requirements.

4. Each application for collocation of a second or subsequent antenna on a tower, building, or structure within the City's jurisdiction shall be approved or denied by the City within forty-five (45) business days after the date the properly completed application is submitted to the City, provided that such application complies with all applicable federal regulations, and applicable local zoning and/or land development regulations, including but not limited to any aesthetic requirements.

5. Extension and waiver. Where action by a City Board, Committee, or the City Commission is required on an application, the City may, by letter to the applicant, extend the timeframe for a decision until the next available regularly scheduled meeting of the City Board, Committee, or City Commission. Notwithstanding the foregoing, the applicant may voluntarily agree to waive the timeframes set forth above.

6. Emergency extension. In addition to the extensions referenced in subsection C(5), the City shall also have the discretion to declare a one (1) time waiver of the time frames set forth herein in the case of a declared local, state, or federal emergency that directly affects the administration of all permitting activities in the City.

D. Co-location incentive.

1. To encourage collocation, an application submitted to co-locate a second or subsequent antenna on an existing structure or on a pre-existing telecommunications tower shall only require the approval of the Development Review Committee, Board of Architects and the City Manager. For such applications that are not subject to the City Commission's approval pursuant to this Division, the City Manager shall issue a written decision either approving or denying an application.

2. All other applications for the installation of a telecommunications tower shall be subject to approval or denial by the City Commission and shall comply with the application process set out in Article 3, Division 4 for Conditional Use. The process requires that the applications, including site plan, be submitted to the Development Review Committee, then to the Board of Architects, then to the Planning and Zoning Board, and then to the City Commission for a public hearing. All other applications for an antenna or other telecommunications facility shall be subject to review as a Conditional Use.

3. Whether an application is for an initial installation or co-location, the City shall not approve an application for a proposed telecommunications facility that causes interference with any City communications services, or is otherwise not in compliance with the City's CP, this Division or any and all applicable provisions of the these regulations.

E. For all applications subject to a hearing before the City Commission, the Planning and Zoning Board shall issue a written recommendation to the City Commission. The City Commission shall consider any part of the application, the City staff's recommendation, and any additional evidence presented by the applicant and the public. The City Commission's consideration of an application may include, but is not limited to, the compatibility with the surrounding neighborhood or lack thereof, compliance or non-compliance with the CP, this Division or any other Division of the City's Code, or any other lawful reason considered by the City. In the event of conflicts between this Division and these regulations, the more stringent provision with respect to the construction of a telecommunications facility shall apply.

F. Appeals. Appeals shall be considered in accordance with the provisions of Article 3, Division 6 of these regulations. No decision of the City Manager may be appealed to a court without first appealing the decision to the City Commission.

Section 5-2005. Development standards.

A. General regulations. The standards listed in this Division apply specifically to all antennas, towers and telecommunications facilities, except those owned by the City, located on property owned, leased, or otherwise controlled and approved by the City or located on private property as specified herein. The City shall not be required to provide access to City property. To the extent that these development standards conflict with the applicable Conditional Use requirements of these regulations, the latter shall control.

B. Local, state or federal requirements. The construction, maintenance and repair of telecommunications facilities are subject to the supervision of the City to the full extent permitted by applicable law, and shall be performed in compliance with all laws, ordinances and practices affecting such facility including, but not limited to, zoning codes, building codes, and safety codes, and as provided herein. The construction, maintenance, and repair shall be performed in a manner consistent with applicable industry standards, including the Electronic Industries Association. All telecommunication towers and antennas must meet current standards and regulations of the FAA, the FCC, including emissions standards, and any other agency of the local, state or federal government with the authority to regulate towers and antennas. If such applicable standards and regulations are revised and require that existing facilities adhere to such revised standards, then the owners of telecommunications towers and antennas within the City shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the

controlling organization, state or federal agency. Failure to comply with applicable standards and regulations shall constitute grounds for the removal of the telecommunications tower or antenna at the owner's expense.

C. Co-location. It is the intent of the City to encourage co-location of antennas by more than one service provider on pre-existing telecommunications towers and structures. Except as provided herein, all towers shall have the capacity to permit multiple users. At a minimum, monopole towers shall be able to accommodate two (2) service providers and, at a minimum, lattice or guyed towers shall be able to accommodate three (3) service providers.

D. Hierarchy of siting alternatives. Placement of telecommunications towers, antennas and telecommunications facilities shall be in accordance with the following siting alternatives hierarchy.

1. The order of ranking is from highest (a) to lowest (h). Where a lower ranked alternative is proposed, the applicant must demonstrate in its application that higher ranked options are not available. The availability of a less expensive lease on a lower ranked site is not sufficient in and of itself to justify using the lower ranked alternative where a higher ranked alterative is otherwise available.

   a. Co-location on existing stealth tower on property used for a municipal purpose including, but not limited to, parks, public service and City maintenance yards, police and fire stations, City Hall, and community centers (hereinafter “municipal use property”).

   b. Co-location on existing telecommunications tower on municipal use property.

   c. Attached telecommunications facility on municipal use property.

   c. Co-location on existing structures on municipal use property.

   d. New stealth tower on municipal use property.

   e. Co-location on existing stealth tower on private property.

   f. Attached telecommunications facility on private property.

   h. New stealth tower on privately owned property.

2. For siting of new telecommunications towers on privately owned property, the following secondary hierarchy of zoning districts from highest (a) to lowest (f) is applicable. Where a lower ranked alternative is proposed, the applicant must set out in its application that the higher ranked zoning alternatives are not available and demonstrate with particularity why they are not available. The availability of a less expensive lease on a lower ranked site is not sufficient in and of itself to justify using the lower ranked alternative where a higher ranked alterative is otherwise available.

   a. Industrial District.

   b. Commercial Districts.

   c. Multi-Family 2 District.

   d. Multi-Family 1 Duplex District.

   e. Multi-Family Special Area District.

   f. Special-Use District.

All other districts are least favored. If an applicant seeks to locate telecommunications towers in a residential zoning district, the applicant may submit an application to the City, with payment of the appropriate fee, for the City to cooperate in determining an appropriate site. Such application, however, shall not be subject to the timeframes for action on an application as otherwise provided in this Division. The placement of towers or antennas shall not be permitted in the Preservation District which is reserved for the preservation and conservation of the City's natural resources. To minimize the visual impact of telecommunications facilities in all zoning districts listed herein, only stealth telecommunications facilities may be permitted.

E. Aesthetics. It is the intent of this Division to provide for appropriate screening to minimize the visual impact of all telecommunications facilities located within the City.

1. Telecommunications facilities and towers that are located within three hundred (300) feet of a residential district shall be of a type of stealth design that the City may require to best fit into the surrounding area.

2. Towers and antennas shall meet the following requirements:

a. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color so as to reduce visual obtrusiveness or be painted a color as may be required by the City.

b. At a telecommunications tower site, the design of the equipment facilities and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings to minimize the visual impact yet maintaining standards as set forth by the City Code.

c. The equipment facilities shall be completely surrounded by a decorative concrete block and stucco or pre-cast concrete wall, designed in a "Mediterranean" architectural style or such other style as the Board of Architects or the City Commission may require. This decorative wall shall be designed at the minimum height necessary to completely screen the equipment facilities so as not to be visible from abutting public streets. If it would blend in more with the surrounding area, the City may require opaque fencing in lieu of the decorative wall.

d. Architectural embellishment to the decorative wall shall be integrated into the design. Adequate access shall be provided by opaque gates. Walls, gates and accessory structures shall be determined by the Board of Architects and/or any applicable City Code provisions.

e. This decorative wall must be surrounded by a ten (10) foot wide landscape buffer to include three (3) tiers of plant material, designed by a landscape architect registered in the State of Florida. The three (3) tiers shall include, at a minimum, native shade trees planted one (1) tree per thirty (30) feet on center with fourteen (14) foot minimum heights; a continuous hedge broken only where access gates are required; and groundcover including annuals. Palm trees are to be used as accent plant material. Proper irrigation must be provided and maintained for long-term maintenance of the site or parcel. The overall aesthetic appeal and relationship with the architectural design of the wall and the site will be judged by the Board of Architects for compliance with these design criteria.

f. Telecommunications tower sites must comply with any landscaping requirements of the City Code and all other applicable aesthetic and safety requirements of the City, and the City may require landscaping in excess of those requirements to enhance compatibility with adjacent land uses. All landscaping shall be properly maintained to ensure good health and viability at the owner's expense. Telecommunications facilities shall be landscaped as required by the City.

g. If an antenna is installed on a structure other than a telecommunications tower, the antenna and supporting equipment facility shall be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. The City shall have the discretion to require that any aesthetic screening required by the City exceed the height of the equipment associated with the antenna by a minimum of one (1) foot.

h. No more than one (1) telecommunications tower shall be located on a single lot or single building site unless approved by the City.

F. Antennas on pre-existing structure or rooftop.

1. Any antenna which is attached to any structure other than a pre-existing telecommunications tower may be approved by the City as a Conditional Use accessory to any commercial, professional, institutional, or multi-family structure provided:

a. The antenna does not extend more than ten (10) feet above the highest point of the structure;

b. The antenna is not visible from the ground from a distance of five hundred (500) and one thousand (1000) feet, or other points agreed to. Screening from ground view may be provided by a parapet or some other type of wall or screening;

c. The antenna is not to be located closer than eight (8) feet to any power line;

d. The number of antennas does not exceed three (3) per seven hundred and fifty (750) square feet of roof area per roof top for buildings under one hundred and twenty five (125) feet;

e. The number of antennas is not limited for any one (1) building of one hundred and twenty five (125) feet or higher;

f. The antenna shall be installed and maintained in accordance with all applicable code requirements;

g. The antenna complies with all applicable FCC and FAA regulations and all applicable building codes;

h. The antenna shall be of a neutral color that is identical to, or closely compatible with, the color of the supporting building and shall be screened as required by the City so as to make the antenna and related equipment as visually unobtrusive as possible;

i. To minimize adverse visual impacts, antennas shall be selected based upon the following priority:

i. Any stealth antenna (whether panel, whip or dish);
ii. Panel;
iii. Whip;
iv. Dish; and

j. The applicant shall demonstrate, in order of priority as outlined above and in a manner acceptable to the City, why each choice cannot be used for a particular application.

2. Antennas on pre-existing telecommunications towers**.** An antenna attached to a pre-existing telecommunications tower shall be consistent with the following:

a. A telecommunications tower that is modified or reconstructed to accommodate the co-location of an additional antenna shall be of the same telecommunications tower design as

the existing telecommunications tower, unless the City allows reconstruction as a monopole pursuant to this Division.

b. Height. An antenna may not extend more than ten (10) feet above the telecommunications tower. An existing telecommunications tower may be modified or rebuilt to a taller height to accommodate the co-location of an additional antenna, only if the modification or reconstruction is approved by the City Manager and is in full compliance with this Division. The additional height referred to above shall not require an additional setback or distance separation, subject to City Commission approval. The tower's pre-modification height shall be used to calculate such setback and distance separations. The maximum additional height that may be added to a tower will vary with the height limitations in the zoning district.

c. Onsite location. A telecommunications tower that is being rebuilt to accommodate the co-location of an additional antenna may be moved onsite within fifty (50) feet of its existing location, so long as it complies with all of the set-back requirements and other restrictions in the City's Code. After the telecommunications tower is rebuilt to accommodate co-location, only one (1) telecommunications tower may remain on the site.

d. Microwave dish antennas shall be regulated pursuant to Article 5, Division 18.

G. Lighting. No signals, artificial lights, or illumination shall be permitted on any antenna or telecommunications tower unless required by the FAA or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding views. Lighting design, if required or proposed, is also under the purview of the Planning and Zoning Board and City Commission, to the extent not prohibited by applicable law. Light fixtures types, if visible, shall be designed in accordance with the architectural design. Industrial type lighting such as wall packs shall be minimized, especially at a visible location.

H. Setbacks. Telecommunications towers must be set back from the property line a minimum distance of one hundred and ten (110%) percent of the height of the telecommunications tower or as otherwise approved by the City**.** For purposes of measurement, telecommunications tower setback distances shall be calculated and applied to facilities located in the City irrespective of municipal and county jurisdictional boundaries.

I. Separation. Any telecommunications tower shall be separated from any other telecommunications tower by a distance of no less than one (1) mile as measured by a straight line between the bases of the towers. For purposes of measurement, telecommunications tower separation distances shall be calculated and applied to facilities located in the City irrespective of municipal and county jurisdictional boundaries. Towers must also be separated from adjacent properties by a landscape buffer.

J. Height. Telecommunications towers shall not be constructed at any heights in excess of one hundred twenty (120) feet. For the purpose of determining compliance with all requirements of this Division, telecommunications tower height shall be measured from grade to the highest point on the telecommunications tower or other structure, including the base pad and any antenna over the top of the telecommunications tower structure itself. The City may approve a maximum height not to exceed two-hundred (200) feet for good cause shown.

K. Modification of existing telecommunications facility. Minor modification of a telecommunications facility, including alteration of the antenna array shall not require an additional approval so long the modification does not change the height of the telecommunications tower, enlarge the antenna array, or enlarge the equipment facility. All other modifications shall require City Manager approval only.

L. Building codes, safety standards and inspections.

1. To ensure the structural integrity of telecommunications facilities, towers and antennas installed,

the owner shall construct and maintain telecommunications facilities, towers, and antennas in compliance with the Florida Building Code, and all other applicable codes and standards, as amended from time to time. A statement shall be submitted to the City by a Florida professional engineer experienced in structural design of telecommunications structures certifying compliance with this Division upon completion of construction and/or subsequent modification. Where a pre-existing structure, excluding light and power poles, is requested as a stealth facility, the facility, and all modifications thereof, shall comply with all requirements as provided in this Division and all other applicable standards as may be amended from time to time.

2. The City reserves the right to conduct periodic inspection of telecommunications facilities, towers, and antennas at the owner's expense, to ensure structural, electrical and general systems integrity and compliance with this Division. There shall be a maximum of one (1) inspection per year. The owner of the telecommunications facilities, towers, or antennas may be required by the City to have more frequent inspections or provide other reports at its expense should there be an emergency, extraordinary conditions or other reason to believe that the structural, electrical and general systems integrity of the telecommunications facility, tower, or antenna is jeopardized. If, upon inspection, the City concludes that a telecommunications facility, tower, or antenna fails to comply with such applicable codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner, the owner shall commence work within thirty (30) days to bring such telecommunications facility, tower, or antenna into compliance with such standards. Failure to bring such telecommunications facilities, tower or antenna into compliance within sixty (60) days of notice shall constitute grounds for the removal of the telecommunications facilities, tower, or antenna at the owner's expense.

M. Warning signs. Notwithstanding any contrary provisions of the City's Code, the following shall be utilized in connection with any telecommunications facility, tower or antenna site, as applicable.

1. If high voltage is necessary for the operation of the telecommunications tower or any accessory structures, "HIGH VOLTAGE--DANGER" warning signs shall be permanently attached to the fence or wall surrounding the structure and spaced no more than forty (40) feet apart.

2. "NO TRESPASSING" warning signs shall be permanently attached to the fence or wall and spaced no more than forty (40) feet apart.

3. The height of the lettering of the warning signs shall be at least twelve (12) inches in height. The warning signs shall be installed at least five (5) feet above the finished grade.

4. The warning signs may be attached to freestanding poles if landscaping may obstruct the content of the signs.

5. The face of the warning signs shall be consistent with federal and state law. The trim or framing around the face of the warning signs must be designed to have a decorative appeal.

N. Licenses. Owners and/or operators of towers or antennas shall certify that all occupational licenses required by law for the construction and/or operation of a wireless communication system in the City have been obtained and shall file a copy of all required occupational licenses with the City.

O. Public Notice. If approved, upon the City's request, the owner of any telecommunications tower shall provide notice of the location of the telecommunications tower and the tower's load capacity to other service providers. All costs related to the public notice shall be paid by the applicant.

P. Signs. No signs, including commercial advertising, logo, political signs, flyers, flags, or banners, whether or not posted temporarily, shall be allowed on any part of an antenna, telecommunications facility, or telecommunications tower unless required by applicable law or permit.

Q. Parking. Each telecommunications facility site may provide parking only for use by maintenance personnel. No vehicle storage shall occur.

R. Outdoor storage. No outdoor storage of vehicles or maintenance equipment is permitted on sites approved for telecommunications facilities.

S. Telecommunications towers and antennas in the public rights-of-way. Towers and antennas to be installed in the public rights-of-way shall be subject to this Division as well as other provisions of the City Code, including but not limited to Chapter 22, Article VIII, Section 22-200 of the City Code. The height of a telecommunications tower in the public rights-of-way shall not be greater than the height of existing utility poles surrounding the proposed tower and shall be of a design consistent with existing utility poles. All antennas attached to the tower or existing utility poles shall be consistent with the requirements herein.

Section 5-2006. Equipment facilities.

A. Equipment facilities for a telecommunications tower or antennas mounted on a tower shall not exceed one thousand (1,000) square feet of gross floor area not including the surrounding concrete pad, or be more than ten (10) feet in height and shall be located in accordance with the minimum yard requirements of the zoning district in which it is located.

B. Equipment facilities used in association with antennas mounted on structures or rooftops shall comply with the following:

1. All equipment facilities for an array on a structure or rooftop shall not exceed six hundred (600) square feet of gross floor area or be more than ten (10) feet in height or as otherwise allowed by the City. This ten (10) foot height limitation shall be measured from the top of the structure or roofline to the highest point of the equipment facility. The base pad shall be considered part of the facility for purposes of measuring the height. In addition, for structures which are less than four (4) stories in height, the related unmanned equipment facility, if over one hundred (100) square feet of gross floor area or six (6) feet in height, including base pad, shall be located on the ground or inside the structure and shall not be located on the top of the structure or rooftop unless the structure is completely screened from site.

2. Providers shall place equipment facilities inside the building or structure where technically feasible. If the equipment facility is located on the roof of a building, the area of the equipment facility and all other equipment and structures shall not occupy more than fifty (50%) percent of the roof area. Once fifty (50%) percent of the roof area has been occupied by telecommunications equipment and all other equipment and structures, no additional antennas or equipment may be placed on that rooftop. The City may grant an exception to this provision allowing for additional equipment on a particular rooftop, if the applicant first, at its own cost, conducts an examination of the structural integrity of the roof to determine whether the roof can accept the placement of additional equipment. The City shall balance this report with the aesthetic issues related thereto in considering whether to allow for additional equipment.

3. The City may require that equipment facilities installed on a building shall be of a neutral color that is identical to, or closely compatible with, the color of the supporting building and shall be screened as required by the City so as to make the equipment facility as visually unobtrusive as possible. The City shall have the discretion to require that any aesthetic screening exceed the height of the equipment associated with the antenna by a minimum of one (1) foot.

C. Equipment facilities shall comply with all applicable zoning and building codes, including minimum setback requirements as provided herein.

D. Mobile or immobile equipment not used in direct support of a telecommunications tower shall not be stored or parked on the site of the telecommunication tower, except while repairs or inspections of the

telecommunications tower are being made.

E. All buildings and equipment cabinets shall be unoccupied at all times except for routine maintenance.

F. Equipment facilities associated with towers or antennas placed in the public rights-of-ways shall be subject to this Division as well as other provisions of the City Code, including but not limited to Chapter 22, Article VIII, Section 22-200 of the City Code. Such equipment facilities shall be located underground, on existing utility poles or an existing tower, or in existing buildings adjacent to the public rights-of-ways. All lines and cabling to and from such equipment facilities shall be located underground. Design and size of such equipment facilities shall be subject to regulation of the City.

Section 5-2007. Public safety and City communications.

A. City telecommunications facilities and wireless services. The City may reasonably require appropriate space on towers and structures for location of City communications facilities as necessary for the City's internal communications, public safety, or public purposes as determined by the City for the health, safety and welfare of the City's residents.

1. The City reserves the right to negotiate with an applicant for a telecommunications tower for space on the proposed telecommunications tower as may be determined by the City and the applicant. If such negotiations do not result in an agreement, the parties shall submit such dispute to mediation under terms to which the parties shall agree.

2. The City may reasonably require a developer or property owner seeking approvals from the City to permit the City without charge to the City to locate City communications facilities on their building, on another structure, or on their property to allow for the provision of City public safety or internal communications.

3. All developers or property owners allowing wireless facilities on their buildings, on other structures, or on their property that requires the City's approval shall reserve on their structure or property sufficient space as reasonably specified and required by the City to accommodate City telecommunications facilities.

4. The City may reasonably require a developer or property owner seeking approvals from the City to permit service providers to locate telecommunications facilities on their buildings, on another structure, or on their property with reasonable compensation to allow for the provision of personal wireless services within the City limits.

B. Interference with City telecommunications facilities. To the extent not inconsistent with applicable law, all service providers of and owners of telecommunications facilities, buildings, or property within the City shall comply with the following:

1. No telecommunications facility, building, or structure shall interfere with any public frequency or City telecommunications facilities. Any service provider that causes interference with any public frequency or the operations of City telecommunications facilities, shall, after receiving notice, rectify the interference immediately.

2. The City shall not issue a building permit for any proposed building that will interfere with City telecommunications facility or public frequency unless such building complies with this Division.

3. Telecommunications corridor.

a. All plans for buildings to be built having a height of fifty-five (55) feet or greater and located within a designated telecommunications corridor as shown on the telecommunication transmission corridors map shall be reviewed by the Building and Zoning Department and/or the Technical Services division of the Police Department to determine the proposed building's

impact on communications transmission. If the City's determination is that the proposed building will interfere with communications transmission, then the building plans shall be required to include facility space, at no cost to the City, for telecommunications equipment as specified in subsection (c) and the expenses of such equipment shall be the responsibility of the building owner or developer.

b. All plans for buildings having a height greater than one-hundred fifty (150) feet and located within designated telecommunication corridors shall be required to include facility space, at no cost to the City, for telecommunication equipment as specified in subsection (c) and the expenses of such equipment shall be the responsibility of the building owner or developer.

c. When telecommunication facility space for antennas and radio equipment is required, such space shall:

   i. Be provided on the rooftop for antennas.
   ii. Be provided within the building and be air-conditioned for radio equipment.
   iii. Be accessible twenty-four (24) hours per day.
   iv. Be sized in accordance with user requirements to meet the needs of the equipment operations and maintenance.
   v. Be subject to all easements, covenants, and agreements necessary to address peripheral issues associated with the enactment of these provisions and as further stipulated in the City Code, Ordinance No. 2961.
   vi. Not be counted in Floor Area Ratio (FAR) calculations if said space is used by, or set aside for, the City.
   vii. Include all necessary vertical access to roof-mounted equipments.

4. In the event that the telecommunications facility interferes with City telecommunications facilities, it shall be the responsibility of the service provider that creates the interference to make all necessary repairs and/or accommodations to alleviate the problem at its expense. The City shall be held harmless in this occurrence.

5. In the event that the service provider interferes with City telecommunications facilities, once it rectifies the interference, it shall, within thirty (30) days, file a report with the City by a Florida professional engineer experienced in design of telecommunications systems that includes, but is not limited to, the source of the interference, how the interference was rectified, and service provider's plans on preventing such interference from occurring in the future.

6. To the extent not inconsistent with applicable law, if the service provider refuses to rectify interference within twenty-four (24) hours of receiving notice, said violation shall be considered a zoning violation and all applicable remedies thereto may be imposed for such violation. The City may, in addition to the foregoing, file a complaint with the FCC for resolution and/or seek an injunction and pursue other actions including criminal sanctions against the service provider pursuant to Florida law, including but not limited to Florida Statutes, §§ 843.025 and 843.165. Any person who is found to have violated this Division shall be subject to sanctions as provided by applicable law.

7. The installation of a Bi-Directional Amplifier (BDA) by a private property owner shall not interfere with any City frequency. All applicants for permits for new buildings or structures after the adoption of this Division shall be disclose, as a condition of approval, the existence of any BDA to be installed in the building. In the event the BDA is installed subsequent to completion of construction, the developer or property owner of the building or structure shall be required to disclose the existence of the BDA. The disclosure is necessary to allow the City to conduct tests to ensure that the BDA does not interfere with City communications.

8. A BDA, whether installed in new or existing buildings or structures, shall contain the address, telephone number, and facsimile number of a contact person. The owner of the building shall be

responsible for ensuring that accurate contact information remains located on the outside of the BDA. Failure to attach this contact information shall be considered a violation of the City Code and all applicable remedies thereto may be imposed for such violation on the owner.

9. Existing buildings or structures that already have or may install a BDA are not required to disclose its existence, although it is encouraged that the BDA be disclosed to local law enforcement. Once the City, however, identifies a BDA in an existing building or structure that is interfering with City communications, the operator of the BDA will be notified using the contact information. The operator shall be responsible for stopping the BDA from interfering with City communications within twenty-four (24) hours. The preferred form of notice from the City shall be sending a notice of interference via facsimile and providing the operator twenty-four (24) hours from the facsimile transmission to cease the interference. The operator shall acknowledge in writing that it has received the notice, and such response shall include a statement regarding what the operator is doing to rectify the situation, no later than twelve (12) hours after receipt of the notice. If the operator fails to respond to the notice, the City shall consider this a violation of the City Code and all applicable remedies thereto may be imposed for such violation. In addition to any penalties the City may impose on the operator, the City shall also have the right to terminate the BDA twenty-four (24) hours from the time noted on the facsimile transmission of the notice to the operator. The City shall not be responsible for any damage to the BDA should it be required to be taken out of service or terminated. If the facsimile number is not working for whatever reason, the City shall telephone the contact person. The operator shall be responsible for ensuring that this number is answered or that the City's call is returned. If the operator does not respond within twelve (12) hours after the call is received, the City shall consider this non-responsiveness a violation of the City Code and all applicable remedies thereto may be imposed for such violation. In addition to any monetary penalties the City may impose on the operator, the City shall also have the right terminate the BDA twenty-four (24) hours from the call to the operator. As a courtesy, the City may send a letter via regular U.S. Mail that the BDA will be terminated to the address provided on the contact information. The City's failure to send this notice via regular mail shall have no legal effect on the City's right to terminate the BDA for interference with City communications. The City shall not be responsible for any damage to the BDA should it be required to be taken out of service.

10. If the BDA fails to have the appropriate contact information, the City shall attempt to contact the building owner or management company of the building or structure. The City shall have the right to terminate the BDA twenty-four (24) hours after attempting to contact the building owner or management company. The City shall not be responsible for any damage to the BDA should it be required to be taken out of service or terminated.

11. The City's building official shall have the authority to authorize disconnection of electric service to a building, structure, or telecommunications facility in case of emergency where necessary to address an immediate hazard to life or property. The building official shall notify the electric utility and whenever possible the owner of the building, structure, or telecommunications facility of the decision to disconnect prior to disconnecting and shall notify the owner in writing as soon as practical thereafter.

Section 5-2008. Removal of abandoned antennas and towers.

Any antenna, equipment facility, or telecommunications tower that is not operated for a continuous period of six (6) months shall be considered abandoned, and the owner of such antenna, equipment facility, or telecommunications tower shall remove the same within ninety (90) days of receipt of notice from the City. Failure to remove an abandoned antenna, equipment facility, or telecommunications tower within the ninety (90) days shall be grounds for the City to remove the telecommunications tower, equipment facility or antenna at the owner's expense. If there are two (2) or more users of a single telecommunications tower or telecommunications facility, then this provision shall not become effective until all users cease using the telecommunications tower or telecommunications facility.

Section 5-2009. Protection of the City and residents.

A. Indemnification. The City shall not enter into any lease agreement for City owned property until and unless the City obtains an adequate indemnity from such provider. The indemnity must at least:

1. Release the City from and against any and all liability and responsibility in or arising out of the construction, operation or repair of the telecommunications facility.

2. Indemnify and hold harmless the City, its trustees, elected and appointed officers, agents, servants and employees, from and against any and all claims, demands, or causes of action of whatsoever kind or nature, and the resulting losses, costs, expenses, reasonable attorneys' fees, liabilities, damages, orders, judgments, or decrees, sustained by the City or any third party arising out of, or by reason of, or resulting from or of each telecommunications facility operator, or its agents, employees, or servants negligent acts, errors, or omissions.

3. Provide that the covenants and representations relating to the indemnification provision shall survive following the term of any agreement and continue in full force and effect for at least one (1) year following the termination of the party's agreement as to the party's responsibility to indemnify.

B. Insurance. The City may not enter into any lease agreement for City owned property until and unless the City obtains assurance that such lessee (and those acting on its behalf) has adequate insurance. At a minimum, the following requirements must be satisfied:

1. A telecommunications facility owner shall not commence construction or operation of the facility without obtaining all insurance required under this Division and approval of such insurance by the City Manager, nor shall a telecommunications facility operator allow any contractor or subcontractor to commence work on its contract or sub-contract until all similar such insurance required of the same has been obtained and approved. The required insurance must be obtained and maintained for the entire period the telecommunications facility is in existence. If the operator, its contractors or subcontractors do not have the required insurance, the City may order such entities to stop operations until the insurance is obtained and approved.

2. Certificates of insurance, reflecting evidence of the required insurance, shall be filed with the City. For entities that are entering the market, the certificates shall be filed prior to the commencement of construction and once a year thereafter, and as provided below in the event of a lapse in coverage.

3. These certificates shall contain a provision that coverage afforded under these policies will not be canceled until at least thirty (30) days prior written notice has been given to the City. Policies shall be issued by companies authorized to do business under the laws of the State of Florida. The City may amend its requirements pertaining to insurance from time to time and may require additional provisions pertaining to such insurance in a lease.

4. In the event that the insurance certificate provided indicates that the insurance shall terminate or lapse during the period of the lease agreement with the City, then in that event, the telecommunications facility operator shall furnish, at least thirty (30) days prior to the expiration of the date of such insurance, a renewed certificate of insurance as proof that equal and like coverage for the balance of the period.

C. Comprehensive general liability. A telecommunications facility operator and its contractors or subcontractors engaged in work on the operator's behalf, shall maintain adequate insurance to cover liability, bodily injury and property damage in the amount to be determined by the City at the time of application. Exposures to be covered include premises, operations, and those certain contracts relating to the construction, installation or maintenance of the telecommunications facility. Coverage shall be written on an occurrence basis and shall be included, as applicable, in the lease agreement between the City and the telecommunications facility operator. Certificates of insurance reflecting evidence of the required insurance shall be filed with the City.

Section 5-2010. Security fund.

A. Prior to any construction, every applicant, whether on public or private property within the City, shall establish a cash security fund, or subject to the City's approval in its sole discretion, provide the City with an irrevocable letter of credit or performance bond subject to the City Attorney's approval, in the amount specified in an agreement, permit, or other authorization as necessary to ensure the applicant's faithful performance of construction and compliance with this Division and removal of abandoned facilities. The amount of the Security Fund shall be established by the City based upon the facilities being constructed and potential costs to the City to remove the facilities and restore the property. The minimum amount of the Security Fund for a telecommunications tower shall be twenty-five thousand ($25,000) dollars and the minimum amount for each antenna shall be one thousand ($1,000) dollars. The tower or antenna owner shall ensure that the required Security Fund is maintained with the City for as long as the facility remains in the City.

B. If the City in its discretion accepts a bond, the applicant and the surety shall be jointly and severally liable under the terms of the bond. The bond shall be issued by a surety having a minimum rating of A-1 in Best's Key Rating Guide, Property/Casualty Edition; shall be subject to the approval of the City Attorney; and shall provide that:

   "This bond may not be canceled, or allowed to lapse, until sixty (60) days after receipt by the City, by certified mail, return receipt requested, of a written notice from the issuer of the bond of intent to cancel or not to renew."

C. The rights reserved by the City with respect to any Security Fund established pursuant to this Division are in addition to all other rights and remedies the City may have under the City Code, a permit, a lease, or at law or equity.

Section 5-2011. Personal radio services antenna support structures.

Antenna Support Structures used in the operation of Personal Radio Services shall be exempted from the provisions contained within this Article except as noted within this Section. Personal radio services' Antenna Support Structures shall be governed by the following:

A. Application requirements and fees. An application shall comply with the requirements of sections 52003(B) (1), (3), (4) and (8). The City may establish a filing fee for such application and Section 52003(D) shall apply to such fee. The timeframes for review contained within Section 5-2003 shall not apply to such application. Other application requirements may be requested as determined by the Department completing the review.

B. Required reviews and permits.

   1. By right review. Applications for Antenna Support Structures less than fifty (50) feet in height shall be submitted to the Building and Zoning Department for review and permit issuance.

   2. Conditional use review. Antenna Support Structures greater than fifty (50) feet in height require conditional use review pursuant to the Conditional Use provisions of the Zoning Code. Conditional use review applications shall be submitted to the Planning Department for review. The Department shall provide a recommendation which shall be forwarded for public hearing review by the Planning and Zoning Board and City Commission at which all interested persons shall be afforded an opportunity to be heard. The Planning and Zoning Board shall make a recommendation to the City Commission. The City Commission approval, if granted shall be in Resolution form at one advertised public hearing.

3. Board of Architects review. Board of Architects review and approval is required for all applications. Prior to scheduling an application for a conditional use review, preliminary Board of Architects review and approval is required.

4. Permits shall be required for installation of all Antenna Support Structures.

If approval is recommended and/or granted, City Staff, the Planning and Zoning Board and City Commission may proscribe conditions and safeguards to such approval.

C. Requirements.

1. Such Antenna Support Structures as a minimum shall be subject to the following standards.

a. Measurement of height. In computing the height of the installation, the top section of the pole, mast or tower, including antenna array, when fully extended, shall be considered the top for the purpose of these provisions.

b. Permitted locations and number permitted. A maximum of one (1) Antenna Support Structure shall be permitted on each building site with a SFR, MF1, MF2, and MFSA zoning districts.

c. Building site location. Antenna Support Structures shall be located behind the required primary/principle building within the rear and interior side yard of the property. Antenna Support Structures are prohibited within the front and side street yard areas.

d. Setbacks. Antenna Support Structures shall maintain the same rear and side setbacks as required for the principal building of the building site. All of the above shall also be a minimum of eight (8) feet from any overhead utility line(s) and power line(s). Where such Antenna Support Structure is located on a building site which is fronting upon two or more streets and/or alleys, the Antenna Support Structure shall maintain the same primary/principle building setback as required for each such street or alley.

e. Dismantling/tilting provisions for Antenna Support Structures exceeding fifty (50) feet in height. An Antenna Support Structure exceeding fifty (50) feet in height shall have the capability of being cranked up and down or being tilted over. Tilted Antenna Support Structures shall comply with all setbacks contained herein. In case of an impending hurricane or other natural disasters, the Antenna Support Structure shall be cranked down to its nested position or tilted over and antenna shall be removed. Antenna engaged in emergency communications shall be exempted from the dismantling provisions.

f. Installation. The installation or modification of an Antenna Support Structure and foundation shall be in accordance with the manufacturer's prescribed installation and safety procedures and shall meet all applicable City, State and Federal requirements, as amended including but not limited to following: Florida Building Code, City Code, Zoning Code, National Electric Code and F.C.C. regulations.

D. Violations. Violations of any conditions and safeguards, when made part of the terms under which the application is approved, shall be deemed grounds for revocation of the permit and punishable as a violation of the Zoning Code.

Division 21. Temporary Uses

Section 5-2101. Purpose and applicability.

It is the purpose of this Division to provide for certain temporary uses and to ensure that such uses are compatible with adjacent land uses and consistent with the City's goals and objectives.

Section 5-2102. Carnival.

The City Manager may authorize religious institutions and schools to host or sponsor carnivals subject to the following conditions and restrictions:

A. Such carnivals shall be conducted only upon the premises of the hosting and/or sponsoring religious institution or school.

B. The setting up and dismantling of all carnival equipment, structures or apparatus shall be accomplished only between the hours of 8:00 AM to 6:00 PM Monday through Saturday, provided, however, that work being done on booths by students may continue until 11:00 PM. No work shall be done on any Sunday, except that students may work on booths between the hours of 12:00 noon and 7:00 PM.

C. No tents, structures, equipment or apparatus shall be located within the established setbacks of the premises.

D. It shall be the responsibility of the carnival owners or his assigned representative to furnish proof of financial liability insurance covering accidents or injury which said insurance policy shall indemnify the City against any and all claims of losses by reason of accidents or injury.

E. No such carnival shall be allowed to operate for longer than three (3) consecutive days at any one (1) location, and no religious institution or school shall be permitted to hold more than one (1) carnival within any twelve (12) month period.

F. No alcoholic beverages shall be sold or consumed on the premises except as provided under special event regulations.

G. It shall be the responsibility of the hosting and/or sponsoring religious institution or school to provide adequate sanitary facilities.

H. All reasonable precautions shall be taken by the hosting and/or sponsoring religious institution or school to minimize the noise level resulting from such activity, particularly in the area of music emanating from amplified sound systems operated by the promoter of the carnival or any person, persons or firms engaged or authorized to provide such music. Upon notice of violation of acceptable noise levels, the religious institutions or school shall cease the violation or close down the carnival.

I. It shall be the responsibility of the hosting and/or sponsoring religious institution or school to provide adequate parking facilities, and to insure a non-disruptive traffic flow throughout the area during such activities.

J. The operation of such carnival shall be restricted to the hours of 9:00 AM to 11:00 PM Monday through Thursday and from 9:00 AM to 12:00 midnight Friday and Saturday.

K. All carnival equipment, structures or apparatus shall be removed from the premises within two (2) days, excluding Sundays, of the last scheduled day of operation of said carnival.

L. It shall be the responsibility of the hosting and/or sponsoring religious institution or school to restore the premises to its original condition within seven (7) days from the last scheduled day of operation of said carnival.

M. The operation of such carnival shall be subject to obtaining proper license and building, electrical and plumbing permits.

N. In granting approval for the operation of said carnival, the City Manager may prescribe appropriate conditions, restrictions, and safeguards it deems to be in the best interest of the surrounding neighborhood and the general public.

O. The City Manager shall be authorized and directed to close down the complete operation of any such function for violation of the regulations set forth herein.

Section 5-2103. Open lot christmas tree sales.

Civic, fraternal and/or religious organizations located within the City of Coral Gables may be authorized to conduct open-lot Christmas tree sales, as a temporary use, subject to the following conditions and restrictions:

A. The sale of such Christmas trees shall be conducted only upon property in a Commercial or Industrial District.

B. The setting up and dismantling of all equipment, structures or apparatus shall be accomplished only between the hours of 7:30 AM to 6:00 PM Monday through Saturday. No work shall be done on any Sunday.

C. The applicant for such Christmas tree sales shall submit a sketch plan to the City Manager showing the proposed location of all equipment, tents, structures, off-street parking and tree storage and/or displays.

D. All equipment, tents, structures, tree storage and/or displays shall provide setbacks as required under these regulations and the Florida Building Code.

E. Only one (1) sign shall be permitted to be displayed upon the premises and such sign shall not be larger than thirty (30) square feet and shall not contain any reflective materials, streamers, pennants, flashing lights, movable items or similar devices. Such sign shall have a minimum setback of five (5) feet from the front and/or side property line and shall be erected or placed so that the sign is parallel or perpendicular to the front property line. Such sign shall be securely fastened to a supporting member and the top of such sign shall not exceed a height of six (6) feet above the finished grade of the ground.

F. The operation of such Christmas tree sales shall be conducted between the hours of 9:00 AM to 10:00 PM Monday through Saturday and from 12:00 noon to 9:00 PM on Sunday.

G. The proceeds from such Christmas tree sales shall be used for charitable purposes.

H. The use of sound amplification, flashing lights or other similar attention attractors and advertising devices shall be prohibited.

I. Off-street parking shall be provided as shall be required by the City Manager.

J. Adequate sanitary facilities shall be provided upon the premises of the Christmas tree sales.

K. All tents, equipment and structures shall be maintained and kept in good order and repair and, upon inspection, if found to be in disrepair shall be subject to removal and/or replacement.

L. The operation of such Christmas tree sales shall be in accordance with the fire safety standards as set forth under the Miami-Dade County Fire Prevention and Safety Code and the Florida Building Code.

M. Each organization conducting such Christmas tree sales shall furnish proof of financial liability covering accidents or injury upon the premises.

N. The construction of such Christmas tree sales shall be subject to obtaining proper license and building, electrical and plumbing permits.

O. It shall be the responsibility of each organization conducting such sales to maintain the premises in a clean and sanitary condition during the sale period.

P. Each organization shall remove all trash, debris and unsold Christmas trees from the premises within a period of seventy-two (72) hours from the last day of sale and the premises shall be restored to its original condition on or before December 31 the year of the sale.

Q. In granting approval for of Christmas tree sales, the City Manager may prescribe appropriate conditions, restrictions and safeguards deemed to be in the best interest of the surrounding neighborhood and the general public.

Section 5-2104. Garage sale.

Garage sales shall be permitted as a temporary use on the premises of residences, duplexes and apartments subject to the following conditions and restrictions:

A. No garage sale shall be conducted until and unless a permit shall have been obtained from the License Division of the City of Coral Gables. Only the owner or lessee of the property upon which the garage sale is being conducted may obtain such permit.

B. Before such permit shall be issued, the applicant shall file with the License Division an application containing the following information:

1. Legal description and street address where such sale is to be conducted.

2. Proof of ownership or lease of property.

3. Date(s) of sale.

4. Hour(s) of sale.

5. Example of sign proposed.

C. Upon verification and compliance with the provisions of this section, and the payment of the proper fee, the License Division shall issue a permit the same day which shall designate the location of the sale and the day(s) upon which such sale(s) shall be conducted.

D. Only personal property owned by the seller and usual to a household may be sold or offered for sale by the owner or lessee of the residence, duplex or apartment as the case may be.

E. Only one (1) sign not exceeding forty (40) square inches in size may be displayed on the premises where such sale is being conducted. Such sign shall not be erected or placed closer than five (5) feet to the front or side property line.

F. Such garage sale shall be held only between the hours of 9:00 AM to 5:00 PM.

G. Personal property shall be exhibited or displayed only within established setbacks.

H. No more than two (2) consecutive days shall be permitted for any garage sale.

I. No more than two (2) garage sales shall be held from the same property within any calendar year, provided however, that such garage sales shall not be held within a thirty (30) day period from each other.

J. The garage sale permit shall be prominently displayed from the front of the building from which such sale is conducted. Upon the request of any Code Enforcement Officer of the City of Coral Gables, the owner or lessee of the property shall exhibit such permit.

K. By making application for such Garage Sale Permit, accepting said permit and conducting such sale, the owner or lessee of the property to whom such permit is granted, authorizes any Code Enforcement Officer of the City of Coral Gables to enter upon the property for the purpose of determining that such sale is being conducted in accordance with the provisions of this section. Any violation of the application and conditions of permit shall result in immediate revocation of the permit and termination of sales.

Section 5-2105. Commercial photography.

Commercial photography, which includes still photography, commercials and major motion picture filming or video, shall be permitted as a temporary use, subject to the following conditions and restrictions:

A. No commercial photography shall be conducted without a permit from the City Manager's Office. The owner or lessee of the property upon which the photography is being conducted or a representative of the production company, with the owner's written approval, may obtain such permit.

B. The permit shall be available for inspection at the site on which the photography is to occur. Upon the request of any police officer or code enforcement officer of the City, the owner, lessee or representative of the production company shall exhibit such permit.

C. No permit for commercial photography to be conducted on City land shall be issued unless the applicant has provided the City Manager with an executed hold harmless agreement in favor of the City in a form acceptable to the City Attorney.

D. The following limitations on the number and type of permits for residential districts issued annually shall be enforced:

1. Still photography shoots that are entirely contained inside a structure can be conducted without a permit.

2. Large still photograph shoots that are not entirely contained within the structure and commercials or corporate/industrial filming recorded on video or motion picture film shall be limited to twelve (12) permits per year for the same property, with a maximum of three (3) consecutive days allowed per permit.

3. Major motion pictures or television programs recorded on video or motion picture film shall be limited to three (3) permits per year for the same property and only one (1) permit shall be issued during any thirty (30) day period. Each permit shall be issued for a maximum of fourteen (14) consecutive days, with a maximum of twenty-eight (28) permitted days allowed per year for the same property.

4. Permitted days which are canceled due to circumstances beyond the control of the production company, such as bad weather days or retakes, shall extend the number of permitted days by the

number so canceled, without penalty.

E. It is the intention of this section to protect the City from undue intrusions associated with commercial photography. The City Manager may approve, disapprove, or approve with appropriate conditions, any permit applied for under this section. Conditions imposed as terms under which a permit is issued may include, but are not limited to, the following:

1. Advance notification of forty-eight (48) hours in a form approved by the City Manager to adjacent neighborhood properties for large still photography, commercial or corporate industrial filming. Advance notification of ten (10) days in a form approved by the City Manager to a homeowner or community association, or if none exists, to adjacent neighborhood properties, for major motion pictures or television program filming.

2. Hiring of off-duty police officers to supervise traffic and other matters when the public right-of-way is utilized for film purposes.

3. Hiring of off-duty police officers to provide security and control of shoots on private property.

4. Limitations on number and location of vehicles or trailers parked on the street or swale area or adjacent or contiguous properties used in the shoot.

5. Limitations on the daily hours or specific times when commercial photography is to take place when such limitations are necessary to limit disruption to the neighborhood.

6. Similar conditions or limitations which are necessary to protect the immediate area from undue intrusions.

7. Compliance with applicable noise provisions, unless otherwise conditionally approved by the City Manager.

F. The City Manager may immediately revoke any permit for violation of any part of this section or any permit condition.

G. The City Manager may refuse to issue any permit applied for if there has been evidence that previous photography at the same location created a disruptive situation in the neighborhood.

H. The City Manager may refuse to issue any permit applied for if, on previous occasions, the commercial photography company has violated conditions or restrictions of permits issued under this section.

I. The City Manager may issue administrative variances to these conditions to accommodate unusual circumstances.

Section 5-2106. Fund raising car washes.

Fund raising car washes shall be permitted as a temporary use on the premises of property in any commercial, industrial or special use district subject to the following conditions and restrictions:

A. No fund raising car washes shall be conducted without a permit from the License Division of the City. Only the owner or lessee of the property upon which the fund raising car wash is being conducted (or their designee) may obtain a permit.

B. Upon verification and compliance with the provisions of this section, and the payment of the proper fee, the License Division shall issue a permit the same day which shall designate the location of the car wash and the dates and hours of the car wash.

C. A car wash shall be held only on Saturdays, Sundays and holidays between the hours of 9:00 AM to 5:00 PM.

E. Only one (1) weekend (two (2) consecutive days) shall be permitted for any fund raising car wash.

F. No more than six (6) fund raising car washes shall be held by any sponsoring non-profit group or from the same property within any calendar year.

G. Each fund raising car wash shall be conducted under adult supervision, with at least one (1) person eighteen (18) years or older on premises during all hours of operation.

H. The fund raising car wash permit shall be prominently displayed from the front of the building from which the car wash is conducted. Upon the request of any police officer or code enforcement officer of the City, the owner or lessee of the property shall exhibit the permit.

I. By making application for a fund raising car wash permit, accepting the permit and conducting a car wash, the owner or lessee of the property to whom the permit is granted, authorizes any police officer or code enforcement officer of the City to enter upon the property for the purpose of determining that the car wash is being conducted in accordance with the provisions of this section.

Section 5-2107. Temporary construction and/or field office.

Whenever a building permit shall have been issued by the Building Department for construction and/or alteration, a temporary field and/or construction office shall be permitted to be located on the premises covered by a building permit subject to the following conditions and restrictions:

A. That such office shall not be used as a sales and/or advertising office and that no sales brochures shall be handed out or distributed from such office.

B. That potable water, electricity and sanitary facilities shall be provided for such office as required by the Florida Building Code and such other applicable ordinances.

C. That such office shall not be used for living or sleeping quarters. No kitchen facilities shall be permitted.

D. That only one (1) construction or field office shall be allowed per construction site unless approved by the Construction Staging Committee based on the size of the facility.

E. That such construction of field office is not located in residential district.

F. That such office shall be removed by the contractor prior to the approval of the final building inspection and to the issuance of a Certificate of Occupancy or whenever, in the opinion of the Building Official, an inspection discloses that the building or alteration has been completed to the point where the final building inspection would be approved and a Certificate of Occupancy, if applied for, would be issued.

Section 5-2108. Temporary land development sales office.

Whenever a plat containing a gross area of not less than ten (10) acres shall have been recorded in the public records of Miami-Dade County, Florida, or a multi-family construction project with a site of not less than twenty-thousand (20,000) square feet and twelve (12) dwelling units, a permit may be issued for the location of a temporary land development sales office on the development site subject to the following conditions and restrictions:

A. That the use of such sales office shall be limited and restricted to the sale of lots within a subdivision, replat or multi-family project, and such office shall not be used for the transaction of any other

business of whatsoever nature.

B. That the setbacks for such sales office shall be the same as that required for the premises upon which such sales office shall be located.

C. That such sales office shall be landscaped and such landscaping shall be maintained in good condition as to present a healthy, neat and orderly appearance.

D. That a minimum of six (6) paved off-street parking spaces shall be provided on the premises of such sales office.

E. That such sales office shall be equipped with adequate potable water, electricity and sanitary facilities.

F. That such sales office shall not be used for living or sleeping quarters.

G. That not more than one (1) such sales office shall be permitted to be located in any one (1) subdivision, replat or multi-family project.

H. That one (1) sign identifying the development may be placed upon such sales office.

I. That the permit for such sales office shall expire three (3) years from the date of the recording of the plat, or the issuance of a building permit for the multi-family development provided, however, that the Building Official, upon application, may authorize the extension of such permit for a good and valid reason.

J. That the Building Official may revoke the permit for such sales office should the developer fail to comply with the conditions and restrictions set forth herein.

K. That such sales office structures shall be temporary in nature, and shall be removed in the event of a hurricane (on or before issuance of warning status) or other natural and/or man-made disaster.

Section 5-2109. Temporary tents.

Temporary tents are permitted in all districts provided that:

A. Such tent is composed of nonflammable materials;

B. Such tent is not installed for more than seventy-two (72) hours, unless extended by approval of the City Manager;

C. A building permit is obtained as required by the applicable sections of the Florida Building Code.

Section 5-2110. Temporary buildings.

Temporary buildings are permitted in all districts except the Single-Family Districts, subject to receipt of a building permit and approval of the City Manager for a period of twelve (12) months. The City Manager may extend the twelve (12) month period for an additional six (6) months and may impose reasonable conditions on any approval in order to mitigate the impact of such building on the immediate area.

Division 22. Underground Utilities

Section 5-2201. Requirement for underground utilities.

A. Purpose. The purpose of this Division is to require the installation of utility service facilities underground to assure the public safety, foster tree preservation, and improve and protect the aesthetic character of the City.

B. Applicability. Except as expressly provided hereinafter, all utility lines, including but not limited to those required for electrical power, distribution, telephone, and communication, street lighting, and television signal service shall be installed underground. This Section shall apply to all cables, conduits or wires forming part of an electrical distribution system including service lines to individual properties and main distribution feeder electric lines delivering power to local distribution systems, provided that it shall not apply to wires, conductors or associated apparatus and supporting structures whose exclusive function is in transmission of electrical energy between generating stations, substations and transmission lines of other utility systems. Appurtenances such as transformer boxes, pedestal mounted terminal boxes, and meter cabinets may be placed above ground but shall be located in conformance with the requirements of the Manual of Public Works Construction. This Section shall be applicable to the following uses:

1. Except for rehabilitation of structures of less than fifty (50%) percent of value, all new construction and utility installations shall be required to be underground.

2. When a structure undergoes a rehabilitation wherein the cost of the rehabilitation is fifty (50%) percent or more of the replacement value of the existing structure as determined by the Miami-Dade County Property Appraiser, utility service facilities for that structure shall be converted from overhead to underground.

C. Conversion of overhead to underground facilities. Whenever overhead utility distribution facilities have been converted to underground facilities, the property owners in the area to be served by the new facilities shall be required to arrange for the conversion of their existing service facilities in accordance with these regulations and, where applicable, utility company specifications for underground service. For electric service facilities, such conversion shall include but shall not be limited to rearranging existing electric service entrance facilities and necessary facilities within buildings and structures to accommodate the undergrounding of utilities. The property owner shall be responsible for all costs associated with the modification of service facilities for the affected property to accommodate underground utility service.

D. Notice of conversion requirement. The City shall notify each property owner when conversion from overhead to underground utility distribution service is complete. The notice shall be served by registered mail, addressed to the owner or owners of the property described as they are known to the City Manager or as their names and addresses are shown upon the records of the County Tax Assessor, or other public records of the City or County, and shall be deemed complete and sufficient when so addressed and deposited in the United States mail with proper postage prepaid. All necessary modifications and arrangements for use of underground facilities shall be completed within ninety (90) days of receipt of such notification.

E. Notice of property owner's failure to convert facilities.

1. If the City Manager determines that a building has not completed conversion to underground utility service facilities, he or she shall notify the owner of that building in writing and demand that the owner cause the conversion to be made within sixty (60) days of the date of service of the notice. The notice shall be by registered mail and in the form set forth in Subsection (2) of this Section. If such notice is returned by postal authorities, the City Manager shall cause a copy of the notice to be served by a law enforcement officer upon the occupant of the land or upon any agent of the owner thereof.

2. If personal service upon the occupant of the land or upon any agent of the owner thereof cannot be performed after reasonable search by a law enforcement officer, the notice shall be served by physical posting on the property, and by publication in a newspaper of general circulation at least twice, seven days between publications, and thirty (30) days before the date the conversion is required. The notice shall be in substantially the following form:

"NOTICE REQUIRING CONVERSION OF UTILITY SERVICE FACILITIES
Name of Owner _____
Address of Owner _____

Our records indicate that you are the owner(s) of the following land in the City of Coral Gables, Florida: (describe property).

An inspection of this land discloses, and I have found and determined, that a building is located thereon which has not converted its (state type of utility) service facilities from overhead to underground service.

You are hereby notified that unless this building converts its (state type of utility) service facility from overhead to underground service within thirty (30) days of personal service upon you of this notice, or of the second publication hereof, the City will proceed to cause the conversion of these facilities and the cost of the work, including advertising costs and all other expenses necessary to complete the conversion will be imposed as a lien on the land if not otherwise paid within ninety (90) days after the conversion has been completed and the cost thereof ascertained by the City of Coral Gables."

F. Conversion of facilities by City; Lien; Recording; Redemption.

1. If within sixty (60) days after service of the notice as set forth in Subsection (E) above, or by physical posting of the notice on the property, or within thirty (30) days of notice by publication in a newspaper the required conversion of service of facility has not been effected, the City Manager shall cause the conversion to be made by the City at the expense of the property owner. The cost of the conversion shall constitute a lien upon the real estate served thereby. Upon ordering a conversion of service facilities to be made by the City, the City Manager shall cause to be recorded in the public records a notice of utility service conversion lien pending, which shall include a description of the property and a statement that a conversion has been ordered, the cost of which shall under this Section constitute a lien. The notice of pending lien shall, eight (8) months after the date thereof, be null and void and constitute no record notice of a pending lien.

2. After causing the conversion of service facilities to be done, the City Manager shall certify to the Finance Director the expenses as may have been approved by the appropriate City Department incurred in effecting the conversion and shall include a copy of the notice set forth in Section (E) above, whereupon such expense shall become payable within ninety (90) days, after which a special assessment lien and charge will be made upon the property, which shall be payable in ten (10) equal annual installments together with costs of recordation of all documents required to be recorded hereby and with interest to be determined by the City Finance Director on the unpaid balance from the date of such certification until paid; however, the lien may be satisfied at any time by the payment of the entire sum due plus accrued interest, recordation costs, and such expenses and penalties as may result from the advertisement and sale of certificates for delinquent liens as hereinafter set out. The Finance Director shall file for record a notice of such lien in the office of the clerk of the circuit court, and shall keep complete records relating to the amount payable thereon. One-tenth (0.1) of the amount of liens accruing during any year ending on June 1 shall be billed and mailed in the fall of the same year to the owners of land subject to such liens at the same time as tax statements for ad valorem taxes are mailed; and if the amount shall not be paid on or before April 1 of the following year, the entire lien and all annual installments thereof shall be delinquent, overdue and in default.

3. The entire amount of the lien may be foreclosed by the City, or in the alternative may be collected by any other legal means, including the advertisement and sale of certificates. Upon full payments of liens provided by this Section or through foreclosure on tax sale certificates, the director of finance shall, by appropriate means, evidence the satisfaction and cancellation of such lien upon the public records. The cost of recordation of the notice of lien pending, the notice of lien, and the satisfaction of lien shall be secured by the lien hereby provided.

G. Underground facilities to remain underground. Wherever utility service facilities are located underground, such facilities must remain underground and may not thereafter be converted to overhead facilities.

Section 5-2202. Utility poles and underground utilities in SFR, MF1, MF2, and MFSA Districts.

The following provisions shall apply to utility poles and underground utilities on private property for all new construction and for existing construction. For the purpose of this section "service to the building" shall include electrical service, telephone service and television service to the building.

A. In SFR, MF1, MF2, and MFSA Districts, all utility poles and lines shall be placed in rear yard areas reserved for utility uses by easements granted for that purpose.

B. The service lines for all utilities for new buildings and or structures on private property shall be placed underground.

C. The lines for all utilities for existing buildings or structures on private property shall be placed underground when any of the following occur:

1. The service to the building or structure is replaced;

2. The service to the building or structure must be relocated due to an addition or alteration to the building or structure;

3. The service to the building or structure must be upgraded; or

4. An alteration to a building or structure is an Alteration-Level 3 pursuant to the Florida Building Code.

Division 23. Unity of Title and Declaration of Restrictive Covenant in Lieu thereof

Section 5-2301. Purpose and applicability.

When it is necessary that two (2) or more lots, parcels or portions thereof are added or joined, in whole or in part, a Unity of Title or Declaration of Restrictive Covenant in lieu of a Unity of Title shall be filed to ensure the properties are planned, developed and maintained as an integral development and/or project and are consistent with and satisfy the requirements of these regulations and the City Code of Ordinances.

Section 5-2302. Unity of Title.

A. General requirements. As a prerequisite to the issuance of a building permit, the owner(s) in fee simple title shall submit a Unity of Title in recordable form to the Building and Zoning Department providing that all of the property encompassing the parcel proposed for development upon which the building and appurtenances are to be located shall be held together as one (1) tract of land and providing that no part or parcel shall be conveyed or mortgaged separate and apart from the parcel proposed for development, as set forth under the building permit in the following cases:

1. Whenever the required off-street parking is located on contiguous lots or parcels or is otherwise located off-site, as provided for under Article 5, Division 14 of these regulations.

2. Whenever the parcel proposed for development consists of more than one (1) lot or parcel and the main building is located on one (1) lot or parcel and accessory buildings or structures are located on the remaining lot or parcel comprising the parcel proposed for development.

3. Whenever the parcel proposed for development consists of more than one (1) lot or parcel and the main building is located on one (1) or more of the lots or parcels and the remaining lots or parcels encompassing the parcel proposed for development are required to meet the minimum standards of these regulations.

4. Whenever a building is to be constructed or erected upon a lot or parcel which is larger in frontage, depth and/or area than the minimum required by these regulations and which lot or parcel would be susceptible to resubdivision in accordance with Article 3, Division 9.

5. Whenever the Board of Adjustment provides that a Unity of Title shall be executed as a condition for the granting of a variance.

6. Whenever a Unity of Title is specifically required by an ordinance or resolution adopted by the City Commission.

7. Whenever a parcel proposed for development in any residential district consists of more than one (1) platted lot.

B. Approval. The Unity of Title shall be subject to review and approval by the City Attorney as to form and content, together with any additional necessary legal instruments to preserve the intent of these regulations and to properly enforce these regulations and Code of Ordinances and shall be signed and joined by all mortgage holders.

C. Release. Any Unity of Title required by this section shall not be released except upon approval by resolution passed and adopted by the City Commission and executed by the City Manager and City Clerk.

D. Recording. The owner(s) shall pay all fees as required by the City Code of Ordinances for the processing and recording of the Unity of Title.

E. Enforcement. Enforcement of the Unity of Title shall be by action at law or in equity with costs and reasonable attorney's fees and City fees payable to the prevailing party.

Section 5-2303. Declaration of restrictive covenant in lieu of a Unity of Title.

A. General Requirements. In the case of separate but contiguous and abutting parcels proposed for development located in Commercial or Industrial Districts owned by one (1) separate or multiple owners wishing to use said property as one (1) parcel, the Building and Zoning Director may approve a Declaration of Restrictive Covenant in Lieu of a Unity of Title together with a Reciprocal Easement and Operating Agreement approved for legal form and sufficiency by the City Attorney. The Declaration of Restrictive Covenant shall run with the land and be binding upon the heirs, successors, personal representatives and assigns, and upon all mortgagees and lessees and others presently or in the future having any interest in the property. In such instances, the property owner(s) shall agree that in the event that ownership of the subject properties comes under a single ownership, the applicants, successors and assigns, shall file a Declaration of Restrictive Covenant covering the subject properties.

B. Declaration of restrictive covenant shall comply with the following:

1. Submit a record of the existing height, existing size and site conditions, to include both plan and photographic evidence.

2. Develop, maintain and operate the property as a single building site.

3. Develop individual building sites within the subject property in accordance with the provisions of the City's Comprehensive Plan and these regulations.

C. The City shall only release a Declaration of Restrictive Covenant if the individual properties satisfy all applicable regulations, Code of Ordinances and Comprehensive Plan requirements and the release does not create substandard or nonconforming building sites.

D. Requests for modification of an existing Declaration of Restrictive Covenant shall be submitted to the Building and Zoning Director and satisfy the following:

1. Provide written consent of the current owner(s) of the phase or portion of the property for which modification is sought.

2. The modification shall not create a fire emergency situation or be in conflict with the provisions of these regulations, Code of Ordinances and Comprehensive Plan.

3. The Building and Zoning Director may impose conditions within the Declaration of Restrictive Covenant to insure the above provisions are satisfied or waive such provisions if not applicable to the parcel proposed for development.

4. Subsequent owners of all parcels shall be bound by the terms, provisions and conditions of the Declaration of Restrictive Covenant.

5. The conveyance of portions of the subject property to third parties shall require a Reciprocal Easement and Operating Agreement executed by third parties in recordable form including the following:

a. Easements in the common area of each parcel for the following:

i. Ingress to and egress from the other parcels.
ii. For the passage and parking of vehicles.
iii. For the passage and accommodation of pedestrians.

b. Easements for access roads across the common area of each parcel to public and private roadways.

c. Easements for the following on each parcel to permit the following:

i. The installation, use, operation, maintenance, repair, replacement, relocation and/or removal of utility facilities in appropriate areas.
ii. The installation, use, maintenance, repair, replacement and/or removal of common construction improvements such as footings, supports and foundations.
iii. The attachment and support of buildings or other associated structures and/or improvements.
iv. For building overhangs and other overhangs and projections encroaching upon such parcel from adjoining parcel such as, by way of example, including but not limited to the following: marquees; signage; canopies; lighting devices; awnings; wing walls; etc.
v. Reservation of rights to grant easements to utility companies.
vi. Reservation of rights to road rights-of-way and curb cuts.
vii. Pedestrian and vehicular traffic over dedicated private right roads and access roads.

d. Appropriate agreements between the owners of the parcels as to the obligation for maintenance of the property to include but not limited to the following: maintenance and repair of all private roadways; parking facilities; common areas; landscaping; and, common facilities and the like.

6. These provisions of the Reciprocal Easement and Operating Agreement shall not be amended without prior written request and approval of the City Attorney. In addition, such Reciprocal Easement and Operating Agreement shall contain such other provisions with respect to the operation, maintenance and development of the property as to which the City and the parties thereto may agree, all to the end that although the property may have several owners, it will be constructed, conveyed, maintained and operated in accordance with the approved site plan.

7. Requisites.

   a. The owner(s) shall provide a Certificate of Ownership by way of an opinion of title from an Attorney-At-Law licensed to practice in the State of Florida or from an abstract of title company licensed to do business in Miami-Dade County, Florida; said opinion of title shall be based upon an abstract or certified title information brought up within ten (10) days of the requirement that such Declaration of Restrictive Covenant be recorded.

   b. The opinion of title shall include the names and addresses of all mortgagees and lien holders, the description of the mortgages and/or liens and the status of all real estate taxes due and payable.

   c. A subordination agreement signed and executed by the mortgagees and/or lien holders shall accompany and be made part of the Declarations of Restrictive Covenants.

   d. The Declaration of Restrictive Covenants shall be executed with the same formality and manner as a warranty deed under the laws of the State of Florida.

   e. The City may also require that the property owners file additional documents with appropriate state and local agencies to ensure that the properties are treated for the purposes herein as a single building site. Such documents shall include, where appropriate, declaration of condominium, approved by the State of Florida and recorded in the public records of Miami-Dade County. Copies shall be provided to the City together with the application for Declaration of Restrictive Covenant in lieu.

8. Approval. The Declaration of Restrictive Covenant shall be subject to review and approval by the City Attorney as to form and content, together with any additional legal instruments to preserve the intent of the ordinance to promote single building sites and to properly enforce these regulations, Code of Ordinances, and Comprehensive Plan.

9. Appeal. Appeal of the Building and Zoning Director's decision shall be to the Board of Adjustment in accordance with the provisions of Article 3, Division 6.

10. Release. A release of a Declaration of Restrictive Covenant shall require approval from the City Commission upon review and recommendation by the Building and Zoning Department. Approval shall be via a Resolution passed and adopted by the City Commission and release executed by the City Manager and City Clerk. The Building and Zoning Department and the City Commission must fund that upon demonstration and affirmative finding that the same is no longer necessary to preserve and protect the property for the purposes herein intended.

11. Recording. The owner(s) shall pay all fees as required by these regulations and/or Code of Ordinances for the processing and recording of the Declaration of Restrictive Covenant. The Declaration of Restrictive Covenant shall be in effect for a period of thirty (30) years from the date the documents are recorded in the public records of Miami-Dade County, Florida, after which they

shall be extended automatically for successive periods of ten (10) years unless released pursuant to the Release provisions contained herein.

12. Enforcement. Enforcement of the declaration of restrictive covenant shall be by action at law or in equity with costs and reasonable attorney's fees to the prevailing party.

Division 24. Walls and fences

Section 5-2401. Materials and specifications.

A. Walls may be constructed of the following materials:

1. Coral rock.

2. Concrete block stuccoed on both sides with concrete cap.

3. Slump or adobe brick.

4. Precast concrete.

5. Used red brick, limed red brick or cement brick painted white.

B. Wire fences may be constructed of the following materials:

1. Aluminum chain link.

2. Galvanized steel chain link.

3. Vinyl coated galvanized steel chain link in the following colors only: black, dark green, forest green, turf green and aqua.

4. Aluminum or galvanized steel single or double looped ornamental type fence. The construction of such wire fences shall meet the following specifications:

a. The wire used in construction of such fences shall be of not less than eleven (11) gauge or equal, except that one (1) inch chain link fences may be twelve and one-half (12½) gauge.

b. Terminal posts shall be aluminum or galvanized steel pipe of not less than two (2) inches outside diameter or reinforced masonry columns of not less than four (4) inches square.

c. Aluminum or galvanized steel angles may be used as intermediate supports.

d. All terminal posts and intermediate supports shall be set in concrete, and all terminal posts shall be properly braced when installing any ornamental type fence.

e. Top rail, if used, shall be aluminum or galvanized steel pipe not less than one and three-eighths (1⅜) inches outside diameter and where a top rail is not used, terminal posts shall be properly braced with aluminum or galvanized steel pipe.

C. Ornamental wrought iron, ornamental aluminum cast iron or cast aluminum fences shall be permitted, provided that masonry pilasters are located at the corners of the lot and periodically along the fence.

D. Wood picket fences shall be permitted on Santa Maria Street and residential lots in Golden Gate, MacFarlane Homestead, and Coconut Grove Warehouse Subdivision, subject to the following conditions:

1. Such fences shall be no more than four (4) feet high and of cedar, cypress, or redwood, with four (4) inch by four (4) inch terminal posts, two (2) inch by four (4) inch intermediate posts, wood rails and pickets one (1) inch thick. Pickets shall be placed so as to provide a space between of not less than one-half (½) the width of the picket. These specifications do not apply if the fence is a re-creation of a historic fence that was demolished.

2. All such fences shall be painted on each side with an appropriate and harmonious color, and shall be maintained and kept in repair by replacing all rotting wood. Construction and painting shall be completed within a reasonable time after issuance of permit therefore, to be determined by the Building Official.

F. The finished side of a fence shall be facing the neighboring lot.

Section 5-2402. Location of wall and fences.

A. All types of masonry or coral rock walls may be erected anywhere upon any premises, and in certain cases (see 5-2403(B)) must be erected along property lines.

B. The following fence types are permitted in the following locations:

1. Wire fences:

a. Any residential or Special Use District in accordance with the provisions of this subsection;

b. In an Industrial District provided that such wire fences are not located closer than one-hundred (100) feet to Bird Road, LeJeune Road or Ponce De Leon Boulevard;

c. Along rear property line or within the rear setback;

d. Along the side property line to the front line of a building extended to the nearest point on the side property line provided that a coral rock or masonry wall connects the building with the wire fences;

e. Along the side property line to the rear corner of the building closest to the side lot line; or

f. On corner lots, along rear or side yards or within such rear and side property lines, provided, however, that such wire fence shall not be erected in any yard area which abuts a street and provided that if such wire fence extends further toward the street than the side or rear corner of the building closest to the side or rear lot line, a masonry or coral rock wall extending from the building to the rear or side lot line shall be connected to such fence.

2. No wire fences may be erected in any Commercial District.

3. All types of masonry or coral rock walls are permitted any where upon any premises.

Section 5-2403. Height of walls and fences.

No other wall or fence shall be permitted over four (4) feet high from the established grade, or over four (4) feet high from the actual ground level at such wall or fence, whichever is higher, except in the following cases:

A. Wing walls, hereby defined as a wall or walls which extend from a building to or toward the property line, parallel to and in line with the front of said building, may exceed four (4) feet in height in residential districts.

B. Subject to the prior approval of the Development Review Official, concrete block, stuccoed or natural stone walls or chain link type wire fences may be erected to a maximum height of seven (7) feet upon property lines abutting Red Road of all lots facing or abutting upon Red Road from Coral Way to Southwest Eighth Street in cases where such walls or fences do not, in the opinion of the City Manager, create a hazard to pedestrian or vehicular traffic.

C. Walls confined completely within a U shaped configuration of a residence, duplex or multi-family dwellings may exceed four (4) feet in height in residential districts.

D. Walls in connection with residences, duplexes or multi-family dwellings in residential districts not included in subsection 3 above, may exceed four (4) feet in height, provided such walls meet the setback requirements for screened enclosures, and provided further that the enclosed ground area covered by the walls, the accessory buildings and the main buildings does not exceed forty-five (45%) percent of the enclosed area of the site.

E. Ornamental wrought iron, cast iron and/or aluminum fences may be erected to a maximum height of six (6) feet.

F. Ornamental wrought iron, cast iron and/or aluminum fences may be erected on top of a masonry wall provided that the height of the masonry wall shall not exceed four (4) feet and the maximum height of the wrought iron, cast iron, aluminum and masonry wall shall not exceed six (6) feet.

G. Columns in connection with a fence and wall may include a cap or architectural feature as a vertical extension of the column up to a maximum of four (4) inches above the maximum permitted fence or wall height.

H. Where residential and commercial districts adjoin each other, a six (6) foot high wall shall be constructed along the property line between the commercial and residential properties. The wall shall be constructed and maintained by the commercial property owner; however, the abutting residential property owner may construct and maintain the wall.

I. Residential gates and fence features may be erected to a maximum height of up to eight (8) feet on property in a residential district which has a street frontage of one-hundred (100) feet or greater and when constructed with a masonry, or coral rock wall or wrought iron fence as permitted in this Division.

Section 5-2404. Walls and fences in public utility easement areas.

Every permit for the erection of a wall or fence in any public utility easement of record shall provide that it is subject to revocation. Each such wall or fence shall be constructed subject to the conditions that the said wall or fence shall be removed by the owner at any time on request of utility company requiring the use of the space for utility purposes, and that if the owner of such property fails to so remove such wall or fence after request and notice, the utility company or the City may remove such wall or fence at the property owner's expense.

Division 25. Private Yacht Basin

Section 5-2501. Private yacht basin.

A Private Yacht Basin may be permitted as a conditional use in the SFR, MF1, MF2 or C Districts only after a special ordinance granting permission for such use shall have been passed and adopted by the City Commission, after a public hearing before the Planning and Zoning Board at which all interested persons shall be accorded an opportunity to be heard, providing, however, that such use shall be subject to the following conditions and restrictions:

A. That any private yacht basin containing one-hundred (100) or more slips and/or berths shall be designated as a DRI (Development of Regional Impact) and as such shall require approval as provided for under Chapter 380 of the Florida Statutes.

B. The following structures will be permitted on the premises as an auxiliary or accessory use:

1. A structure to be designated as a Control Center containing not more than three-thousand-five-hundred (3,500) square foot floor area with a height not exceeding two and one-half (2½) stories, providing however that the Control Center Tower shall not exceed an overall height of forty-nine (49) feet. The control center building shall be used to provide yacht basin control, security, gate keeper, security personnel, management staff, offices for Homeowners Association, general storage for control operation, toilet facilities and utility collection points.

2. Structures to be designated as Auxiliary Buildings containing a total of not more than one-thousand five-hundred (1,500) square foot floor area with a height not exceeding one (1) story shall be limited to storage for maintenance equipment for operation of the yacht basin, remote storage buildings adjacent to docks and utility meter rooms.

3. A structure to be designated as a Dockmaster's Building containing not more than two-thousand (2,000) minimum square foot floor area with a height not exceeding two and one-half (2½) stories. The dock master's building shall be used to provide waterside control for the yacht basin, as well as the center of operations for the boats moored in the yacht basin, radio communications to serve the yacht basin as well as the control center, space for the dock master and his staff, storage and toilet facilities.

C. The following uses shall not be permitted in connection with the operation of a private yacht basin:

1. Clubhouse.

2. Swimming pools.

3. The storage or dispensing of fuels, unless in compliance with the minimum standards set forth in Ordinance No. 2932.

4. Laundry facilities.

5. Facilities for the dispensing of food and alcoholic beverages.

6. Launching ramps and/or launching facilities.

7. Parking and/or storage of boat trailers.

8. Mooring of commercial vessels.

9. Repair or overhauling of boats.

10. Rental or lease of boats.

11. Dry storage or stacking of boats.

12. Bait and tackle shop.

13. Retail sales facilities.

14. Sightseeing crafts.

15. Commercial fishing vessel.

16. Charter boats.

17. Yacht brokers.

18. Marine insurance broker.

19. Under no circumstances shall any boat, vessel, watercraft or by whatever name known be used as living or sleeping quarters.

D. Bulkheads and retaining walls shall be provided in accordance with the provisions of the Zoning Code, Code of the City of Coral Gables, Subdivision Ordinance and all other applicable codes, ordinances and regulations. The use of rock rip-rap in lieu of bulkheads and retaining walls may be permitted subject to approval by the City Commission upon recommendation of the Public Works Department, Structural Engineer and Planning and Zoning Board.

E. Off-street parking shall be provided at the rate of one (1) parking space for each slip or berth plus one (1) parking space for each three-hundred (300) square feet of gross floor area of any buildings located on the premises.

F. The yacht basin shall be supplied with a potable water supply system and such water supply shall be protected by properly designed and located backflow preventers including the installation of a vacuum breaker on the discharge side and near the last valve for each water outlet to which a hose can be connected. Hoses used for potable water shall be blue or green or labeled and designated by use of a blue or green color code. The nozzle or outlet of the hose shall be protected from contamination, and hoses used for placing water in a sewage holding tank for flushing purposes shall be separate from hoses used for potable water and shall be red, yellow or brown.

G. The yacht basin shall provide a facility capable of lifting sewage not less than twelve (12) feet under vacuum and delivering it to a receiving facility free from spillage and clogging. Equipment used in connection with the pump-out facility shall be designed to be easily serviced in case of clogging. Vacuum hoses used in connection with a pump-out facility shall be pliable, collapse-proof, non-kinking, and equipped with a connection or insert device, which will preclude leakage or spillage during the pump out operation.

   Sewage removed from a watercraft holding tank shall be handled in one of the following ways:

   1. Discharged into a public or governmental sewer by means of a gravity line or a force main.

   2. Stored in an on-shore or dockside holding tank, which is watertight and so positioned, or moveable to such a site, that it can be easily serviced in a sanitary manner.

H. The discharge of raw sewage from any boat or watercraft located within the yacht basin shall be prohibited.

I. The yacht basin shall provide for the accumulation and removal of garbage and trash in accordance with the provisions of Chapter 15 of the Code of the City of Coral Gables as if the same were fully set forth herein.

J. The setbacks for the yacht basin shall be established at the time the conditional use is approved.

K. The yacht basin shall comply with the provisions for fire prevention as set forth under the Florida Building Code, the National Fire Prevention Association (NFPA) Publication No. 303-1975 entitled, "Fire Protection Standards for Marinas and Boatyards," and the National Fire Prevention Association

(NFPA) Publication No. 87-1975 entitled, "Standards for the Construction and Protection of Piers and Wharves" and shall be subject to approval by the City of Coral Gables Fire Department.

L. Not less than eighteen (18%) percent of the yacht basin site shall be devoted to landscaped open space. Such area shall be landscaped with trees, shrubbery, hedges and other acceptable landscaped material and such landscape material and such landscape area shall be maintained in a neat and orderly appearance.

M. All parking areas shall be provided with a maintained minimum of one-third (⅓) foot-candle of light on the parking surface during the hours of operation and one-half (1/2) hour after closing. Any other outdoor lighting for the yacht basin shall not be permitted except under the following conditions:

1. Detailed plans shall be submitted to the Building and Zoning Department showing the location, height, type of lights, intensity, shades, deflectors and beam directions.

2. The Building and Zoning Department may issue a permit for such lighting if, after a review of the detailed plans therefore and after consideration of the adjacent area and neighborhood and its use and future development, the proposed lighting will be so located, oriented, adjusted and shielded that the lighting will be deflected, shaded and focused away from such adjacent property and will not be or become a nuisance to such adjacent property and providing, however, that in no case shall any light be mounted higher than twenty (20) feet above the finished grade of the ground.

N. The waste water resulting from the periodic washing of impervious surfaces shall be channeled to natural filter or swale areas prior to soil infiltration.

O. For the purpose of controlling noise pollution in the yacht basin, boats and watercraft operating under power shall be considered motor vehicles and shall be subject to the provisions of Chapter 19 of the Code of the City of Coral Gables entitled: Noises as if the same were fully set forth herein.

P. The hours of operation of the supporting facilities, exclusive of security, shall be from 6:00 AM to 9:00 PM.

Q. The responsibility for the maintenance of the yacht basin shall be borne by the developer, its successors or assigns, or an association consisting of owners and/or leaseholders of the lands, water, piers, docks, buildings, structures, mangroves, seawalls, rip-rap and any and all other improvements of whatsoever nature in the yacht basin.

R. Applicants requesting approval of a conditional use for a Private Yacht Basin shall submit a detailed plan showing the complete layout of the yacht basin including retaining walls, bulkheading, docks, piers, slips, pilings, landscaping, off-street parking, buildings, structures, roads, drives, drainage, water supply and sewage facilities.

Division 26. Bed and Breakfast Establishments

Section 5-2601. Bed and breakfast establishments.

Bed and Breakfast (B & B) establishments may be permitted as a Conditional Use subject to the following restrictions:

A. B & B establishments may be operated on property zoned MF2 within the district bounded by Southwest Eighth Street (Tamiami Trail) to the north, Navarre Avenue to the south, Douglas to the east, and LeJeune Road to the west.

B. Structures shall be a locally designated historic landmark in order to be eligible for operation as a B & B.

C. In accordance with Article 3, Division 11: Historic Preservation, a Certificate of Appropriateness shall be required for any exterior alterations to the historically-designated B & B property.

D. Notwithstanding the Conditional Use provisions provided in Section 3-402 through Section 3-407, a Conditional Use for a Bed and Breakfast that meets all of the requirements of Article 5, Division 26, shall be reviewed as follows:

1. A pre-application conference shall be held with Historical Resources Department staff.

2. A complete Conditional Use site plan approval application shall be submitted to Historical Resources Department staff.

3. Prior to a public hearing before the Historic Preservation Board, departments including but not limited to the Fire Department, Parking Department, and Development Services Department shall review the Conditional Use site plan application and provide written comments.

4. Public notification of the Conditional Use application shall be the same as that for a Special Certificate of Appropriateness.

5. City staff shall prepare a staff report that summarizes the application and indicates whether the application complies with each of the standards for granting conditional use approval in Section 3-408.

6. Staff will provide written recommended findings of fact regarding the standards for granting conditional use approval in Section 3-408.

7. Staff shall provide a recommendation as to whether the application should be approved, approved with conditions, or denied.

5. A public hearing shall be held before the Historic Preservation Board, where a final decision shall be made.

6. Any appeal of a decision of the Historic Preservation Board may be brought to the City Commission in accordance with Article 3, Division 6.

7. Section 3-408 through Section 3-411 shall apply to Conditional Uses for a Bed and Breakfast Establishment.

E. The following design requirements shall be incorporated to minimize the impact on surrounding residential areas:

1. Appearance of structure shall remain residential;

2. Outdoor activity areas for B & B residents use shall be visually buffered from adjacent residential uses;

3. Vehicle ingress and on-site parking shall be screened from adjacent residential properties.

F. One wall-mounted sign shall be permitted designating the property as a B & B, and shall not exceed one-hundred sixty (160) square inches in size.

G. Property owner or manager must reside on property and be available on a daily basis.

H. The sale of alcohol shall not be permitted on premises.

I. Food service shall be limited to B & B residents.

J. Owner/Operator must comply with the following operational requirements:

1. No weekly rates shall be offered;

2. No hourly rates shall be offered;

3. The owner/manager shall maintain a current guest register.

K. All B & B requests shall be required to submit the following floor and site plans:

1. Floor plans.

2. Parking plan.

3. Landscaping plan.

4. Lighting and signage plan.

5. Building elevations.

6. Survey.

L. For those buildings constructed prior to 1964, no additional on-site parking will be required beyond that which exists prior to the Bed and Breakfast Certificate of Use application. In lieu of the parking provision pertaining to Bed and Breakfast Establishments in Section 5-1409 of the Zoning Code, a parking management plan for guests and the owner/manager may be submitted to the Planning and Zoning Director and the Parking Director for review and approval. The parking management plan may include a combination of remote parking, valet parking, and leasing of public parking spaces and will be reviewed based on proximity to transit, number of guest rooms, number of staff, availability of public parking and on-street parking, and other relevant factors.

M. Parking credit may be granted by the Planning and Zoning Director for parallel parking spaces in the roadway immediately in front of the subject property where such parking will not be hazardous or obstruct access.

N. Each B&B shall be subject to code enforcement measures in the same manner as any other business or residence in the City of Coral Gables.

O. The Certificate of Use for the Bed and Breakfast Establishment shall be renewed annually to ensure compliance with all applicable city regulations and conditions that may be imposed as part of the Conditional Use approval.

Division 27. Family Day Care Home

Section 5-2701. Family day-care home.

A family day-care home may be permitted in the SFR, MF1, MF2 and MFSA districts, subject to the following conditions and restrictions:

A. Each facility shall obtain a family day-care home license from the City of Coral Gables. Said license shall be renewable every year to ensure continued compliance with the provisions of this Section.

B. Upon making application for a family day-care home license, the applicant shall provide the following information:

1. Applicant's name, address and telephone number.

2. Property owner's name, address and telephone number (if different from applicant).

3. Address of family day-care home.

4. Business name to be used.

5. Expected total number of children for which day-care will be provided.

6. Size of residence or dwelling unit (square foot floor area) to be used.

C. The maximum number of preschool children unrelated to the resident caregiver, shall not exceed five (5%) percent per facility. Elementary school siblings of the preschool children may also receive day-care outside of school hours, provided that the total number of children, including those related to the care-giver shall not exceed ten (10).

D. Family day-care home facilities shall be limited to one (1) per residential structure and spaced at least ten-thousand (10,000) feet apart measured from property line to property line.

E. Family day-care home facilities shall provide a fenced or walled rear yard.

F. No signage or other means of identification shall be permitted on the exterior of a facility to indicate the operation of a family day-care home.

G. Family day-care home shall provide no less than two-hundred (200) square feet of gross floor area for each child which receives care within that dwelling unit.

H. Family day-care home shall be registered or licensed with the State of Florida, Department of Health and Rehabilitation Services (HRS) prior to obtaining a City of Coral Gables license.

Division 28. Permanently installed stand-by generators

Section 5-2801. Permanently installed stand-by generators.

In addition to all applicable county, state, or federal requirements this Section shall govern the placement of permanently installed stand-by generators, herein after referenced as “generator(s)”. A generator installation shall be allowed for the purpose of providing temporary power during incidental power outages and emergency power outages due to storms, hurricanes and other natural and/or man-made disasters in all residential zoning districts. Generators may not be used as a permanent source of power for a building, structure or property. Generators shall be subject to all of the following:

A. Setback(s) for a generator in all residential zoning districts. Generators shall be permitted in accordance with the following setback requirements as long as the distance is no closer than ten (10) feet from any opening in a building or structure that may be occupied by people as may be required by county, state or federal regulations subject to all of the following conditions:

1. Front setback. No generator shall be allowed in the front setback.

2. Rear setback. Ten (10) feet minimum from the rear property line.

3. Interior side setback(s). Five (5) feet minimum from the side property line. Generators are exempt from the twenty (20%) percent total side setback requirements required for the principal and auxiliary structures.

4. Side street setback(s). If there is not adequate space to satisfy all applicable county, state and federal requirements for the installation of a generator in an interior side yard or the rear yard for a generator, then the side street setback may be fifteen (15) feet minimum to the side street property line.

5. Waterways, canals, lake or bay setback. Fifteen (15) feet minimum from such canal, waterway, lake or bay.

6. Golf course setback. Five (5) feet minimum from the perimeter property line of the golf course.

7. Rear street setback. Fifteen (15) feet minimum from a rear street property line.

8. Spacing. The minimum spacing requirements will be as per the manufacturer's guidelines.

9. Generators shall satisfy all applicable noise level requirements of City Code, Chapter 38 Article II, Section 38-29 as amended.

10. In no event shall a generator be closer than ten (10) feet from any adjoining or neighboring building or structure that may be occupied by people.

11. Number permitted in residential districts. A maximum of one (1) generator may be permitted for a single-family residence, individual duplex unit or individual townhouse unit. A maximum of one (1) generator per structure may be permitted for multi-family developments.

12. Generator installations on improved properties may encroach into the required landscaped open space areas.

13. Generators shall be screened from view of adjacent properties, street, canal, waterway, lake, bay, or golf course with landscaping to screen the generator entirely.

14. Generators located between a building and a street shall be limited to a maximum height of four (4) feet and may not exceed a ground area of twenty (20) square feet. Generators that are not located between a building and a street may not exceed a ground area of one half of a percent (1/2%) of the area of the building site or a maximum ground area of one hundred (100) square feet, whichever is less. If a generator is proposed to be installed within a flood zone area, the maximum allowable generator height of four (4) feet, plus the required flood zone height, is the permitted generator height.

ARTICLE 6 – NONCONFORMITIES AND LAWFULLY EXISTING USES

Division 1. General

Section 6-101. Purpose and applicability.

The purpose of this Article is to provide for the continuation, modification or eventual elimination of nonconforming uses, structures and signs in accordance with the standards and conditions in this Article. While nonconformities may continue, the provisions of this Article are designed to encourage the improvement or elimination of nonconformities in order to better achieve the purposes of these regulations.

Division 2. Nonconforming uses

Section 6-201. Continuation of nonconforming uses.

Except as may be provided for elsewhere in these regulations, a non-conforming use may be continued subject to the standards and conditions of this Division.

Section 6-202. Extension or expansion of nonconforming use.

A nonconforming use shall not be extended or expanded.

Section 6-203. Change from one nonconforming use to another nonconforming use.

A. In general, a nonconforming use may be changed to:

   1. A more restrictive nonconforming use; or

   2. A conforming use.

B. When a nonconforming use is changed to a more restrictive nonconforming use, the new nonconforming use shall not be permitted to change to a less restrictive nonconforming use.

C. Notwithstanding Section 6-203(A), an industrial use located in a residential district shall not be changed, except if changed to a conforming use.

Section 6-204. Nuisances and hazards prohibited.

A nonconforming use shall not be continued if it produces odors, noxious fumes, smoke, noise or other external impacts that become a nuisance to residents.

Section 6-205. Discontinuance of nonconforming use.

Whenever a nonconforming use of property has been discontinued for a period of six (6) months or more, such non-conforming use shall not thereafter be re-established, and the future use of the property shall be in conformity with the provisions of these regulations. A use shall be deemed discontinued if the property is not open for business on an ongoing and continuous basis during a six (6) month period.

Section 6-206. Upgrading of nonconforming use.

In the event of a change in ownership or substantial renovation of a nonconforming use, any nonconforming use located in a C, CL, MXD or I District shall be brought into compliance with the following provisions of these regulations to the maximum extent practicable as determined by the Development Review Official:

A. Perimeter buffer requirements of Article 5, Division 11.

B. Sanitation requirements of Article 5, Division 17.

C. Standards for nighttime uses in Article 4, Division 3, if applicable.

Division 3. Nonconforming structures

Section 6-301. Continuation of nonconforming structures.

Except as may be provided for elsewhere in these regulations, a non-conforming structure may be continued subject to the standards and conditions of this Division.

Section 6-302. Destruction of nonconforming structures.

Except as provided in this Code in Section 3-1112 and in this Section 6-302, a nonconforming structure or nonconforming portion of a structure that is destroyed to an extent exceeding fifty (50%) percent of its replacement cost at the time of its destruction shall not be reconstructed except in conformity with these regulations. All residential structures (including accessory uses and structures) located in a residential district may be reconstructed if destroyed to any extent, provided that such reconstruction does not increase the extent of the nonconformity (ies) existing prior to destruction.

Section 6-303. Alterations to nonconforming structures.

A structure that is nonconforming as to parking, height, setback, ground area coverage, floor area ratio, or other requirements other than use, shall not be altered or enlarged in a way that increases the extent of any nonconformity. Normal maintenance and repair is permitted.

Division 4. Nonconforming signs

Section 6-401. Continuation of nonconforming signs.

A. All signs issued sign permits, or that were otherwise lawfully existing at the time of adoption of this Article, but which are not in conformance with the requirements of Article 5, Division 19, may continue as nonconforming signs, subject to the standards and conditions of this Division.

B. Any sign lawfully existing as of February 26, 1985, may be continued provided such sign shall not be replaced or structurally altered unless such sign is made to comply with all applicable provisions of Article 5, Division 19.

Section 6-402. Alteration or relocation of nonconforming signs or buildings or structures upon which they are mounted.

A. No nonconforming sign shall be enlarged, increased, relocated, nor extended to occupy a greater area than was permitted on the effective date of these regulations.

B. If a sign is removed from a wall or facade of a building, the sign shall not be replaced unless it is made to comply with the provisions of this ordinance; providing, however, that this provision shall not prevent routine maintenance or repair to either the sign or the wall or facade on which it is mounted.

Section 6-403. Nonconforming signs on contributing historic structures.

Nonconforming signs that were installed at the time of a building's or structure's initial construction, but were removed or altered, and such building or structure is classified as contributing historic structure may be restored or replicated subject to Historic Preservation Department and Historic Preservation Board review and approval.

Section 6-404. Discontinuance of nonconforming signs.

A. Nonconforming signs shall be removed if:

1. For any reason, any use to which a sign relates ceases for a period of more than twelve (12) months;

2. A preponderance of the evidence demonstrates that the sign has been abandoned; or

3. They are destroyed such that the cost of repair exceeds fifty (50%) percent of the current replacement value of the sign.

B. After a nonconforming sign is removed, any subsequent sign shall conform to the regulations specified herein.

Section 6-405. Destruction of nonconforming signs.

Nonconforming signs that are damaged by any cause may be repaired if the cost of the repair does not exceed fifty (50%) percent of the current cost of replacement of the sign. Such repairs shall be limited to routine painting, repair and replacement of electrical components. Change of copy shall not be permitted.

Section 6-406. Nuisances and hazards prohibited.

The City Commission may require a nonconforming sign to be brought into immediate conformity with all or part of the provisions contained herein or be removed when competent substantial evidence is presented by City Staff that indicates the sign to be hazardous to the public or to have been abandoned by its owners. All costs associated with bringing the sign into conformity with this code or with removing the sign may be assessed to the current property owner of record.

Division 5. Nonconforming accessory uses and accessory structures

Section 6-501. Termination after termination of principal use or structure.

No nonconforming accessory use or accessory structure shall continue after the principal use or structure is terminated by abandonment, damage, or destruction unless such accessory use or accessory structure conforms to the standards for the zoning district in which it is located.

Section 6-502. Substantial improvement to principal use or structure.

Except as provided for in Section 6-302, any nonconforming accessory use or accessory structure shall be brought into conformity with these regulations whenever a substantial improvement (as determined by the Development Review Official), addition to, or change in the principal use or structure on the property is proposed and approved.

Division 6. Termination of status as a nonconformity: Lawfully existing uses

Section 6-601. General.

A nonconforming use or structure shall be deemed to be in conformity with these regulations, and may thereafter be allowed to continue and to expand as a lawfully existing use or structure, if such use or structure is granted conditional use approval in accordance with the provisions of this Section and the procedures in Article 3, Division 4.

Section 6-602. Standards for terminating nonconforming status.

Conditional use approval shall not be granted to terminate status as a nonconforming use or structure if the nonconformity is improved according to the following requirements:

A. Perimeter buffers conforming to the requirements of Article 5, Division 11 shall be installed.

B. Off-street parking shall be improved to meet the landscaping standards established in Article 5, Division 14.

C. Any nonconforming sign, outdoor lighting or other accessory structure or accessory use located on the building site lot shall be terminated, removed or brought into conformity with these regulations.

ARTICLE 7 - VIOLATIONS, ENFORCEMENT AND PENALTIES

Division 1. Purpose

Section 7-101. Purpose and applicability.

The purpose of this Article is to establish procedures for enforcement and penalties for violations of these regulations. The provisions of this Article are supplemental to any other procedures and remedies available to the City of Coral Gables. Nothing contained in this Article prohibits the City of Coral Gables from enforcing its codes or ordinances by other Code Enforcement provisions of the City of Coral Gables Code of Ordinances or other applicable law.

Division 2. Violations and penalties

Section 7-201. Violations.

A. Failure to comply with any of the provisions of these regulations shall constitute a violation. Each day such violation continues shall be considered a separate offense.

B. Failure to adhere to approved development plans or to comply with any condition set out in a development approval shall constitute a violation. Each day such violation continues shall be considered a separate offense.

C. It shall be a misdemeanor in the second degree punishable pursuant to Florida Statutes 775.082 and 775.083, if any unauthorized person shall tamper with or remove the signs posted pursuant to Article 3, Division 3.

D. Failure to complete work authorized by a building permit within one (1) year of commencement of the work and in compliance with the permit, shall constitute a violation. Each day such violation continues shall be considered a separate offense.

E. Failure to diligently proceed with work authorized by a building permit once said work has commenced shall constitute a violation. Each day such violation continues shall be considered a separate offense.

F. For the purposes of Section 7-201(D) and (E), a full complement of workmen and equipment that is present at the site to diligently incorporate materials and equipment into the structure throughout the day on each full working day, weather permitting, shall be considered evidence of commencement of construction and that work is proceeding.

Section 7-202. Persons liable for violations.

In addition to the owner of the property that is the subject of the code enforcement proceeding, the tenant of the building, structure, premises, or part thereof, and any architect, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

Division 3. Code enforcement adjudication

Section 7-301. Code enforcement adjudication.

A. The Code Enforcement Officer may request a hearing regarding the enforcement of these regulations before any of the following adjudicative bodies:

   1. A court of competent jurisdiction;

2. The City of Coral Gables Code Enforcement Board, pursuant to Ch. 2, Art. 3, Division 2 of the Code of Ordinances of the City of Coral Gables; and

3. The Code Enforcement Hearing Officer, pursuant to Ch. 2, Art. 3, Division 2A of the Code of Ordinances of the City of Coral Gables.

Section 7-302. Penalties for violations.

A. Judicial proceedings. In addition to orders to cure the violation and/or pay for such cure, violations as set forth in Section 7-201 shall be punishable upon adjudication by a court of competent jurisdiction with:

1. A fine of up to five-hundred ($500) dollars per offense, imprisonment not exceeding sixty (60) days, or both;

2. Revocation of an active development approval if either:

a. The application or accompanying plans are in any respect false or misleading; or

b. Development or use of the premises differs materially from that which was permitted or a condition of approval;

3. Restitution of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in F.S. 212.12(3), if the violation is of a restrictive covenant that provides for historic preservation;

4. Costs, including but not limited to court costs and not less than fifty ($50) dollars or more than one-hundred ($100) dollars per reinspection by the Building and Zoning Department or Code Enforcement Officer which was necessary to determine code compliance after the violation was discovered.

B. Code enforcement proceedings. Upon finding a violation as set forth in Section 7-201, the Code Enforcement Board or Code Enforcement Hearing Officer may order one (1) or more of the following:

1. That the violation be cured within a specified period of time;

2. That the violator pays for the violation to be cured under the supervision of the City of Coral Gables;

3. A fine of up to two-hundred-and-fifty ($250) dollars per offense for a first violation or five-hundred ($500) dollars per offense for a repeat violation;

4. A fine of up to five-thousand ($5,000) dollars per offense if it is determined that the damage due to a code violation is irreversible;

5. That an active development approval be revoked if either:

a. The application or accompanying plans are in any respect false or misleading; or

b. Development or use of the premises differs materially from that which was permitted or a condition of approval;

6. That incomplete buildings, structures, or additions be demolished and removed if:

a. The building permits that authorized their construction have expired; and

b. Good cause, such as strikes, natural disasters, material shortages, or unusual inclement weather, has not been shown; and

7. Costs, including but not limited to all administrative and enforcement costs and the cost of reinspection by the City which was necessary to determine code compliance after the violation was discovered.

C. Additional mandatory penalties for violations of historic preservation provisions. Any person who carries out or causes to be carried out any work in violation of Article 3, Division 11, shall be required to restore the subject improvement, landscape feature, or site, either to its appearance prior to the violation or in accordance with a Certificate of Appropriateness approved by the Historic Preservation Board, subject to the conditions imposed by the Board. All civil remedies shall be in addition to and not in lieu of any criminal prosecution and/or any other applicable penalty. The Historical Resources Director is authorized, where it is deemed necessary for enforcement of these regulations, to require the execution of an agreement for recording, together with appropriate documents.

Division 4. Effect of code violations on building permits

Section 7-401. Administrative stop-work orders.

A. If the Code Enforcement Officer determines that development is being undertaken in a manner that is inconsistent with a development approval, or is being undertaken without a required approval, the Code Enforcement Officer may issue a stop-work order which shall be effective against all further work on the site except that which is required to cure the violation.

B. If the Code Enforcement Officer determines that development is being undertaken in a manner that is inconsistent with a certificate of appropriateness, or is being undertaken without a required certificate of appropriateness, the Code Enforcement Officer shall issue a stop-work order which shall be effective against all further work on the site except that which is required to cure the violation.

C. All stop-work orders shall be issued in conjunction with a summons, notice to appear, or notice of violation, depending on the adjudicative body that is selected to hear the case.

D. If a stop-work order is issued in conjunction with a notice of violation, the Code Enforcement Officer shall immediately request a hearing of the Code Enforcement Board or Code Enforcement Hearing Officer.

E. A stop-work order shall remain effective until any of the following events occur:

1. Verification by the Code Enforcement Officer that full compliance with these regulations has been accomplished;

2. A hearing before a court, Code Enforcement Board, or Code Enforcement Hearing Officer, which the Code Enforcement Officer shall request immediately after issuing the stop-work order; or

3. Such other reasonable time established by the Code Enforcement Officer has elapsed.

Section 7-402. Stay of development approvals.

Upon the entry of an order of violation by the Code Enforcement Board, Code Enforcement Special Master, or court, no further development approvals shall be processed or granted regarding the property which is the subject of the violation, except for permits necessary to correct the violation, until the violation is corrected and fines and costs which have been imposed are paid.

Division 5. Curing violations through subsequent approvals

Section 7-501. Variances.

A. A violation may be cured through subsequent approval of an application for a variance.

B. Applications for such variances shall be processed in the same manner as any other variance, except that the application fee shall be separately set by resolution of the City Commission.

C. The Code Enforcement Board or Code Enforcement Hearing Officer may require that fines continue to be assessed during the period in which the variance is processed, or may suspend fines until the application is decided and then impose them if it is denied or withdrawn.

D. Nothing in this section requires the City to grant a variance to cure a code violation.

Division 6. Reporting violations; investigations; notice of violation

Section 7-601. Reporting violation; Investigations.

A. Any person may report a violation of these regulations or a condition of development approval by filing a complaint with the Code Enforcement Officer.

B. The Historic Preservation Board or its staff shall report violations of these regulations if they determine that any improvement within a designated historic landmark, or historic landmark district is endangered by failure to comply with City Code, or that other improvements in visual proximity to an historic landmark or historic landmark district fail to comply with City Code to such an extent as to detract from the desirable character of the historic landmark or historic landmark district.

C. Upon receipt of a complaint, a Code Enforcement Officer shall promptly investigate to determine whether a violation of these regulations exists.

D. Within ten (10) days of the date a complaint is filed, a Code Enforcement Officer shall report to the complainant regarding the disposition or status of the complaint.

Section 7-602. Minor violations; Notice and reinspection.

A. Where it has been determined that a violation exists, and that the violation can reasonably be corrected within twenty-four (24) hours, said offense shall be known as a “minor violation.”

B. The Code Enforcement Officer shall issue a written notice to the owner and any other alleged participant in the code violation, specifying the minor violation and directing the owner and any other alleged participant in the code violation to correct such minor violation within a period of forty-eight (48) hours at which time a reinspection shall be made.

C. If the minor violation still remains upon reinspection, the Code Enforcement Officer shall issue a second notice of violation to the owner and any other alleged participant in the code violation by certified mail, return receipt requested, specifying that if said minor violation is not corrected within seventy-two (72) hours of the owner's receipt of notice, the case shall be set for a hearing before the Code Enforcement Board of the City of Coral Gables or the Code Enforcement Hearing Officer.

D. If the minor violation still remains upon the second reinspection, the Code Enforcement Officer shall promptly request a hearing before the Code Enforcement Board of the City of Coral Gables or the Code Enforcement Hearing Officer, and shall notify the owner and any other alleged participant in the code violation of said hearing by certified mail, return receipt requested.

Section 7-603. Violations; Notice and reinspection.

A. Where it has been determined that a violation exists that is not subject to Section 7-602, the Code Enforcement Officer shall issue a written notice to the owner and any other alleged participant in the code violation, specifying the violation and directing the owner and any other alleged participant in the code violation to correct such violation within a period of seven (7) days, at which time a reinspection shall be made.

B. If the violation still remains upon reinspection, the Code Enforcement Officer shall issue a second violation notice to the owner and any other alleged participant in the code violation by certified mail, return receipt requested, specifying that if said violation is not corrected within a period of fourteen (14) days from the date of the first notice, the case shall be set for a hearing before the Code Enforcement Board of the City of Coral Gables or the Code Enforcement Hearing Officer.

C. If the violation still remains upon the second reinspection, the Code Enforcement Officer shall promptly request a hearing before the Code Enforcement Board of the City of Coral Gables or the Code Enforcement Hearing Officer, and shall notify the owner and any other alleged participant in the code violation of said hearing by Certified Mail, Return Receipt Requested.

Section 7-604. Repeat violations.

A. A violation of a provision of these regulations by a person who has been previously found by the Code Enforcement Board of the City of Coral Gables, the Code Enforcement Hearing Officer, or a court of competent jurisdiction, to have violated, or who has admitted violating, the same provision within five (5) years prior to the violation, is a "repeat violation," even if the violations occur at different locations.

B. If a repeat violation is found, the Code Enforcement Officer shall notify the owner and any other alleged participant in the code violation and request a hearing before the Code Enforcement Board of the City of Coral Gables or the Code Enforcement Hearing Officer. The Code Enforcement Officer is not required to give the owner or any other alleged participant in the code violation time to correct the violation.

C. The case may be presented to the Code Enforcement Board of the City of Coral Gables or the Code Enforcement Hearing Officer even if the repeat violation has been corrected prior to the hearing, and the notice shall so state.

D. If the repeat violation has been corrected, the Code Enforcement Board of the City of Coral Gables or Code Enforcement Hearing Officer may still schedule a hearing to determine costs and impose the payment of reasonable enforcement fees upon the repeat violator.

E. The repeat violator may choose to waive his or her rights to this hearing and pay said costs as determined by the Code Enforcement Board of the City of Coral Gables or Code Enforcement Hearing Officer.

Section 7-605. Continuous violations.

A. Whenever a property owner is cited at least three (3) times for the same violation at the same location within a period of twelve (12) consecutive months, said offense shall be known as a “continuous violation.”

B. When a Code Enforcement Officer finds a continuous violation, the case shall be promptly set for a hearing before the Code Enforcement Board of the City of Coral Gables or the Code Enforcement Hearing Officer and the owner and any other alleged participant in the code violation shall be immediately notified by Certified Mail, Return Receipt Requested, of the hearing. All hearings shall be set such that there is at least seven (7) days between the date notice is mailed and the date of the hearing.

C. The proper authorities of the City of Coral Gables, in addition to the remedies herein provided for, may institute any appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to impose a penalty for such violation or to restrain, correct or abate such violation in order to prevent the occupancy or use of said building, structure or land contrary to the provision hereof, or to prevent any illegal act, conduct, business or use in or about such premises.

ARTICLE 8 - DEFINITIONS

The following words and phrases when used in these regulations shall have the following meanings, except where the context clearly indicates a different meaning.

Abandon means to renounce or disclaim all interest of the City and of the public in any non-fee interest in land, including but not limited to a right-of-way, easement, street or alley. For the purposes of these regulations, “abandon” includes the terms “vacate” and “close.”

Abuts or abutting means parcels of land which share a property line or are separated by an alley.

Accessory deck is that area within the first twenty (20) feet above grade, designed for the purpose of accommodating recreational activities and/or off-street parking below its surface and/or usable open space on its upper level, none of which may be used for living purposes.

Accessory dwelling. See definition of Dwelling, Accessory.

Accessory use, building or structure means a use which: 1) is subordinate to and serves a principal use; 2) is subordinate in area, extent, and purpose to the principal use served; 3) contributes to the comfort, convenience or necessities of the users or occupants of the principal use; and 4) is located on the same building site as the principal use.

Acre, net is the area within lot boundaries of all lands comprising the building site and the term used to determine floor area allocation. A net acre shall not include any portion of the abutting dedicated streets, alleys, waterways, canals, lakes or any such dedicated right-of-way by whatever name known.

Addition to an historic building, structure, or property means a construction project located on the exterior of an historic building, structure, or property.

Adjacent means across a street or waterway from a parcel of land. Where a parcel of land is adjacent to more than one (1) parcel of land, the term adjacent is intended to require compliance with the most restrictive standard with regard to the land use designation or use of adjacent property.

Adult is any person eighteen (18) years of age or older.

Adult book store is an establishment having as its stock in trade, books, magazines, prints, photos, movies, models and periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, exhibiting or relating to specified anatomical areas or an establishment with a segment or section devoted to the sale or display of such material.

Adult cat or dog means a cat or dog six (6) months or older.

Adult theater means an enclosed building or an enclosed space within a building or an open-air area used for presenting as a preponderance of its entertainment, films, motion pictures, video cassettes or disks, slides or similar photographic reproductions, recordings or other audio matter, or live plays, dances, or other performances, either by dominant character or theme is the depiction of description of “specified sexual activities” or “specified anatomical areas” for the entertainment of patrons therein. The term includes, but is not limited to, an establishment that has one (1) or more “adult booths” or an “adult arcade.”

Adult use means an adult bookstore, adult theater or a massage salon.

Aesthetics means the accepted notions of good beauty and good taste in the City of Coral Gables.

Affordable housing means housing which is affordable to a household with an adjusted gross income which does not exceed one-hundred and twenty (120%) percent of the City’s median income.

Aggrieved means any applicant or any person who received courtesy notice of a public hearing from the City not exceeding one-thousand (1,000) feet from the perimeter boundaries of the subject property, and

shall also mean the City Manager.

Airline Measurement means the straight line, as the crow flies, measured from property line to property line, regardless of streets, walkways, or intervening structures, physical barriers or other obstructions.

Alcoholic beverages mean distilled spirits and all beverages containing one-half (0.5%) percent or more alcohol by volume (consistent with Section 561.01, Florida Statutes (2004)).

Alcoholic beverage sales mean a principal commercial activity involving the sale of alcoholic beverages for off-premises consumption, such that twenty-five (25%) percent or more of the floor area is occupied by the display of alcoholic beverages.

Alley is a narrow thoroughfare dedicated or used for public use upon which abut generally the rear of the premises, or upon which service entrances or buildings abut, which is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, and is not otherwise officially designated as a street.

Alteration to an historic building or structure means any change affecting the exterior appearance of an existing improvement by additions, reconstruction, remodeling, partial demolition or maintenance involving change in color, form, texture or materials, or any such changes in appearance of specially designated interiors.

Amateur radio antenna is an antenna consisting of a tower, beam array, and mast and is designed and constructed for use in the operation of an amateur radio station licensed by the Federal Communication Commission.

Animal grooming or boarding means a use where animals are kept on a temporary basis in conjunction with grooming or overnight boarding.

Antenna means a transmitting and/or receiving device mounted on a telecommunications tower, building or structure and used in wireless telecommunications services that radiates or captures electromagnetic waves, digital signals, analog signals, radio frequencies, wireless communications signals and other communications signals including directional antennas such as panel and microwave dish antennas, and omni-directional antennas such as whips, but excluding, radar antennas, amateur radio antennas, satellite earth stations, traditional residential television antennas or microwave antennas.

Antenna support structures means any poles, masts, towers and/or support structures for supporting antenna used in the operation of personal radio services.

Applicant, **Historic Preservation,** means an individual or group who provides sufficient written information to the Historical Resources Department staff to ascertain that the property meets the minimum eligibility requirements for local historic designation or, in the case of a request for a Certificate of Appropriateness, the property owner, or authorized representative of the property owner.

Applicant means a person or persons who apply to the City for development review and approval.

Application for development approval means any application for approval of development under the provisions of these regulations, other than an application for a building permit, certificate of use or occupancy, and occupational license.

Arcade and/or loggia means a permanent structure that is constructed, contiguous, parallel, perpendicular and/or attached to an adjoining building and attached to the structural components of a building that provides cover and protection from the elements for pedestrian passageways, sidewalks, etc. generally supported by piers or columns.

Archaeological site means a specific location which has yielded or is likely to yield information on local history or prehistoric history.

ARTICLE 8 - DEFINITIONS

Archaeological zone means a geographically defined area, designated pursuant to these regulations, which may reasonably be expected to yield information on local history or prehistoric history based upon broad prehistoric or historic settlement patterns.

Architectural features means but are not limited to the following: architectural style, scale, massing, siting, general design and general arrangement of the exterior of the building or structure, including the type, style and color of roofs, windows, doors and appurtenances. Architectural features shall also include interior spaces which have been designated historic pursuant to the provisions of Article 3, Division 11 of these regulations.

Architectural relief elements mean ornamentation, decorative features installed, attached to, protruding from, the exterior of a building or structure for the purpose of ornamentation or expression.

Architecture means the art and science of designing and constructing buildings adapted to their purposes, one of which is beauty.

Array means a group of antennas that are either 1) mounted or side mounted on the rooftop of a building or rooftop structure(s); or 2) directly or indirectly mounted on a telecommunications tower.

Assisted living facilities (ALF) means any building or buildings, section or distinct part of a building, private home, boarding home, home for the aged, or other residential facility, whether operated for profit or not, which undertakes through its ownership or management to provide housing, meals, and one or more personal services, for a period exceeding twenty four (24) hours to one (1) or more adults who are not relatives of the owner or administrator. (NOTE: this definition and the definition of “personal services” are taken from Section 400.402, Florida Statutes (2004)).

Attached telecommunications facility means any telecommunications facility that is attached to an existing building or structure that is not itself a telecommunications tower or an antenna.

Automated parking system means a parking lift or lifts, mechanical access parking structure, robotic parking system, or any other similar structure that employs mechanical devices to store and retrieve automobiles.

Automatic irrigation system means an irrigation system with a programmable controller or timing mechanism.

Automobile service station means any building, structure, or lot used for the following: dispensing, selling or offering for retail sale gasoline, kerosene, lubricating oil, or grease for the operation and maintenance of vehicles. This may include buildings or structures that are used for the retail sale and direct delivery to motor vehicles of cigarettes, candy, soft drinks and other related items for the convenience of the motoring public, and may include facilities for lubricating, minor repairs or vehicle service. Such establishments shall not include facilities for major vehicle service.

Awning means a roof-like cover extended over a window, door or an opening of a structure, including garage or porte-cochere vehicle openings, being fastened in the manner provided for such fastenings, to the structure of which it is a part and design; and used for the purpose of shielding such window, door or opening from the rays of the sun, rain and like elements of weather.

Basement is that portion of a building below the natural grade and/or floors of which at least one-half (1/2) of the gross surface area of the basement’s exterior walls are below the established/existing natural grade.

Bed and breakfast means a transient lodging establishment, primarily engaged in providing overnight accommodations for the general public, not including a restaurant.

Billboard means a surface whereon advertising matter is set in view conspicuously and which advertising

does not apply to premises or any use of premises wherein it is displayed or posted.

Block means that property bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, golf course, campus, park or any other barrier to the continuity of development.

Boat house means an accessory structure which is enclosed or partially enclosed and is primarily designed for the use and storage of private watercraft and marine-related equipment and which is used in accordance with the provisions of the Article 5, Division 1 of these regulations.

Breezeway means a roofed, open-sided passageway connecting two (2) structures, such as a house and a garage.

Buffer, perimeter landscape means an area of land which is set aside along the perimeter of a parcel of land in which landscaping is required to provide an aesthetic transition between different land uses and to eliminate or reduce adverse environmental and incompatible land use impacts.

Buildable lot means a parcel of land in the SFR District which is entitled to be developed with a single-family detached dwelling or duplex building.

Building means any structure used or intended for supporting or sheltering any use or occupancy. (Florida Building Code)

Building base means the portion of a building and/or structure that starts at street level and is in proportion with the building and distinguishable from the remainder of the building.

Building middle means the portion of the building and/or structure that is between the building base and building top.

Building Official. See Section 2-708.

Building top means the portion of the building and/or structure at the top of a building.

Building site means:

A. A parcel of land having not less than the minimum area permitted by these regulations for a building to be erected thereon, including such open spaces as are required by these regulations and such open spaces as are arranged and designed to be used, or actually used, in connection with such building; and

B. A parcel of land heretofore approved by the City of Coral Gables as a building site under a Unity of Title agreement as recorded in the Public Records of Miami-Dade County, Florida.

Build-to-line means a line with which a portion of the principal building is required to align.

Cabana means an accessory building or a portion of the main building used as a bathhouse or a dressing area in connection with a swimming pool or a tennis court.

Calculation of unused development rights means the formula used to determine the maximum amount of underdeveloped floor area that may be transferred from a designated historic property. That figure is derived by calculating the difference between the existing gross floor area in the designated structure (sending site) and the maximum gross floor area permitted in that site's zoning designation.

Caliper means for trees less than four (4) inches in diameter, the trunk diameter is measured at a height of six (6) inches above natural grade. For trees four (4) inches and greater in diameter, the trunk diameter is measured at twelve (12) inches above natural grade.

Camp means academic and recreational programs intended for participation by children between the ages of five (5) and eighteen (18) years. Such programs may be multidisciplinary and may include, but not be limited to, a combination of academic, athletic, and recreational activities, but which does not include overnight stays.

Campus Buffer Area means that portion of the Main Campus of the University of Miami, consisting of a strip of land bounded by a line lying seventy-five (75) feet Southeasterly, Easterly and Southerly of the University of Miami boundary line fronting San Amaro Drive and Campo Sano Drive, ("the Main Parallel Line") bounded on the South by the Easterly prolongation of the Southerly Right of Way line of Mataro Avenue and bounded on the Northeast by the Southwesterly boundary line described in that certain "Easement Deed" recorded in Official Records Book 9798 at Page 199 of the Public Records of Miami-Dade County, Florida. Said seventy-five (75) foot line shall be adjusted to run parallel with and Easterly of the former Easterly Right of Way line for San Amaro Drive as shown and described in that certain "Agreement for Use of Public Rights of Way in the City of Coral Gables and Hold Harmless and Indemnity Agreement," ("the Agreement") as recorded in Official Records Book 26577 at Page 2563 of said Public Records of Miami-Dade County, Florida. Said parallel line will begin Southeasterly of the Southwesterly corner of the property as described in said Agreement at a point of Non-Tangent Intersection with said Main Parallel Line and shall run in a Northeasterly direction to a Point of Non-Tangent Intersection with the Southeasterly prolongation of said Main Parallel Line as measured from the Easterly boundary line of said Main Campus of the University of Miami, lying Northerly of the Northerly Right of Way line of Miller Drive as vacated by Coral Gables City Ordinance Number 3392 as recorded in Official Records Book 21174 at Page 5014 of said Public Records of Miami-Dade County, Florida. All land located within seventy-five (75) feet of the south edge of the right of way at Mataro Avenue, legally described as all those lots, pieces or parcels of land situate lying and being in Block 184 of CORAL GABLES RIVIERA SECTION PART 6, according to the Plat thereof, as recorded in Plat Book 20 at Page 79 of the Public Records of Miami-Dade County, Florida, being more particularly described as follows, viz: The North 25 feet of Lot 1 in said Block 184; Together with all of Lot 2 in said Block 184; and together with the North 75 feet of Lots 3 through 12, inclusive in said Block 184.

Campus Core Area means all land located within the University of Miami Campus which is not within the campus buffer area or the campus transition area.

Campus Core Subareas means:

A. University Village. The University Village which is generally located to the south of Mataro Avenue, east of Red Road, north of Brescia Avenue, and east of San Amaro Drive and more specifically described in the City of Coral Gables Ordinance Number 2004-20.

B. University Multi-Use Zone. The University Multi-Use Zone shall consist of those lands designated under the "University Campus Multi-Use Area" on the Future Land Use Map of the City of Coral Gables Comprehensive Plan.

Campus master plan means the master plan previously adopted by the City of Coral Gables as the 2006 UMCAD plan pursuant to Ordinance No. 2007-16, together with all accompanying UMCAD text provisions and exhibits in effect on the date of adoption of Ordinance No. 2010-31 shall be the adopted Campus Master Plan for the University Campus District until otherwise amended.

Campus Master Plan Development Order means a conditional use approving an application for a Campus Master Plan granted by the City Commission of the City of Coral Gables for land within the University of Miami Campus Area Development District.

Campus Perimeter Area means that area graphically depicted as "Perimeter Area."

Campus Transition Area means that portion of the Main Campus of the University of Miami, consisting of a strip of land bounded by a line lying three-hundred (300) feet Southeasterly, Easterly and Southerly of the University of Miami boundary line fronting San Amaro Drive and Campo Sano Drive, ("the Main

Parallel Line") bounded on the South by the Easterly prolongation of the Southerly Right of Way line of Mataro Avenue and bounded on the Northeast by a line in a Southwesterly direction as measured from the Point of Intersection of a line lying seventy-five (75) feet Southerly of the Northerly boundary line of the University of Miami along Campo Sano Drive with the Southwesterly boundary line described in that certain "Easement Deed" recorded in Official Records Book 9798 at Page 199 of the Public Records of Miami-Dade County, Florida. Said three-hundred (300) foot line shall be adjusted to run parallel with and Easterly of the former Easterly Right of Way line for San Amaro Drive as shown and described in that certain "Agreement for Use of Public Rights of Way in the City of Coral Gables and Hold Harmless and Indemnity Agreement," ("the Agreement") as recorded in Official Records Book 26577 at Page 2563 of said Public Records of Miami-Dade County, Florida. Said parallel line will begin Southeasterly of the Southwesterly corner of the property as described in said Agreement at a Point of Non-Tangent Intersection with said Main Parallel Line and shall run in a Northeasterly direction to a Point of Non-Tangent Intersection with the Southeasterly prolongation of said Main Parallel Line as measured from the Easterly boundary line of said Main Campus of the University of Miami, lying Northerly of the Northerly Right of Way line of Miller Drive as vacated by Coral Gables City Ordinance Number 3392 as recorded in Official Records Book 21174 at Page 5014 of said Public Records of Miami-Dade County, Florida. Less therefrom: That portion of the described property bounded by a line lying seventy-five (75) feet Southeasterly, Easterly and Southerly of said University of Miami boundary line fronting San Amaro Drive and Campo Sano Drive, as well as said former Easterly Right of Way line for San Amaro Drive as shown and described in said "Agreement for Use of Public Rights of Way in the City of Coral Gables and Hold Harmless and Indemnity Agreement."

Canopy means a roof-like cover, including freestanding structures where permitted, or an awning that projects from the wall of a building used as a shelter or carport, or over a door, entrance or opening for the purpose of shielding persons and/or vehicles from the rays of the sun, rain and like elements of weather.

Canopy entrance means a canopy intended and used for the purpose of sheltering persons or inanimate objects from the rays of the sun and from rain and weather.

Carnival means an exhibition or amusement enterprise consisting of various riding devices, sideshows, games or tests of skill and vendors of refreshments. Programs which may be directed to Brownies, Cub Scouts, Girl Scouts and Boy Scouts and church bazaars, religious programs and festivals and similar church and school functions shall not be construed as carnivals. (See Section 5-2102)

Carport means a roofed structure that is open on three sides and attached to the main building for the purpose of providing shelter for one (1) or more motor vehicles.

Carport canopy means a structure to cover for vehicles from the rays of the sun and from rain and weather. Carport canopies shall be partially or entirely supported from the ground up. 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.

Casino is a commercial establishment which provides gambling and gaming as either a primary or accessory source of revenue, which may include food and beverage sales for consumption on premises as a part of its business activity.

Cat means a carnivorous quadruped belonging to the feline family and held as a domesticated cat.

Cemetery means a place used for interment of human or animal remains or cremated remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments or a combination thereof.

Central Business District means property bordered by LeJeune Road on the west, Douglas Road on the east, Navarre Avenue on the north, and Almeria Avenue on the south.

ARTICLE 8 - DEFINITIONS

Certificate of Appropriateness means a written document, issued pursuant to these regulations, permitting specified alterations, demolitions, additions, or other work to a designated historic landmark or contributing or non-contributing building within a designated historic landmark district.

Certificate of Appropriateness, Special means those certificates involving the demolition, removal, reconstruction, alteration or new construction at an individual site or in a district, which requires determination by the Historic Preservation Board before such certificate can be issued pursuant to the provisions of Article 3, Division 11.

Certificate of Appropriateness, Standard means those certificates issued by the Historic Preservation Officer in accordance with the provisions of Article 3, Division 11.

Certificate of Concurrency/Capacity means the document issued by the City indicating the quantity of public facilities that are available and reserved for the property described in the certificate, and containing an expiration date.

Certificate of Occupancy means a certificate issued by the DRO (Development Review Official) that a building or structure conforms to the building permit, all applicable ordinances and regulations and may be occupied.

Certificate of Use means a certificate issued by the DRO that a building, structure or use conforms to all applicable City ordinances and requirements and may be used as proposed provided that applicable permits are obtained.

Certified Local Government (CLG) means a program administered by the U.S. Department of the Interior which enables communities to have a more direct part in the federal historic preservation program.

Certificate of Transfer means a document issued by the DRO that authorizes the transfer of specified undeveloped rights from an historic property to a receiving site.

Citizen means a resident of the City of Coral Gables who has declared his or her residence in the City to be his or her domicile and is eligible to vote in municipal elections.

City means the City of Coral Gables, Florida, an incorporated municipality of the State of Florida, in its present form or in any later reorganized, consolidated, or enlarged form.

Clearance pruning means pruning required to avoid damage or danger related to structures, power distribution and property, as defined in the current American National Standards Institute (ANSI) A300 Standards.

Coastal flood hazard district means the coastal flood hazard district is designated as follows:

A. The area south of the Coral Gables Deep Waterway and east of Old Cutler Road and Red Road; and

B. The area bounded on the south by the Coral Gables Deep Waterway, on the west by LeJeune Road and Ingraham Highway, on the north by West Ingraham Terrace and Miami City limits and on the east by Biscayne Bay.

Co-location means use of a common telecommunications tower or site by two (2) or more service providers. An application is for co-location if the service provider intends to install an array on an existing telecommunications tower or at the same site as an existing attached telecommunications facility.

Colonnade means a permanent structure that is below and parallel to the face of a building and beneath the floor above that is generally supported by piers and columns that provides cover from the elements.

Commercial laundry means a commercial establishment for laundering clothes and linens on site which does not do business with individual members of the public and only does business with other businesses, typically hotels.

Commercial message means any wording, logo, emblem, character, pictograph, trademark, or symbol used to represent a firm, organization, entity, product, or service, or other representation that, directly or indirectly, names, advertises, or calls attention to a product or service. Terms such as sale, special, clearance, or other words which relate to commercial activity shall be deemed to be commercial messages. Items of identification shall not be considered to be commercial messages.

Commercial use means any use permitted as of right or as a conditional use in the Commercial Limited District or the Commercial District.

Common areas means land, including accessory structures and buildings, not individually owned or dedicated for public use, which is dedicated and intended for the common use or enjoyment of the owners, tenants and residents of the development or the public.

Common open space is the area required as open space under these regulations.

Community center means a building to be used as a place of meetings, recreation or social activity and not operated for profit and in which neither alcoholic beverages nor meals are normally dispensed or served.

Compatibility means the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures, pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, compatibility refers to the sensitivity of development proposals in maintaining the character of existing development.

Comprehensive Plan and Map are the official documents reviewed by the Planning and Zoning Board and adopted by the City Commission as a long-range policy guide for the orderly, economic and physical growth of the City pursuant to the provisions contained within Florida Statutes.

Concurrency manual is the manual prepared by the City of Coral Gables for the administration and management of the City’s Concurrency Management Program.

Conditional use is a use that would not be appropriate generally, or without restriction throughout a zoning district or classification but which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare. Such uses may be permitted in a zoning district or classification as conditional uses if specific provision for such conditional use is made in these regulations.

Congregate care means direct physical assistance with or supervision of the activities of daily living and the self-administration of medication and other similar services. Congregate care shall not include the provision of medical, nursing, dental, or mental health services.

Consistency means compatible with and furthers the general plan of the City. Consistency exists when the standards and criteria of the City’s Comprehensive Plan are met or exceeded.

Construction and/or field office is a mobile home, travel trailer, truck trailer and/or other structure used as an office in conjunction with a construction project.

Contextual analysis means an analysis of a proposed development to determine whether the proposed

development is consistent with the neighborhood in which the proposed development will be located. (See Article 3, Division 3)

Contributing building or property means a building or property contributing to the historic significance of a district which by location, design setting, materials, workmanship, and association adds to the district's sense of time, and place, and historic development.

Contiguous means parcels of land which share a property line or are separated by an alley. Where a parcel of land is contiguous to more than one parcel of land, the term contiguous is intended to require compliance with the most restrictive standard with regard to the land use designation or use of contiguous property.

Controlled plant species means those plant species listed in the City's Landscape Manual which tend to become nuisances because of their ability to invade proximal native plant communities or native habitats, but which, if located and cultivated properly may be useful or functional as elements of landscape design.

Convenience retail means any retail establishment offering for sale grocery and household items, newspapers and magazines, gasoline and other auto products, food products, incidental sales of cooked food or site-prepared food ready for serving off-premises, and similar items.

Copper, as a roofing material, is intended to mean copper in its natural state and allowed to oxidize and patina.

Coral Gables Register of Historic Places means a listing of the properties within the City that have been designated as local historic landmarks or local historic landmark districts.

Country club shall mean buildings and facilities, which may privately or publicly, owned and operated for social, educational, and/or recreational purposes to which membership is required for participation. Access and use by non-members to accessory uses customarily associated with a country club such as the restaurant, lounge and associated facilities may be permitted. Facility events may include social events, banquets, weddings, meetings and seminars, trade conferences and other similar functions. Night clubs and casinos are prohibited uses.

Court means an open, unoccupied, unobstructed space, other than a yard, on the same lot as a building. Trees or shrubs may be used in a court.

Court, inner means a court not extending to a street or alley or to a front, side or rear yard.

Court, outer means a court extending to a street or alley or to a front, side or rear yard.

Courtyard, interior means a court that is enclosed on at least two (2) sides with building walls and enclosed on all of the other sides with walls that exceed four (4) feet in height, a trellis or covered terrace or any combination thereof.

Courtyard, private means an open space area that is partly or wholly defined by buildings or walls that is accessible at grade and is neither public nor civic. The use is intended solely for the utilization of a select group of individuals or persons.

Courtyard, public means an open space area that is partly or wholly defined by buildings or walls that is accessible at grade and is available for use by the public. Public courtyards may be permitted to be a component of the main entry sequence.

Coverage means the portion of the parcel proposed for development which is covered with the footprints of all buildings and structures, computed from the exterior face of exterior walls and the exterior face of exterior columns of the ground floor of the building or structure, including the cantilevered portions of the building above the ground floor or roof overhangs which are greater than five (5) feet.

Cultural institution is one that engages in the performing arts, visual arts, promotion of arts and historic preservation (including but not limited to music, dance, theater, art cinema, art, painting, sculpture, photography, history, etc.) or engages in cultural activities and serves the general public and has a permanent presence in the City. The institution shall be designated by the Internal Revenue Service as tax exempt pursuant to Section 501(c)(3) and (4) of the Internal Revenue Code.

Customer service area means the gross floor area of a restaurant used for serving patrons, excluding food and drink preparation areas, storage areas and other areas not directly utilized by the public in patronizing such establishments.

"Cut-off" fixture means a light fixture which shields light so that the light is cast downward.

Day care means a facility operated for the purpose of providing care, supervision and guidance to six (6) or more individuals during only a part of a twenty-four (24) hour day.

Demolition means the act or process of wrecking, destroying or removing any building or structure or any part thereof.

Demolition, voluntary means the act or process of wrecking, destroying or removing any building or structure or any part thereof that has not occurred as a result of any disaster.

Demolition by neglect. See Section 3-1108.

Density means the number of dwelling units permitted per net acre of land.

Department of Community Affairs (DCA) means the Florida Department of Community Affairs or any successor department or agency by whatever name known.

Designated exterior means all outside surfaces of any improvement listed in a designation report as having significant value to the historic character of the building, structure or district.

Designation report means a document prepared by the Historic Preservation Officer for all properties or districts which are proposed for local historic designation. The designation report includes the boundaries of the proposed historic property or district, a summary of its historic significance, and contains location maps and a review guide which describes the physical characteristics of the property or district.

Development means 1) the subdivision of a parcel of land; 2) the construction, reconstruction, conversion, structural alteration, relocation, enlargement, or demolition of a structure; 3) the mining, excavation, landfill, drilling, grading, deposition of refuse, solid or liquid waste, or fill on a parcel of land; 4) the alteration of the shore or bank of a pond, lake, river, or other waterway; or 5) any use or change in the use or intensity of use of any structure or use of land and includes redevelopment.

Development approval means any approval, permit or other official action of the City granting, denying, or granting with conditions an application for development approval.

Development Review Official(s) (DRO). See Section 2-707.

Diameter at breast height (DBH) means the diameter of a tree's trunk measured at a height four and one-half (4½) feet above natural grade. In the case of multiple-trunk trees, the DBH shall mean the sum of each trunk's diameter measured at a height of four and one-half (4½) feet above natural grade.

Differential operation schedule means a method of scheduling an irrigation system to apply different quantities of water, and/or apply water at different frequencies as appropriate, for different hydrozones.

Diffuse shadow means a shadow that does not have a sharp edge.

Dormer window is a window set upright in a sloping roof.

Drip line means an imaginary vertical line extending from the outermost horizontal circumference of a tree's branches to the ground.

Drive through means a driveway or roadway that is designed and intended to provide access for vehicles whereby occupants of vehicles receive and/or obtain a product or service.

Duplex means a residence building designed for, or used as, the separate homes or residence of two (2) separate and distinct families, having the exterior appearance of a single-family dwelling house. Each individual unit in the duplex shall have all living rooms accessible to each other from within the unit and each individual unit is to be occupied exclusively by one (1) family plus servants, who are living and cooking as a single household.

Dwelling, accessory means a dwelling unit accessory to and occupying the same parcel of land as a nonresidential use or principal residential use and which is used in accordance with Article 5, Division 1.

Dwelling, attached or multi-family means a dwelling unit that shares common walls with at least one (1) other dwelling unit. The term multi-family dwelling shall include Single-Family High Density as provided in the Comprehensive Plan.

Dwelling, detached means a building separated from any other principal building and containing only one (1) dwelling unit, erected on an individual lot of record.

Dwelling unit means a building or portion of a building providing independent living facilities for one (1) family including provision for living, sleeping and complete kitchen facilities.

Easement or servitude means a strip of land reserved for public utilities, drainage and other public purposes, the title to which shall remain in the property owners, subject to the right of use designated in the reservation of the servitude.

Educational facility means an institution devoted solely to tutoring and test preparation, vocational or professional education or training, an institution of higher education, a community college, junior college and a four-year college or university. (see definition of school)

Electronic video entertainment center and machine means an establishment the principal use of which is the operation of electronic and video games. (Article 4, Division 4)

Entertainment use means a commercial accessory use where entertainment, either passive or active, is provided for the pleasure of the patrons of the principal use, including but not limited to vocal and instrumental music, dancing, comedy, and theater, but not including an adult use.

Equipment facility means a room, cabinet, shelter, pedestal, build-out of an existing structure, building, or similar structure used to house ancillary equipment for a telecommunications tower or antenna. Each such cabinet, shelter, or building shall be considered a separate equipment facility.

Essential services shall mean those services provided by the City and other governmental entities that directly relate to the health and safety of its residents including fire, police and rescue.

Established grade means the average elevation of the sidewalk abutting such building site or, if there is no sidewalk, the average elevation of the crown of the road or street abutting such building site. Where a building site abuts more than one (1) road and/or street, the established grade shall be the average elevation of the sidewalks abutting upon such building sites, or if there are no sidewalks, the average elevation of the crown of the road and/or streets abutting such building site.

Excavation means the removal or shifting of earth from its original position.

Exterior means all outside surfaces of any building or structure.

FCC means the Federal Communications Commission.

Facultative means plants with a similar likelihood of occurring in both wetlands and uplands, which are not recognized indicators of either wetland or upland conditions.

Family means one (1) or more persons occupying a single residential unit when all members are related by blood, adoption, marriage, foster care, or three (3) or less persons unrelated to any other occupant (excluding servants). The term "family" shall not be construed to mean fraternity, sorority, club, institutional group, student housing or more than three (3) unrelated persons.

Family day-care means a facility operated pursuant to requirements as defined in Florida Statues, as amended.

Fenestration means the design, arrangement, proportioning and disposition of windows, doors and other exterior openings on a building, wall or similar structure.

Final plat is the final map or drawing on which the subdivider's plan of subdivision is presented to the City Commission for approval, and which, if approved, will be submitted to the County Commission and subsequently to the Clerk of the Circuit Court in Miami-Dade County for recording.

Finishes mean the surface texture and materials of a building, wall or similar structure.

Flag means any fabric or bunting containing distinctive colors, patterns, symbols, including though not limited to flags used as a symbol of government or an institution.

Flat roof means a roof having a pitch of not more than one and one-half (1½) inches in twelve (12) inches.

Floor area for Commercial, Industrial, and Mixed Use buildings is the total floor area including the gross horizontal area of the several stories of any building or buildings on the site, as measured from the exterior facing of exterior walls, and shall include any building area except for:

A. Balconies which extend from exterior wall and extensions;

B. Off-street parking areas within the building;

C. Lobbies; and

D. Open plazas.

Floor area ratio is the total floor area of a building or buildings on a building site divided by the area of the site.

Forbs mean herbaceous plants other than grasses.

Fortuneteller means a business primarily engaged in providing advice, predictions, or interpretations of planetary effects, tarot cards or other media on or about future events or human affairs in exchange for financial or other valuable consideration.

Frontage, lot or frontage street means the distance for which the front lot line and the front street line are coincident.

Funeral home means an establishment engaged in undertaking services such as preparing the dead for burial and arranging and managing funerals, including a funeral chapel.

Garage sale means the sale of personal property from a residence, duplex or apartment. The sale of personal property not in excess of five (5) items in number, provided that such items are specifically named or identified in the advertisement thereof, or the sale of personal property pursuant to an order or process of a court of competent jurisdiction, shall not be construed as a garage sale.

Gazebo means an accessory building consisting of a detached, covered, freestanding open-air structure not exceeding three-hundred (300) square feet.

General Election means an election in which the candidates voted for in the primary election are elected to office.

Geologic feature means a natural rock or mineral formation.

Golf or tennis grounds mean a tract of land laid out with at least nine (9) holes for playing a game of golf, or facilities for the playing of tennis, including a clubhouse and shelters as accessory uses.

Governmental use means a building, use or structure owned or occupied by a federal, state, regional or local government agency and police station, fire station, library, post office, or similar facility, but not including a vehicle storage yard, jail, sanitary landfill, solid waste transfer or disposal facility, wastewater treatment facility, hazardous waste treatment or storage facility, food irradiation facility, educational or health institution, university, military facility, residential care home, housing for persons who are participating in work release programs or who have previously served and completed terms of imprisonment for violations of criminal laws, or other type of public facility.

Grade means the average elevation of the sidewalk abutting a building site. In the absence of sidewalks, grade shall be the average elevation of the crown of the road or street abutting the building site. Where a building site abuts more than one (1) road and/or street, the grade shall be the average elevation of the sidewalks abutting the building site, or if there are no sidewalks, the average elevations of the crown of the road and/or street abutting the building site.

Grade, established means as applied to any building site shall be the average elevation of the sidewalk abutting such building site or, if there is no sidewalk, the average elevation of the crown of the road or street abutting such building site. Where a building site abuts more than one (1) road and/or street, the established grade shall be the average elevation of the sidewalks abutting upon such building sites, or if there are not sidewalks, the average elevation of the crown of the road and/or streets abutting such building site.

Grade, finished means the elevation of the surface of the ground adjoining the building. Where the finished grade is below the level of the established grade, the established grade shall be used for all purposes of these regulations.

Gray water means that portion of domestic sewage emanating from residential showers, residential bathroom washbasins, or residential clothes washing machines.

Greenhouse means a building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants.

Gross floor area means the total floor area including the gross horizontal area of the several stories of any building or buildings on the site, as measured from the exterior facing of exterior walls, and shall include any building area except for: a) balconies which extend from exterior wall and extensions; b) off-street parking areas within the building; c) lobbies; d) open plazas; and e) mechanical spaces which are not covered by a roof.

Ground cover means a dense, extensive growth of low-growing plants, other than turfgrass, normally reaching an average maximum height of not more than twenty-four (24) inches at maturity.

Ground floor uses means those uses permitted on the ground floor in the MXD District.

Group home means any building or part thereof whether operated for profit or not, which undertaken through its ownership or management to provide, for a period exceeding twenty-four (24) hours, services to individuals who require such services. Residents of group homes shall include individuals who are elderly, developmentally disabled, physically disabled, or dependent children, but shall not include individuals who are violent, criminal or dangerously mentally ill.

Guesthouse means a building located on the same premises with the principal building of a Residential Estate which building is not occupied year round, but which is used by temporary guests only, in accordance with the provisions of Article 5, Division 1.

Guyed tower means a telecommunications tower that is supported, in whole or in part, by guy wires and ground anchors.

Habitable means an enclosed space, day-lighted and ventilated, and protected from the elements, located with reference to the ground surface, and of such ceiling height, as to comply with the Florida Building Code.

Half-story means a space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level and in which space not more than two-thirds (⅔) of the floor area is finished for use. A half-story containing independent apartments or living quarters shall be counted as full story.

Hat rack means to flat-cut the top of a tree, severing the leader or leaders, or the removal of any branch three (3) inches or greater in diameter at any point other than the branch collar.

Hazard pruning means the removal of dead, diseased, decayed, or obviously weak branches two (2) inches in diameter or greater.

Health Center means a medical facility, serving both the University and the general public, which could be located on the University of Miami Campus in the University Multi-use Area that provides a range of medical care on an out-patient basis across a wide spectrum of areas including but not limited to radiation, diagnostic imaging, chemotherapy, sports medicine, out-patient surgery and accessory uses.

Heat island means an unnaturally high temperature microclimate resulting from radiation from unshaded impervious surfaces.

Hedge means a landscape barrier consisting of a continuous, dense planting of shrubs, not necessarily of the same species.

Height of a telecommunications tower means the distance measured from the ground level to the highest point of a telecommunications tower or other structure. For the purposes of measuring height, the base pad and all antennas or other attachments mounted on a structure shall be included in the measurements to determine overall height.

Height of building means the vertical distance measured from the established grade to the level of the highest point of the building.

Heliport means an area designated to accommodate all phases of operation of helicopters with suitable space and facilities for a terminal, loading, unloading, service and storage of such aircraft, to include facilities for such accessory uses as are commonly associated with an airport terminal.

Helistop means an area designed to accommodate touch-down and lift-off of helicopters, for the purpose of picking up and discharging passengers or cargo. Such an area shall contain no operation facilities other than one (1) tie-down space and such additional facilities as are required by law, ordinance or regulation.

Herbaceous plant means a plant having little or no woody tissue.

Historic integrity is the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's prehistoric or historic period. Historic integrity enables a property to illustrate significant aspects of its past. Not only must a property resemble its historic appearance, but it must also retain physical materials, design features, and aspects of construction dating from the period when it attained significance. The integrity of archaeological resources is generally based on the degree to which remaining evidence can provide important information. All six qualities (integrity of location, design, setting, materials, workmanship, or association) do not need to be present for eligibility as long as the overall sense of past time and place is evident.

Historic landmark means any site, building, structure, landscape feature, improvement, or archaeological site, which property has been designated as an historic landmark pursuant to procedures described in Article 3, Division 11.

Historic landmark district means a geographically defined area possessing a significant concentration, linkage, or continuity of landmarks, improvements, or landscape features united by historic events or aesthetically by plan or physical development, and which area has been designated as an Historic Landmark pursuant to procedures described in Article 3, Division 11, of these regulations; said district may have within its boundaries non-contributing buildings or other structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual character of the district.

Historic landmark officer. See Historic Preservation Officer.

Historic preservation officer means the Historic Preservation Officer as provided in Article 2, Division 5 of these regulations. The Historic Preservation Officer serves as the historic landmark officer of the City of Coral Gables.

Historic survey means the results of a systematic process of identifying significant buildings, sites and structures through visual reconnaissance and research for compilation in the Florida Master Site File maintained by the Bureau of Historical Resources, Tallahassee, Florida.

Hospital means an establishment primarily engaged in providing diagnostic services, medical treatment including surgical services, and other services, as well as continuous nursing services. The establishment has an organized medical staff on duty twenty-four (24) hours a day, inpatient beds, and equipment and facilities to provide complete health care; may also provide complete health care emergency room care and include less intensive medical uses such as convalescent and ambulatory care facilities.

Hotel means a building in which lodging and/or boarding is designed and utilized for daily, weekly or monthly occupancy, including extended stay units, and offered to the public for compensation. Ingress and egress to and from all rooms shall be made through an inside public lobby or reception area which is supervised by hotel staff at all hours. Extended-stay and suite hotels may provide individual guest rooms with kitchenette facilities for both storage and preparation of food.

Houseboat means a watercraft that is not self-propelled with a dwelling place on it for habitation by human beings and attached either by land, floating free in the water or tied by some means to a fixed structure.

Hydromulch means a sprayed application of seed, mulch and water.

Hydrozone means a zone in which plant material with similar water needs are grouped together.

Improvement means a physical betterment of real property, or any part of such betterment including any building, structure, fence, gate, wall, walkway, parking facility, light fixture, bench, fountain, sign, work of art, earthworks, or other manmade objects.

Included bark means bark that is pushed inside a developing crotch, causing a weakened structure.

Indoor recreation/entertainment means a business which is open to the public where customers pay the proprietor for the use or enjoyment of recreational facilities or equipment within an enclosed building. This category of use includes: auditoria, stadiums, bowling alleys, theaters, racquetball facilities, martial arts instruction, gym facilities, dance studios, billiard facilities, health studios and similar uses.

Interference means the impairment of transmission or reception of any desired communications or radio frequencies within the City. This term embraces electrical interference in all of its forms, including, without limitation, co-channel interference, interference from intermodulation products, and blanketing interference.

Interior courtyard is a courtyard that is enclosed on at least two sides with building walls and enclosed on all of the other sides with walls that exceed four feet in height, a trellis, or covered terrace or any combination thereof.

Irrigation detail means a graphic representation depicting the materials to be used and dimensions to be met in the installation of the irrigation system.

Irrigation plan means a plan drawn at the same scale as the landscape plan, indicating location and specification of irrigation system components and other relevant information as required by these regulations.

Irrigation system means a system of pipes or other conduits designed to transport and distribute water to keep plants in a healthy and vigorous condition.

Kitchen means a portion of a building devoted to the storage, preparation or assembly of food that includes two (2) or more appliances for cooking and/or heating of food.

Landscape feature means any site improvement or vegetation including, but not limited to, outbuildings, walls, courtyards, fences, shrubbery, trees, sidewalks, planters, plantings, gates, street furniture, signs, exterior lighting, paving, trellis, arbor, fountain, pond, garden sculpture, garden lighting, decking, patio, decorative paving, gazebo and other similar elements.

Landscape manual means a manuscript prepared by the City which contains instructions and other information regarding landscaping in the City.

Landscape material means plants such as grass, ground cover, forbs, shrubs, vines, hedges, trees and include pervious materials such as pervious synthetic turf, rocks, pebbles, sand, or mulch. Paver blocks are not considered landscape materials.

Landscape plan means a plan indicating all landscape areas, stormwater retention/detention areas, areas which qualify to be excluded from maximum permitted lawn area, existing vegetation to be retained, proposed plant material, landscape legend, landscape features, planting specifications, details, and all other relevant information in compliance with these regulations.

Landscaped open space means a ground-level outdoor area, which is open and unobstructed from its lowest level to the sky, except for a roof and building overhang not in excess of five (5) feet. Arcades,

corridors, parking and other service areas shall not be used in computing the landscaped open space.

Landscaping means any of the following or combination thereof, but shall not be limited to, grass, ground covers, shrubs, vines, hedges, trees or palms, and non-living durable material commonly used in landscaping, such as rocks, pebbles, sand, walls or fences but excluding paving.

Landscaping, hardscape means a nonliving, durable material commonly used in landscaping, such as rocks, pebbles, sand, tree grates, walls or fences and including nonpervious paving materials.

Landscaping, offsite means landscaping provided pursuant to applicable requirements not located on public property or public rights-of-way.

Landscaping, softscape means materials consisting of any of the following or combination of, but shall not be limited to: grass, ground cover, shrubs, vines, hedges, and/or trees.

Lawful building site means a building site which has been determined to be lawful in accordance with the provisions of Section 3-206.

Lawn area means an area planted with lawn grasses.

Live/work means a residential dwelling unit that includes flex space which may be used for retail, sales and services or office.

Loggia means a permanent structure that is parallel or perpendicular to a building that is generally supported by piers and columns that provides cover from the elements.

Lot, area means the surface area of the land within the boundaries of a lot and does include submerged lands.

Lot, corner means a lot located at the intersection of two (2) or more streets or street and canal or waterway.

Lot, depth means the horizontal distance between the front and rear lot lines.

Lot, interior means a lot which is not a corner lot or a through lot.

Lot, through means an interior lot having frontage on two parallel or approximately parallel streets.

Lot, width means the distance between the side lines thereof if such side lines are parallel to each other, if side lines are not parallel, width shall be construed as mean width.

Luminance ratio means the ratio of the maximum level of illumination of an area to the maximum level of illumination of the area.

Major modification to an approved campus master plan development order means a change with regard to the character, location or magnitude of land use which creates a reasonable likelihood of adverse impacts on land which is not located within a university campus district or on the City of Coral Gables as a whole.

Manual irrigation system means an irrigation system in which control valves and switches are manually operated rather than operated by automatic controls.

Manufacturing means the transformation of materials or substances into new products, including the assembly of component parts, and the production or refining of goods, materials, or substances into new products, including the assembly of component parts, but not including research and technology production uses.

Marijuana means any strain of cannabis or marijuana, in any form, that is authorized by state and federal law to be dispensed or sold in the State of Florida. Also referred to as “Medical Marijuana.”

Marina means any structure constructed on pilings over open water or supported by flotation on the water which provides three (3) or more boat slips for the purpose of sale or lease.

Marina facility means a use of land involved in the operation of a marina including structures and activities normally integral to the operation of a marina, such as servicing, fueling, pumping-out, chartering, launching, and dry-storage of boats and boating equipment.

Massage means the performance of manipulative exercises upon the human body of another by rubbing, kneading, or tapping with the hand or hands.

Massage establishment means a site or premises, or portion thereof, where a licensed massage therapist practices massage.

Massage salon means any place or establishment where a massage is made available, but not including a massage establishment.

Medical clinic means a health care facility, or clinic, licensed by the State of Florida or operated by two (2) or more physicians or medical practitioners licensed by the State of Florida, that is not part of a hospital and that provides elective care for patients on-site who remain less than twenty-four (24) hours. Medical clinics shall not include sanitariums, convalescent homes, or nursing homes but may include, but is not limited to out patient surgical clinics and sleep disorder centers.

Medical Marijuana Retail Center means a retail establishment, licensed by the Florida Department of Health as a “medical marijuana treatment facility,” “medical marijuana treatment center,” “dispensing organization,” “dispensing organization facility” or similar use, that sells and dispenses medical marijuana, but does not engage in any other activity related to preparation, wholesale storage, distribution, transfer, cultivation, or processing of any form of Marijuana or Marijuana product, and does not allow on-site consumption of Marijuana. A Medical Marijuana Treatment Center shall not be construed to be a Medical Marijuana Retail Center.

Medical Marijuana Treatment Center means a facility licensed by the Florida Department of Health to acquire, cultivate, possess, process (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfer, transport, sell, distribute, dispense, store, or administer Marijuana, products containing Marijuana, related supplies, or educational materials, as authorized by state law. A Medical Marijuana Treatment Center may include retail sales or dispensing of Marijuana. A facility which provides only retail sales or dispensing of Marijuana shall not be classified as a Medical Marijuana Treatment Center under this Chapter. Also may be referred to as a “Medical Marijuana Treatment Facility” or “dispensing organization” or other similar term recognized by state law.

Mediterranean Architecture, Coral Gables means an architectural style that exhibits George Merrick’s vision.

Microwave antenna means a dish-shaped device used to transmit and/or receive microwave signals in a straight line to and from similar, earth bound, point sources.

Minor modification to an approved campus master plan development order means a change with regard to the character, location or magnitude of land use which does not creates a reasonable likelihood of adverse impacts on land which is not located within a university campus district or on the City of Coral Gables as a whole.

Mitigation program means an enumeration of proposed on-site or off-site improvements that are proposed to mitigate impacts as a result of new development in the UMCAD District, including but not

limited to water and sewer infrastructure, roadway and signal improvements, and similar improvements. A mitigation program may include provisions for governing additional mitigation which is required as a result of circumstances and impacts which were not specifically addressed in the Mitigation Program.

Mixed use is two (2) or more uses permitted in a single structure or development project.

Monument sign means a free standing sign supported primarily by an internal structural framework or other solid structural features other than support poles. This sign is designed to incorporate design and building materials which compliment the architectural theme of the buildings of the premises.

Moisture and rain sensor switches mean devices which have the ability to switch off an automatic irrigation controller after receiving a predetermined amount of rainfall or moisture content in the soil.

Mulch means non-living organic materials customarily used in landscape design to retard erosion, weed infestation, and retain moisture and for use in planting areas.

Multi-family dwelling unit means a dwelling unit that shares common walls, floors, or ceilings with at least one (1) other unit.

Multi-family high density means land designated Residential Multi-family High Density by the City's Comprehensive Plan.

Multi-family low density means land designated Residential Multi-family Low Density by the City's Comprehensive Plan.

Multi-family medium density means land designated Residential Multi-family Medium Density by the City's Comprehensive Plan.

Multiple property nomination means a group of related significant properties which share common themes, and are organized by historic contexts and property types.

Municipal facility means a park, recreation or civic center, services or facility provided to local residents.

Museum means a building, place or institution devoted to the acquisition, conservation, study, exhibition and educational interpretation of objects having scientific, historic or artistic value.

National Register of Historic Places means a federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures, and districts that have attained a quality of significance as determined by the Historic Preservation Act of 1966, as amended.

Native habitat means an area enhanced or landscaped with an appropriate mix of native tree, shrub and groundcover species that resembles a native plant community or natural forest community in structure and composition or is naturally occurring.

Native plant community means a natural association of plants dominated by one (1) or more prominent native plant species, or a characteristic physical attribute.

Native plant species see Miami-Dade County Code provisions.

Necessary hardship means arduous restrictions upon the uses of a particular property which promote the objectives of these regulations, providing that such regulations apply to all land within the same district.

Neighborhood means an area of a community with characteristics which distinguish the area from other areas and which may be defined by physical barriers such as railroads, major streets, canals or other natural features.

Newsrack means any type of unmanned device for the vending or free distribution of news periodicals.

Nightclubs is a commercial establishment that is an accessory use to a primary restaurant use that includes entertainment such a music, dancing and other similar social activities. All permitted nightclubs within restaurants shall be subject to all of the following provisions:

A. The dispensing of alcoholic beverages shall only be for consumption on the premises.

B. All nightclub entertainment shall be contained entirely within the building(s) and shall satisfy all other applicable City Code and Zoning Code requirements including but not limited to noise, permitted hours of operation, nuisance provisions, etc.

C. The restaurant shall maintain total quarterly gross sales receipts/revenues for inspection upon request to demonstrate compliance with these requirements.

See Section 4-401., "Uses prohibited," for further provisions.

Nighttime commercial use means business activities and operations which take place between the hours of 8:00 PM and 6:00 AM, not including ordinary janitorial activities.

Nonconforming sign means any sign lawfully established that does not conform to the requirements of these regulations.

Nonconforming structure means a building or structure lawfully established which does not conform to the requirements for location or other dimensional requirement for such building or structure in the zoning district assigned to the property, that is, the minimum setback, required parking, maximum height or maximum building coverage.

Nonconforming use means a use lawfully established which, on the effective date of these regulations, or any amendment thereto, does not conform to the uses or the densities and intensities of the zoning district in which it is located.

Nonconformity means any lot, structure, use or other feature of the property regulated under the provisions of these regulations which was lawfully established but which on the effective date of these regulations, or any amendment thereto, does not comply with the requirements of these regulations.

Noncontributing building or property means a building or property which does not add to a historic district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost. Unless otherwise specified, exterior alterations, additions, demolitions, etc. to non-contributing structures or properties with historic landmark districts shall be reviewed and approved by the Historic Preservation Board and/or Historical Resources Department.

Nonresidential means any use which is not a residential use or which is accessory to a nonresidential use.

North Ponce Area means the area bordered by Navarre Avenue, SW 8th Street, Douglas Road and LeJeune Road.

Nursing home means any institution, building, residence, private home, or other place, whether operated for profit or not, including a place operated by the county or City, which undertakes through its ownership or management to provide licensed nursing services as set forth in Part I of Chapter 464, Florida Statutes, for a period exceeding twenty four (24) hours for three (3) or more persons not related to the owner or manager by blood or marriage, who by reason of illness, physical infirmity, or advanced age require such services, but does not include any place providing care and treatment primarily for the

acutely ill. A facility offering services for fewer than three (3) persons is within the meaning of this definition if it holds itself out to the public to be an establishment which regularly provides such services.

Office means a use involving a business, profession, service or government activity including laboratories which do not involve retail activities on site and not including veterinary offices and problematic uses.

Open plaza area means that area within the first twenty (20) feet above grade which is unenclosed, except by clear glass or similar transparent material or supporting columns and maintained either as terrace and/or corridor area for the purpose of providing access to stairways, elevators or other uses serving the principal activities confined within the building.

Open area means an area which is open from the land to the sky predominantly designed for and paved with bricks, pavers or other similar material for pedestrian use or an area where no structures or buildings other than landscape features, fountains, benches, arcades and objects of art are located.

Open space, public means any land or area for the use of the public, which is designed and intended for common use or enjoyment of the public which includes plazas, squares, arcades/loggias, pedestrian pass-throughs, courtyards, etc. Atriums and fully enclosed spaces are not considered public open space.

Ordinary maintenance or repair means any work for which a building permit is not required by law, where the purpose and effect of such work is to correct any physical deterioration or damage of an improvement, or any part thereof by restoring it, as nearly as practical, to its appearance prior to the occurrence of such deterioration or damage.

Outdoor recreation/entertainment means a business which is open to the public where customers pay the proprietor for the use or enjoyment of recreational facilities or equipment on-site but not within an enclosed building.

Outdoor retail sales, displays and/or storage means any use of property which involves the sale, leasing, display or storage of commodities, goods, materials or equipment in a location other than in an enclosed building, excluding vehicle sales and newsstands or newspaper vending machines.

Overhead doors mean larger roll up type doors utilized to enclose building support service areas and/or sanitation areas for the use of the delivery of goods and services, typically provided for vehicles.

Overhead irrigation system means a high pressure, high volume irrigation system.

Overnight accommodations means a building or portion thereof designed and used primarily to provide sleeping accommodations for transient guests for a daily or weekly rental charge and including interval ownership and such office, meeting, restaurant facilities as are integral to the primary function of the use.

Overnight stay means staying for the night as a visitor or guest.

Overlay zoning district means a zoning designation that prescribes special regulations and additional requirements upon an underlying zoning district without changing the requirements of the underlying district in exchange for increases, changes or modifications to intensity and density.

Owner means any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity having sufficient proprietary interest in the land sought to be developed or subdivided to commence and maintain proceedings to develop or subdivide the same under these regulations.

Parapet means that portion of a wall which extends above the roofline.

Parcel of land means one (1) or more lots which are designated by the owner or developer as land to be used or developed as a unit, or which has been developed as a unit.

Parcel proposed for development means any parcel of land which is the subject of an application for development approval.

Park means a noncommercial facility designed to serve the recreation needs of the residents of the community.

Parking lot means an unenclosed area reserved for and improved for the temporary storage of motor vehicles.

Parking lot commercial means a parking lot for which fees or charges are required but not including parking spaces for which fees or charges are included as a part of the rental fees of the building to which the parking lot is accessory.

Parking garage means an above ground or below ground multi-level parking structure.

Parking garage or lots means off-street parking for commercial or non-commercial purposes as a principal use of a parcel of land.

Parking space means a surfaced area or area provided by a mechanical lift, exclusive of driveways, reserved for the temporary storage of one (1) motor vehicle and connected with a street or alley either directly or by a driveway.

Parkway zone means an area which is immediately adjacent to parallel parking which serves as a safety zone between the area of pavement and a Pedestrian Zone. The Parkway Zone is the location for street trees and annual and perennial plantings.

Pedestrian amenities means improvements including but not limited to the following: benches; refuse containers; lighting; information kiosks; bike racks; planter boxes; statuaries; wall mounted fountains; pavers; street furniture; freestanding fountains; other water features; art; and other similar improvements provided and utilized by the public.

Pedestrian pass-through means a public area, sidewalk, paseos and/or passageway that is commonly shared or used for pedestrian circulation that connects or serves two (2) or more properties between rights-of-way.

Pedestrian zone is the portion of the streetscape which is designed for pedestrian movements.

Penthouse is an enclosed roofed structure extending not more than twelve (12) feet above the roof of a building and having an area not exceeding more than twenty-five (25%) percent of the area of the floor immediately below. A penthouse shall not be construed as a story. Penthouses shall not be permitted in an SFR or MF1 district.

Permitted use means a use which is specifically authorized in a particular zoning district.

Person means any one (1) or more natural persons (regardless of age, mental competency, physical capacity, or legitimacy of birth), corporation (for profit or otherwise), mutual companies, joint-stock companies, partnerships, associations, firms, joint ventures, labor organizations, unincorporated organizations, syndicates, estates, trusts, trustees, trustees in bankruptcy, receivers, fiduciaries, legal representatives, personal representatives, heirs, devisees, spouses, creditors, debtors, beneficiaries, attorneys-in-fact, property owners, landlords, tenants, contract purchasers, contract sellers, public agencies (whether federal, state, or local), public officers, public employees, resident aliens, foreign governments, and any other group or combination of natural or artificial persons or entities.

Personal radio services include the following services as defined by the Federal Communications Commission (FCC) as amended: the General Mobile Radio Service, the Family Radio Service, the Radio Control Radio Service, the Citizens Band Radio Service, the Low Power Radio Service, the Wireless

Medical Telemetry Service, the Medical Device Radio Communication Service, the Multi-Use Radio Service, and the Dedicated Short-Range Communications Service On-Board Units. Personal Radio Services provide short-range, low power radio for personal communications, radio signaling, and business communications not provided for in other wireless services. The range of applications is wide, spanning from varied one- and two way voice communications systems to non-voice data transmission devices used for monitoring patients or operating equipment by radio control. Licensing and eligibility rules vary. Some personal radio services require a license grant from the FCC, while others require only the use of equipment that is properly authorized under the FCC's rules. The personal radio services are:

Citizens Band (CB) Radio Service - 1-5 mile range two-way voice communication for use in personal and business activities.

Family Radio Service (FRS) - 1 mile range Citizen Band service for family use in their neighborhood or during group outings.

General Mobile Radio Service (GMRS) - 5-25 mile range Citizen Band service for family use in their neighborhood or during group outings.

Low Power Radio Service (LPRS) - private, one-way communications providing auditory assistance for persons with disability, language translation, and in educational settings, health care, law, and AMTS coast stations.

Medical Implant Communications Service (MICS) - for transmitting data in support of diagnostic or therapeutic functions associated with implanted medical devices.

Multi-Use Radio Service (MURS) - private, two-way, short-distance voice or data communications service for personal or business activities of the general public.

Personal Locator Beacons (PLB) - used by hikers, and people in remote locations to alert search and rescue personnel of a distress situation.

Radio Control Radio Service (R/C) - one-way non-voice radio service for on/off operation of devices at places distant from the operator.

Wireless Medical Telemetry Service (WMTS) - for remote monitoring of patients' health through radio technology and transporting the data via a radio link to a remote location, such as a nurses' station.

Personal wireless services mean commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services, as defined under federal law, 47 U.S.C. §332(c)(7)(C), and includes but is not limited to, cellular, personal communication services, specialized mobile radio, enhanced specialized mobile radio, and paging service. Personal wireless services shall not be considered as essential services, public safety telecommunications, public utilities or private utilities.

Planting detail means a graphic representation of the plant installation depicting the materials to be used and dimensions to be met in the placement of plants and other landscape materials.

Planned Area Development (PAD) means a development which allows a land area of a minimum contiguous size to be planned, developed, operated and maintained as a single entity according to a master plan which permits variations in many of the traditional controls related to floor area ratio, density, land use, setbacks, landscaped open space and other design elements with the purpose of improving the public realm.

Playhouse means a freestanding accessory structure designed exclusively for the use of children. (See Article 5, Division 1)

Plaza or square means a public open space area for the gathering of the public for recreational purposes, limited public assembly and social interaction which is designed and intended for common use or enjoyment of the public which includes pedestrian amenities.

Porch means a roofed structure not more than seventy-five (75%) percent enclosed by walls and attached to the main building for the purpose of sheltering from the rays of the sun and from rain and weather, exclusive of vehicles, for either persons or inanimate objects.

Porte-cochere means a porch roof projecting over a driveway at the entrance to a building and sheltering those getting in or out of vehicles.

Pre-existing tower and pre-existing antenna means a telecommunications tower or antenna for which a building permit has been properly issued prior to the effective date of these regulations, including permitted telecommunications towers or antennas that have not yet been constructed so long as such approval has not expired.

Primary Election means a preliminary election in which voters select a political party's candidate for a subsequent election.

Principle structure means a main or primary structure that contains a use that is permitted pursuant to all applicable regulations including all the support services for a development.

Private means a feature, use, land area, improvement, building, facility, structure, service and public realm or pedestrian amenity that is neither public nor civic. The use is intended solely for the utilization of a select group of individuals or persons.

Private club means associations and organizations of a fraternal or social character, or which are maintained in connection with a golf course; and shall not include casinos, nightclubs or other institutions operated as a business. Such organizations and associations must be organized under the laws of the State of Florida as a non-profit corporation.

Private garage means a building designed and used exclusively for storage on the ground floor of not more than four (4) motor vehicles devoted to the private use of the owner, when such garage is located on the same premises, as an accessory use, with the residence or business of the owner of such automobiles so stored.

Private yacht basin means a facility providing docks, slips, piers, pilings, bollards, anchorage and moorings for yachts and pleasure boats for the residents of the City of Coral Gables either by ownership, lease or rent and such off-street parking and buildings and structures as are required for the operation of such yacht basin, not including docking facilities provided as an accessory use to residential uses for use of residents living in such buildings.

Problematic uses means commercial retail and service uses which are typically characterized by poorly maintained facilities, loitering and other indices of neighborhood deterioration or urban blight, including but not limited to, day labor agencies, tattoo parlors, body piercing, pawn shops, check cashing centers and blood plasma centers.

Prohibited plant species mean those plant species listed in the Landscape Manual which are demonstrably detrimental to native plants, native wildlife, ecosystems, or human health, safety, and welfare.

Prohibited uses mean uses which are not permitted under these regulations.

Property lines mean the lines which bound a property.

Property line, front means a property line which runs generally parallel to and along a road right-of-way or street exclusive of alleyways.

Property line, side means a property line which runs generally perpendicular or radial to the front property line.

Property line, rear means a property line which runs generally parallel to the property line from which a property is addressed.

Property owners association (POA) means the organization of owners of parcels of lands, and/or buildings with the responsibility to safeguard the rights of tenants, owners, etc., through the implementation of covenants and restrictions, including, but not limited to: maintenance responsibilities of all common areas, open spaces and other public areas, standards for building location, construction, etc.

Public use means a use which is not for private use or function.

Public benefit means a feature, use, land area, improvement, building, facility, structure and/or service that provides a benefit and whose expressed purpose is to benefit the public.

Public buildings and grounds mean land designated Public Buildings and Grounds by the City's Comprehensive Plan.

Public facility means a building, use or structure owned or occupied by a federal, state, regional or local government agency, such as a jail, housing for persons who are participating in work release programs or who have previously served and completed terms of imprisonment for violations for criminal laws, sanitary landfill, solid waste transfer or disposal facility, wastewater treatment facility, or hazardous waste treatment or storage facility, but not including a governmental use, military facility, residential-care home, rehabilitation center, or education or health institution.

Public garage means a building or premises arranged, designed and intended to be used for the storage or service of motor vehicles for hire or reward, or which is not a private garage.

Public improvement means any improvement, facility or service that is planned and designed for public use located on public land, site, or rights-of-way for the purpose of providing public access and use twenty-four (24) hours a day/seven (7) days a week.

Public property means any City owned, leased, controlled, dedicated or platted real property, including but not limited to parks, marinas, alleys, streets, rights-of-way or other real property.

Public realm means the land area, common area, use or facility either on public or private property that is available to the public including but not limited to sidewalks, rights-of-way, alleys, plazas, open space, atriums, arcades, loggias, parks, paseos, playgrounds, water concourses or any other places commonly open to the public including areas on private property commonly open to view by the public. Public realm is also defined as all improvements required pursuant to these provisions including but not limited to the following: benches; information kiosks; lighting; bike racks; refuse containers; sidewalk pavement treatments; statuary; street crosswalk paver treatments; wall mounted fountains; water fountains and other similar water features and under grounding of utilities.

Public recreation area means a tract of land which is used for a public park or public beach. The term includes, but it is not limited to, publicly owned property used for active or passive recreational uses.

Public transportation facilities mean passenger terminals, stations, shelters and related facilities primarily intended for transportation.

Publicly accessible means an area that is accessible by the public for use twenty-four (24) hours a day/seven (7) days a week.

Qualified registered patient/Qualified patient means a resident of the state of Florida who has been added to the State's compassionate use registry by a physician licensed under chapter 458 or chapter 459, Florida Statutes to receive Medical Marijuana from a dispensing organization or Medical Marijuana Treatment Center or similar use as defined in Florida Statutes.

Receiving site means the site which will receive unused development rights.

Reconstruction means the process of reproducing by new construction the exact form and detail of a demolished building, structure or object as it appeared at a certain point in time.

Recreational equipment means play apparatus such as swing sets and slides, sandboxes, poles for nets, picnic tables, lawn chairs, barbeque stands and similar equipment or structures.

Rehabilitation means the process of repairing or altering an historic building or structure so that an efficient contemporary use is achieved, while preserving those significant, historical architectural or cultural features which establish the character of the property.

Religious institution means a church, synagogue, temple, mosque or other place of religious worship, including administrative facilities, schools, day care center or dwelling associated with the institution.

Relocation means the act of preserving an historic structure which cannot remain on its existing site by physically moving it to a new location.

Replat means the re-dividing of lots within a platted subdivision for the purpose of recording in the public records of Miami-Dade County, Florida.

Research and technology use means a use such as medical, optical and scientific research facilities, laboratories, pharmaceutical compounding and photographic processing facilities and facilities for the assembly of electronic components, optical equipment, and precision instruments or laboratories or buildings the primary use of which is the research, testing and development of goods, materials, foodstuffs or products.

Residential district (or residentially zoned) means any parcel of property located in one of the following zoning districts: Single-Family, Multi-Family 1, Multi-Family 2 and Multi-Family Special Area.

Residential estate means a single-family residential site comprising an area of not less than one and one half (1½) acres and having a minimum lot width of two hundred (200) feet and a minimum lot depth of two-hundred-fifty (250) feet. No single-family residence having a minimum square foot floor area of less than four thousand two hundred and seventy-three (4,273) square feet shall be designated as a Residential Estate. Except as provided for in these regulations a Residential Estate shall abide by all rules and regulations applicable to the SFR district.

Residential use means a permanent place of residence for a family.

Restaurant means a use providing for the preparation or sale of prepared food for consumption by customers primarily on the premises, including the subordinate sale of alcoholic beverages for consumption on premises as permitted by applicable state law, but excluding facilities with prepared food service within grocery stores and delicatessens.

Restaurant, fast food means a use involving the sale of food and/or beverages ordered at either a counter or drive-through facility for either consumption on the premises using dishes and utensils which are disposable, or for consumption off the premises.

Restoration means the act of accurately recovering the form and details of a property as it appeared at a particular period of time, which may involve the removal of later additions or alterations, or the replacement of missing features.

Restrictive covenant means a written agreement executed by and between one (1) or more property owners and the City of Coral Gables, whereby the property owner(s) for a specified consideration by the City agrees to certain conditions, restrictions and/or limitations on the use, maintenance or sale of property. Such restrictive covenant shall be recorded in the Public Records of Miami-Dade County, Florida and shall run with the land and shall be binding upon the property owner, his successors and assigns.

Retail sales and services mean a use, the principle use or purpose of which is the sale of goods, products, materials, or services directly to the consumer, including financial institutions, grocery stores, personal services, art galleries, farmer markets and including the sale of alcoholic beverages for off-premises consumption provided that the sale of alcoholic beverages is subordinate to the principal use and the display of alcoholic beverages occupies less than twenty-five (25%) percent of the floor area of the use, not including street vendors or the on-premise consumption of alcoholic beverages.

Review guide means the component of the designation report prepared by the historic preservation officer, which lists some of the more prominent features which contribute to the overall character of a structure and/or district. The review guide may be used to address the impact of new construction, additions, modifications, alterations, and/or renovations which may become the subject of some future Certificate of Appropriateness or to address the existing physical characteristics, and may be used to determine whether or not elements which create the character of the structure and/or district are present, or whether subsequent changes to the property have rendered it ineligible for listing.

Right-of-way means a strip of land dedicated by a subdivider, or deeded by the owner(s), for public use as a vehicular or pedestrian access way.

Roof deck is the top exterior surface of a flat roof.

Rooftop means the exterior surface on the top of a building or structure.

Sales and/or leasing offices mean the use of space as sales or rental offices for units or other permitted uses on the same site.

Sales office, land development means an office located within a newly platted subdivision and used by the land developer for the sale of the lots within the platted subdivision. Such sales office may consist of an existing building located within the subdivision, a mobile home, a travel trailer or a temporary building.

Satellite earth station means a dish-shaped antenna designed to receive television broadcasts relayed by microwave signals from earth-orbiting communication satellites, including a low-noise amplifier (LNA) and a coaxial cable for the purpose of carrying signals to the interior of a building.

School means an elementary, middle, or high school, and exceptional learning center.

Screened enclosure means a frame erected of metal which framing and overhead supports are only covered with insect screening of metal, fiberglass or other approved insect screening. The insect screening shall have at least fifty (50%) percent open areas per square inch. The framing and overhead supports of such screened enclosure shall be solely for the purpose of supporting such screening.

Screened porch means a roofed structure not more than seventy-five (75%) percent enclosed by walls and attached to the main building provided; however, the remainder of the screened porch may be enclosed with insect screening or metal, fiberglass or other approved insect screening. The insect screening shall have at least fifty (50%) percent of open area per inch enclosed by walls and attached to the building for the purpose of sheltering from the rays of the sun, exclusive of vehicles, either persons or

inanimate objects.

Secretary of the Interior's Standards for Rehabilitation (Revised March, 1990) means measures which provide guidance on the sensitive rehabilitation of an historic property. The ten (10) standards generally address design issues which include: character defining elements; changes which have occurred over the course of the property's history; desirable approaches to the repair of damaged features; appropriate cleaning methods; archaeological resources; and new construction in connection with an historic property.

Self-storage warehouse means a building or group of buildings consisting of individual, self-contained units leased to individuals, or organizations or businesses for self-service storage of personal property.

Sending site means a designated historic landmark or contributing property within a local historical district which has excess development rights that can be sent to a receiving site as Transfer of Development Rights (TDRs).

Service provider means any person or business entity wishing to locate a telecommunications tower or antenna within the City limits to provide personal wireless services.

Set-aside means the total number of units made available for households earning one-hundred and twenty (120%) percent or less of the area median income, adjusted for household size as defined by the U.S. Department of Housing and Urban Development (HUD).

Setback means the minimum horizontal distance between a property line and a structure or in the event a right-of-way line is interior to the property line, the setback is the horizontal distance between the right-of-way line and a structure, including terraces or any covered projection thereof, but excluding steps.

Setback, front means the setback between the front property line and a structure.

Setback, rear means the setback between the rear property line, or where a lot abuts a water body the high water line, and a structure.

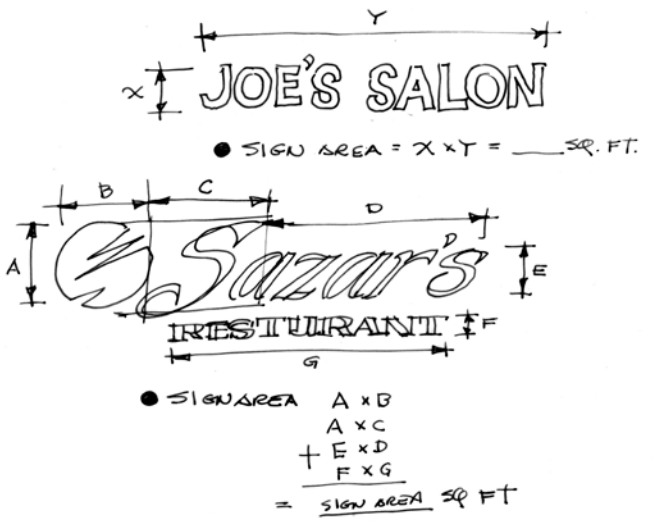
Setback, side means the setback between the side property line, or where a lot abuts a water body the high water line, and a structure.

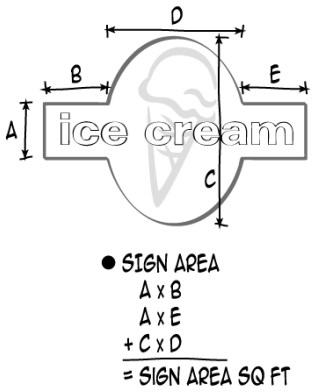
Shelter canopy means a roof-like covering, intended and used for the purpose of sheltering from the rays of the sun and from rain and weather exclusive of vehicles, either persons or inanimate objects. Shelter canopies are partially or entirely supported from the ground up.

Shrub means a self-supporting woody perennial plant normally growing to a height of twenty-four (24) inches or greater, characterized by multiple stems and branches continuous from the base.

Sign means an identification, description, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land and which directs attention to a product, place, activity, persons, institution or business.

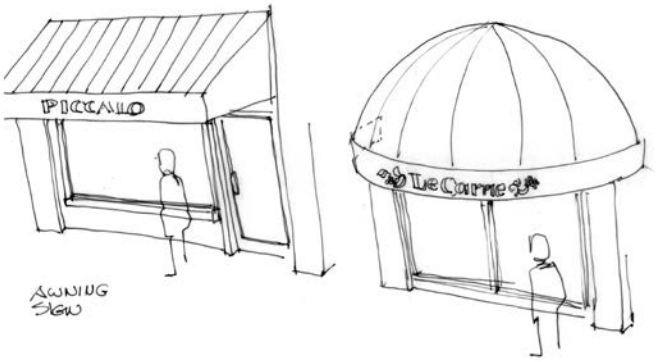
Sign area means the sum of the areas of the sign enclosed within a projected rectangle or within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the words, letters, announcement, logo, pictorial element, etc., together with any frame, background area of sign, structural trim or other material, color or condition which forms an integral part of the display excluding the necessary supports or uprights on which such sign is placed. (See illustration)



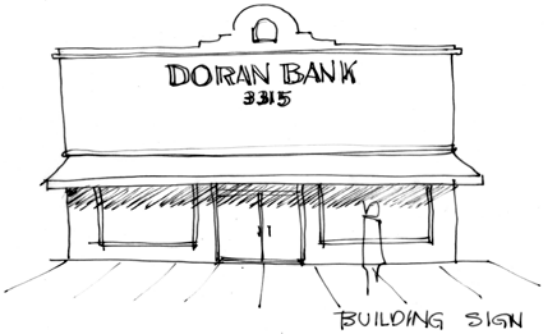


Sign, animated or flashing means any sign including electronic, laser, video, digital or similar displays, with elements, images, text, or colors that move, rotate, flash, change or similar movement. Additionally, a barber pole (i.e., a staff or pole with a helix of colored stripes used by barbers to signify the place or shop where they perform their craft) is not an animated or flashing sign, even if it rotates.

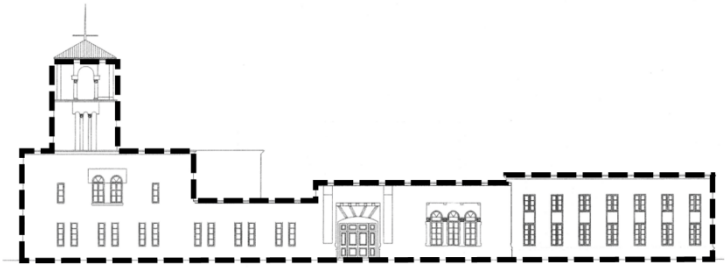
Sign, awning means a sign incorporated into, attached, affixed to, stamped, perforated, stitched or otherwise applied or painted on a structure made of cloth, canvas, metal or similar material that is affixed to a building and projects. Such signs may or may not be fixed or equipped with a mechanism for raising and holding an awning in a retracted position against the building, an awning or canopy. The sign shall only be permitted on the valence of the awning. (See illustration)



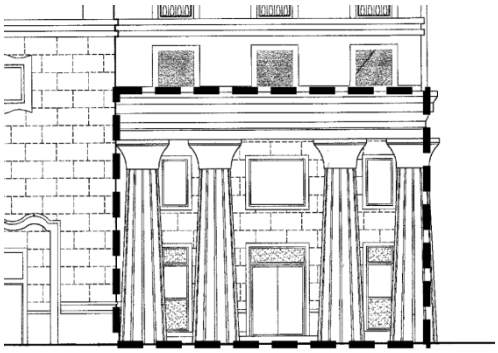
Sign, building means an on-site sign-identifying name of a building or institution, of the lawful use/business located on the same property as the business. (See illustration)



Sign, building façade calculation means the portion of the surface area of a building that is viewable from the street and/or adjacent property, excluding sloped roof areas. Facilities that occupy only a portion of a building shall only utilize the portion of the front building façade that faces onto a public street to calculate the amount of allowable sign(s) permitted on the building façade. (See illustrations)



Building Facade



Building Facade, One Screen Cinemas

Sign, cantilever means a sign which is mounted upon a cantilever and which does not extend beyond the cantilever.

Sign, decal means a sign affixed to a window or transparent surface that is visible from the exterior portions of a building. This includes the following signs: entrance; exit; credit card advertising or other information subject to approval by the Building and Zoning Department.

Sign, design means a sign that contains unique design characteristics that include all of the following:

A. Utilizes artistic form, sculptured and/or three-dimensional attributes in the creation of the sign, lettering, background, decorative elements, and/or structural elements;

B. Utilizes materials and methods of construction that exceed typical sign industry standards;

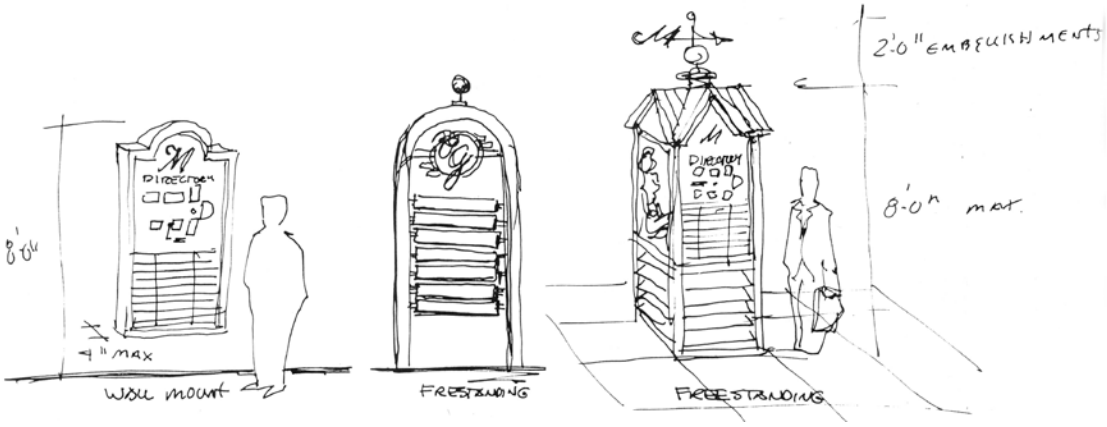
C. Is appropriately sized and consistent with the architecture and material composition of the building; and

D. Is compatible with the accompanying building with the intent of enhancing the building. (See photographs for examples)

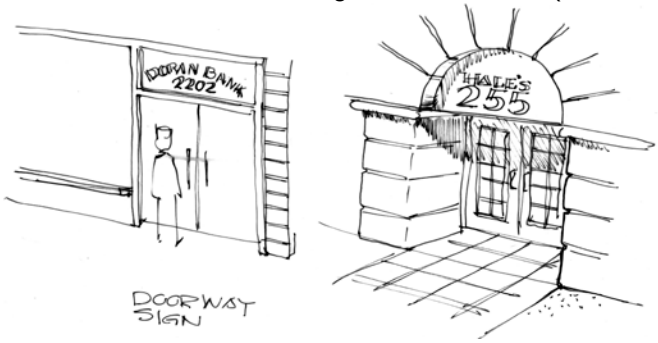
Sign, detached means a sign not attached to or painted on a building, but which is affixed to the ground. Sign, detached also includes signs attached to surfaces such as fences and walls that are not part of a building.

Sign, directory means a sign, other than an identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings that is attached to a

building or freestanding and is centrally located to provide on-site directions. A directory sign is intended to direct people to destinations on the building site and does not contain advertising copy. (See illustration)



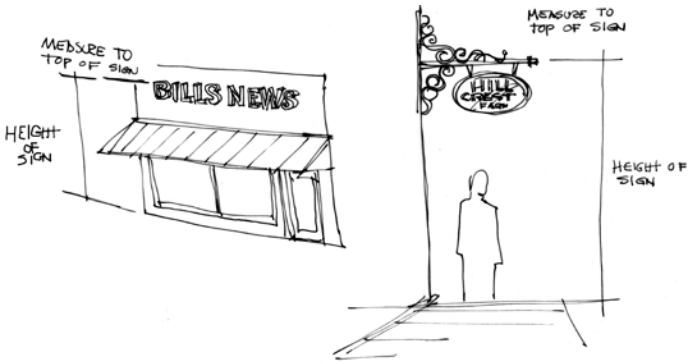
Sign, doorway means a sign attached, affixed to or mounted above an entrance doorway with the intent of identifying the pedestrian entrances/exits to buildings and structures. (See illustration)



Sign, electronic means any type of electronic display board, electronic message board, digital, LED, programmable ink or other sign capable of displaying words, pictures, symbols, video or images including, but not limited to, any electronic, laser, digital, or projected images display that can be changed electronically or mechanically by remote or automatic means. Architectural lighting which does not include text, images or graphics, designed to illuminate building walls, architectural features or landscaping is a not a sign.

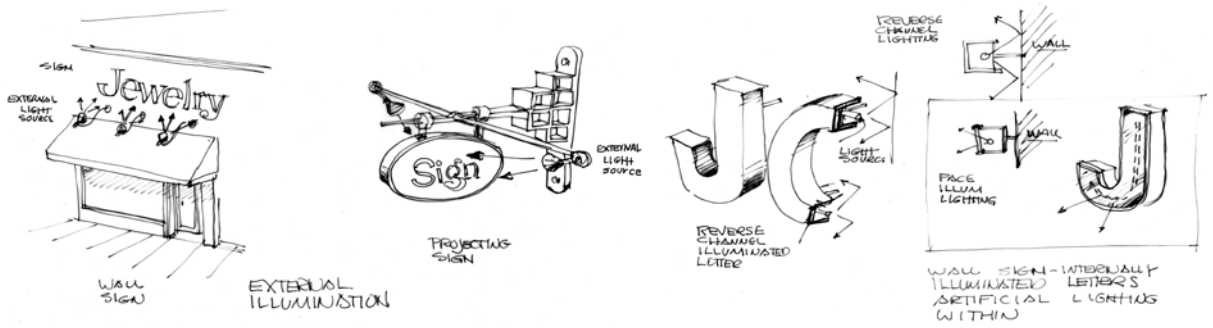
Sign, elevation means the vertical distance measured from the lowest adjacent grade to the lowest point of the sign.

Sign, height means the vertical distance measured from the lowest adjacent grade to the highest and/or upper most point of the sign, sign structure or element. (See illustration)

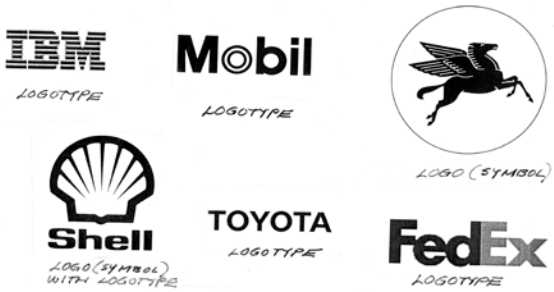


Sign, human means a sign held by or attached to a human for the purpose of advertising or providing information about a business, commodity, service, product, or other commercial activity. A person dressed in a costume for the sole purpose of advertising or providing information about a business, commodity, service, product, or other commercial activity shall constitute a human sign. Human signs do not include T-shirts, hats, uniforms, or other similar clothing worn by a human.

Sign, illuminated means a sign designed and lighted by or exposed to artificial lighting either by lights on or within the sign or directed toward the sign. (See illustrations)



Sign, logo or logotype means a trademark, company name, and or symbol identifying the business or service provided and which may be all or part of a sign. The size of logo and/or logotype shall be included as a part of the allowable overall sign area. (See illustration)



Sign, marquee means a sign attached to or constructed upon a marquee.

Sign, noncommercial means a sign containing no commercial message.

Sign, nonconforming means a sign and/or sign structure existing, which by its height, type, content, square footage area, locations, use, or structural support and all other provisions contained within these regulations does not conform to the requirements of these regulations.

Sign, off-premises means a sign that directs attention to a business, commodity, service, or entertainment that is not located, sold, or manufactured on the same premises where the sign is located. For the purposes of this definition, the first floor and the upper floors of a multi-story building are separate “premises.”

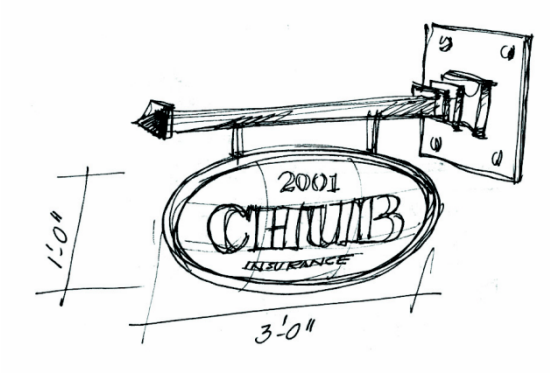
Sign, plaque means a flat plate, slab, or disk that is ornamented or engraved for mounting on a wall or a monument to provide noncommercial information.

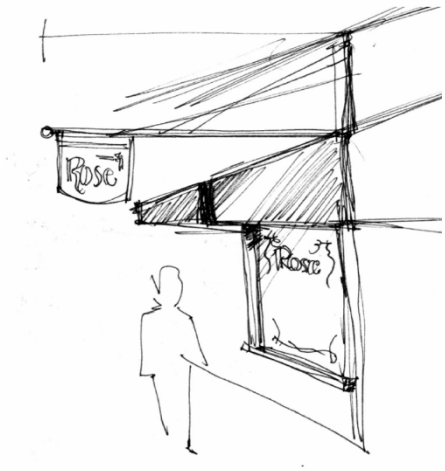
Sign, primary street means the street right-of-way, towards which the building front or facing is oriented, based upon the existing platted lot configuration.

Sign, professional affiliations means a sign indicating any applicable design services that are presently

being completed on the property pursuant to the issuance of a permit.

Sign, projection means a sign, which projects from and is supported by a wall or parapet of a building with the sign face perpendicular or approximately perpendicular to the wall or parapet. The use of logos raised lettering and three-dimensional features or three-dimensional signs is encouraged and permitted. (See illustrations)





Sign, side street means the adjoining street right-of-way, which is secondary to the front or front face of a building, based upon existing platted lot configuration.

Sign, signature event is a sign placed on a "City-owned" museum, theater or one screen cinema providing for the opportunity to promote community based activities, events, exhibits, and shows within the facilities.

Sign, temporary means a sign installed for a temporary period. Examples of temporary signs include, but are not limited to:

A. Construction and/or renovation of a building and/or structure or other associated improvements requiring a building permit identifying architects, engineers, contractors, tradesman and/or others engaged in work completed on the premises.

B. Real estate signage indicating the sale and/or rental of the property that the sign is located.

C. Professional affiliations sign indicating any applicable design services that are being completed on the property pursuant to the issuance of a building permit.

D. Signs displayed at temporary campaign headquarters in advance of an election.

E. Yard signs intended to be displayed for a temporary period, such as campaign signs.

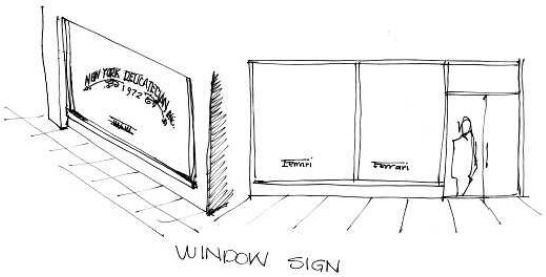
Sign, temporary construction sign (non-residential zoning districts) means a sign indicating a construction and/or renovation of a building and/or structure identifying architects, engineers, contractors, tradesman and/or others engaged in work completed on the premises.

Sign, temporary exhibition means sign(s) identifying items in temporary exhibitions.

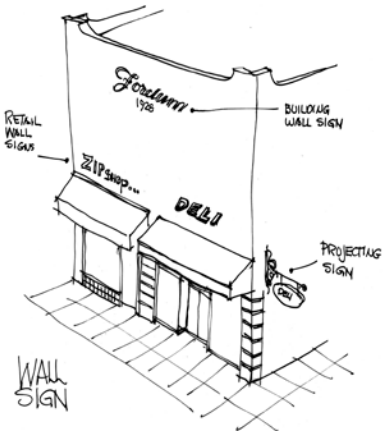
Sign, visible refers to the ability to see a sign, message, copy area, display (legible or not) without visual aid by a person of normal vision acuity or simply stated, can be seen.

Sign, window area means the total area of the glass either transparent or non-transparent that occupies a building face. This includes all areas of glass including but not limited to windows, doors, sidelights, transoms (fixed or operable), etc.

Sign, window means any display of lettering, text, words, graphics, symbols, pictorial presentation, numerals, trademarks, numbers, logos, crests, emblems, or any part or combination or other devices used to attract attention, or to identify, or as an announcement that is posted, painted, placed, or attached to or projected upon a window exposed to public view or is visible to persons outside the building. This shall include signs visible or located within ten (10) feet of the interior of a glass area with the intent of being visible from the exterior portions of the building. This does not include merchandise displays or similar fixtures. (See illustration)



Sign, wall means a sign painted or attached on the outside of a building/structure, or attached to, and erected parallel to the face of a building and supported throughout its length by such building/structure. (See illustration)



Single-family district means a zoning district primarily intended for the use of single-family residences and other compatible uses.

Single-family residence means a building used or designated to be used as a home or residence in which all living rooms are accessible to each other from within the building, and in which the use and management of all sleeping quarters, all appliances for cooking, ventilating, heating or lighting are under one control, and to be occupied by one family plus servants, who are living and cooking as a single household.

Single-housing project means not more than three (3) multiple family units constructed on a lot or on contiguous lots so as to be an architectural entity. (See Section 5-603(G)(1))

Site plan means a plan drawn to scale, showing uses and structures proposed for a parcel of land as may be required by the Development Review Official in conjunction with an application for development approval.

Small-scale amendment means an amendment to the Future Land Use Map of the Comprehensive Plan that affects a contiguous land area of ten (10) acres or less.

Specified anatomical areas means those areas of the body that are:

A. Less than completely and opaquely covered:

1. Human genital, pubic region;

2. Buttock; and

3. Female breast below a point immediately above the top of the areola.

B. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities means:

A. Human genitals in a state of sexual stimulation or arousal;

B. Acts of human masturbation, sexual intercourse or sodomy; and

C. Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Specimen tree means a tree with any individual trunk which has a DBH of eighteen (18) inches or greater, but not including the following: 1) all trees listed in Section 24-60(4)(f); 2) non-native fruit trees that are cultivated or grown for the specific purpose of producing edible fruit, including, but not limited to, mangos, avocados, or species of citrus; 3) non-native species of the genus Ficus, and 4) all multi-trunk trees in the palm family, except accelorrhaphe wrightii which have a minimum overall height of fifteen (15) feet.

Spot zoning involves change(s) in district boundaries, variances, and other amendments to the Zoning Code and Maps which violate sound principles of zoning and are characterized by the following:

A. Individuals seek to have property rezoned for their private use;

B. Usually the amount of land involved is small and limited to one (1) or two (2) ownerships;

C. The proposed rezoning would give privileges not generally extended to property similarly located in the area; or

D. Applications usually show little or no evidence of, or interest in, consideration of the general welfare of the public, the effect on surrounding property (including adequate buffers), whether all uses permitted in the classification sought are appropriate in the locations proposed, or conformity to the Comprehensive Plan or to comprehensive planning principles (including alterations to the population density patterns and increase of load on utilities, schools and traffic).

Spray head means an irrigation device which applies water to the soil or plant surface by fixed spray or mist nozzles.

Stabilization/maintenance plan means a document prepared by a professionally licensed architect or engineer which a) sets forth a complete assessment of the existing building conditions and, b) sets forth either an immediate corrective plan (stabilization plan) and/or sets up a schedule for a five (5) year re-evaluation of major building components (maintenance plan).

Stabilized lawn area means an area of ground underlain with structural support in the form of grass pavers or stabilized soil prepared to withstand the load of intended vehicular use, such as automobiles, fire trucks and garbage trucks.

Stealth means any antenna telecommunications facility or tower that is designed to blend into the surrounding environment. Examples of such facilities would include, but are not limited to, architecturally screened roof mounted antenna, building-mounted antenna painted to match the existing structure, antenna integrated into architectural elements, telecommunications towers designed to look like light poles, power poles, utility poles, flag poles, man made trees, clock towers, bell steeples, and similar alternative designs.

Stepbacks means changes in the surface, façade or facing of a structure or building that are beyond the required setbacks with the intent of providing depth and/or variations to the building façade.

Stormwater retention/detention area means an area designed, built and used for temporary storage of stormwater.

Story means:

A. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above or if there is no floor above it, then the space between such floor and the ceiling next above it.

B. A mezzanine which exceeds thirty-three and one-third percent (33-1/3%) of the total floor area in that room or story in which the mezzanine floor occurs shall be considered as a story.

C. That portion of a building between floor and ceiling which is so located that more than one-half (½) of the clear height from floor to ceiling is above grade.

Street means a thoroughfare used for public foot and vehicular traffic other than an alley.

Street, arterial means a fast or heavily traveled street of considerable continuity and used primarily as a traffic artery for interconnection among large areas.

Street, collector means a street which carries traffic from minor streets to arterial streets, including the principal entrance streets of a residential development and streets for circulation within such a development.

Street, cul-de-sac or dead-end means a minor street with only one (1) outlet terminating at one (1) end with a circular turn-around.

Street lamp means a light standard equipped with an incandescent, metal halide, high-pressure sodium or equivalent lighting for the purpose of illuminating the surrounding properties.

Street line means the dividing line between a street and a lot.

Street, local residential means a street intended to provide direct access to abutting residential properties and discourage through traffic movements not related to the neighborhood in which the local street is located.

Street, marginal access means a minor street which is parallel and adjacent to arterial streets, and which provides access to abutting properties and protection from through traffic.

Street, minor means a street used primarily for access to abutting properties.

Street width means the shortest distance between the lines delineating the right-of-way of a street.

Streetscape means the area along the public street between the street and buildings which defines the character of the street at the pedestrian level.

Structure means any object anchored to the ground, constructed or installed by humankind, including signs, buildings, parking lots, garages, carports, flagpoles, stoops and utility buildings (Note: All buildings are structures, but, not all structures are buildings).

Substantially similar application means an application where:

A. Development density and intensity have not materially changed from the former application, in that:

1 The number of buildings is within ten (10%) percent of the previous number of buildings;

2. The number of stories is the same;

3. The height of the building(s) is within ten (10%) percent of the previous height of the building(s);

4. The number of units is within ten (10%) percent of the previous number of units;

5. The lot coverage and floor area ratio are within ten (10%) percent of the previous lot coverage or floor area ratio; and

B. Design has not materially changed, in that:

1. The roadway patterns, including ingress-egress points, are in the same general location as shown on the former application;

2. Parking areas are in the same general location and configuration;

3. The building setbacks are the same as the former application or different by a distance that is less than fifteen (15%) percent of the applicable setback requirement;

4. Elevations and renderings of buildings have substantially similar architectural expressions as those shown on the approved plans; and

C. Proposed sign(s) are no greater in size and are placed in the same general location on the site as set out in the former application.

Subdivider means any individual, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations to effect a subdivision of land for himself or for another.

Subdivision means the division of a parcel of land into two (2) or more lots or parcels of land for the purpose of transfer of ownership or building development or if a new street is involved, any division of a parcel of land. The term includes re-subdivision, and when appropriate to the context, it relates to the process of subdividing or to the land subdivided.

Survey, certified means a survey, sketch, plan, map or other exhibit when a written statement regarding its accuracy or conformity to specified standards is signed by a registered surveyor, and which shows property corner stakes; property line dimensions; interior property line angles; existing structure, their dimensions and relation to property lines; general elevation of property; all existing utilities and related data; existing rights-of-way; easements of record; existing sidewalks; general block plan and other pertinent survey data.

Swimming pool means a structure of masonry or concrete construction containing a body of water intended for recreational purposes, including a wading pool having a depth of more than eighteen (18) inches and/or a water surface area of more than two-hundred-fifty (250) square feet, but not including an ornamental reflecting pool or fish pond located and designed so as not to create a hazard or be used for swimming or wading.

Tandem parking spaces means two (2) parking spaces arranged one behind the other.

Technical deviation from an approved campus master plan development order means a change with regard to the character, location or magnitude of land use which does not result in a material increase in adverse impacts on lands not located within the UMCAD District or on the City of Coral Gables as a whole.

Technically competent means materials prepared by professionals who have recognized credentials (including, where available in the particular field, certification or licensure), in the field to which the materials relate, and are prepared either:

A. According to standards and methodologies which are generally accepted in the field of study which was involved in their production; or

B. According to standards and methodologies which are proven to be either as reliable or more reliable than those which are generally accepted, given the special circumstances of a particular application.

Telecommunications Act means the Telecommunications Act of 1996, Pub. L No. 104-104, codified at 47 U.S.C.

Telecommunications facility means personal wireless services facilities, as defined under federal law, 47 U.S.C. §332(c)(7)(C), and includes, but is not limited to, antennas and radio-transmitting telecommunications towers, and associated facilities used to transmit telecommunications signals. Light, electric and utility poles are only support structures and are not a telecommunications facility. An open video system is not a telecommunications facility to the extent that it provides only video services; a cable system is not a telecommunications facility to the extent that it provides only cable service.

Telecommunications tower or tower means any structure, and support thereto, designed and constructed primarily for the purpose of supporting one (1) or more antennas intended for transmitting or receiving personal wireless services, telephone, radio and similar communication purposes, including lattice, stealth, monopole, and guyed towers. The term includes microwave telecommunications towers, common-carrier telecommunications towers and cellular telephone telecommunications towers, among others. Light, electric and utility poles are only a support structure and are not a telecommunications tower.

Television/radio studio means a station for the production and transmission of radio or television broadcasts.

Temporary irrigation systems mean a system including surface distribution elements (hose, pipe, etc.) which may be easily removed when the landscape is established.

Temporary tent means a tent installed for thirty (30) days or more.

Temporary university use means particular uses of land which have a defined period of activity not exceeding ninety (90) days, including special events.

Temporary use means a non-permanent use permitted for a period of time by these regulations. See Article 5, Division 21.

Tent means any portable or removable shelter made of canvas and/or some other similar fabric, either natural or synthetic, as contrasted with an awning or canopy.

Tentative plat means the tentative map, drawing or chart indicating the proposed layout of the subdivision.

Theater, adult motion picture means an enclosed building used for presenting motion picture films distinguished or characterized by an emphasis on matter depicting, describing or related to specified sexual activities or specified anatomical areas, for observation by patrons therein.

Tower, decorative means a nonhabitable or habitable portion of a building or structure that is generally of smaller size and dimension than the principal building.

Townhouse/rowhouse means an attached dwelling unit with primary access at grade, that is a series of dwelling units, attached in a row, separated from each other by an unpierced wall extending from the foundation to the roof. 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. Buildings shall generally conform to the traditional townhouse/rowhouse design concept as found in such places as Georgetown, Boston, Philadelphia, and New York City. See photographs below for examples.

Trailer means every vehicle without motor power, designed for carrying persons or property on its own structure and for being drawn by a motor vehicle.

Transfer of development rights (TDR) means the removal of all or a portion of the right to develop or build from land and moving those rights to other land**.**

Tree means a self-supporting woody plant which usually produces one main trunk and a more or less distinct and elevated head with many branches which normally grows to an overall height of a minimum of fifteen (15) feet in Miami-Dade County.

Tree abuse includes: 1) Damage inflicted upon any part of a tree, including the root system, by machinery, construction equipment, cambium layer penetration, storage of materials, soil compaction, excavation, chemical application or spillage, or change to the natural grade; 2) Hatracking; 3) Girdling or bark removal of more than one-third (1/3) of the tree diameter; and/or 4) Tears and splitting of limb ends

or peeling and stripping of bark resulting from improper pruning techniques not in accordance with the current ANSI A300 Standards.

Tree canopy cover means the aerial extent of the branches and foliage of a tree.

Trellis means a frame or structure of latticework used as a decorative feature which may be free-standing or attached to a structure.

Triangle of visibility means a triangular area of land occurring at the intersection of two (2) streets or a driveway and street which is maintained free of visual obstructions so as to provide adequate visibility of oncoming pedestrians and vehicles.

Truck means any motor vehicle designed, used or maintained for transporting or delivering property or material used in trade or commerce in general. Trucks shall include any motor vehicle having space designed for and capable of carrying property, cargo, or bulk material and which space is not occupied by passenger seating.

UMCAD District Approval means the accumulated approvals granted by the City of Coral Gables for the University of Miami Campus Area Development.

Under story means the complex of woody, fibrous, and herbaceous plant species that are typically associated with a natural forest community, native plant community, or native habitat.

Undue economic hardship means an exceptional financial burden that would amount to the taking of property without just compensation, or failure to achieve a feasible economic return in the case of income producing properties.

Unity of title means a written agreement executed by and between one (1) or more property owners and the City of Coral Gables, whereby the property owner(s) for a specified consideration by the City agrees that the lots and/or parcels of land constituting the building site shall not be conveyed, mortgaged, etc. apart from each other and that they shall be held together as one (1) tract. Such Unity of Title shall be recorded in the Public Records of Miami-Dade County, Florida and shall run with the land and shall be binding upon the property owner(s), his successors and assigns.

University Campus means those lands that are used for higher educational purposes and is zoned UMCAD District.

University Campus District (UCD) Frontage A means land within the UCD which has frontage on the following road segments: a) San Amaro Drive and Campo Sano Drive from Mataro Avenue to Pisano Avenue; b) Pisano Avenue from University Drive to Granada Boulevard; c) Granada Boulevard from Pisano Avenue to Ponce de Leon Boulevard; d) south side of Mataro Avenue beginning at the east property line of Lot 12, Block 184, Riviera Section Part 6 to Red Road; and e) Red Road from Mataro Avenue to Brescia Avenue.

University Campus District (UCD) Frontage B means land within the UCD which has frontage on the following road segments: a) Pisano Avenue from Campo Sano Drive to University Drive; b) west side of San Amaro Drive from Levante Avenue to Mataro Avenue; c) east side of San Amaro Drive from Brescia Avenue to Mataro Avenue; d) Block 184, Lots 13 and 14, Riviera Section Part 6 on Mataro Avenue; e) Red Road from Brescia Avenue to Levante Avenue; and f) north side of Levante Avenue from San Amaro Drive to Red Road.

University Campus District (UCD) Frontage C means land within the UCD which has frontage on the following road segments: Ponce de Leon Boulevard from Granada Boulevard to the west side of the Ponce Garage. Underground parking shall have no setback.

University Campus District (UCD) Frontage D means land within the UCD which has frontage on the following road segments: a) Ponce de Leon Boulevard the west side of the Ponce Garage to San Amaro Drive; and b) the east side of San Amaro Drive, from Ponce de Leon Boulevard to Brescia Avenue.

University Campus District (UCD) Frontage E means land within the UCD which has frontage on the following road segments: a) the south side of Levante Avenue; and b) the west side of San Amaro Drive, from Ponce de Leon Boulevard to Levante Avenue.

University campus serving use means a use or activity which because of its size, location and/or character is provided for the use and benefit of students, faculty, university employees and their guests and where use by or benefit to the general public is incidental and occasional.

University of Miami Campus means the land located within the inner boundaries of the rights-of-way of the Metro Rail line on the south, Granada Boulevard and Pisano Avenue on the east, Campo Sano Avenue and Miller Road on the north and Red Road, Levante Avenue and Hurricane Drive on the west and south.

University Village means an area within a university campus which is primarily used for upper class student housing and academic administration.

Unmodified pickup truck means a pickup truck that has not been altered from its original standardized factory built form including but not limited to the following characteristics of the vehicle: body, chassis, exterior modifications, chassis elevation, inclusion of exterior appendages, larger than standard tires (including height and width), air intake systems, bull bars, external exhaust systems, grille guards, light bars, lowered or raised suspension, winches, etc. Trailer hitches, bike racks, and manufacturer installed rooftop racks are not considered modifications.

Unnecessary hardship means arduous restrictions upon the uses of a particular property which are unique and distinct from that of adjoining property owners in the same zoning district.

Urban open space means an area which is open from the land to the sky predominantly improved with and paved with bricks, pavers or other similar material (not including concrete or asphalt) for pedestrian use or an area where no structures or buildings other than landscape features, fountains, benches, arcades and objects of art are located.

Usable open space means outdoor areas, except parking and other service areas, which are usable for outdoor living, recreation or landscaping, and which is open and unobstructed from the lowest level to the sky except for roof overhangs not in excess of two and one-half (2½) feet, pedestrian walks and ingress and egress drives. All open space shall be accessible to, and usable by, all residents residing in the building.

Utilities/infrastructure facility means electric, gas, or stormwater management facilities, water or wastewater pumping station, telephone repeater station or similar structure used as an intermediary switching, boosting, distribution or transfer station or lines for electricity, cable television, or telephone services between the point of generation and the end user, but not including satellite dish antennas, facilities for the handling of solid waste, or radio, television, or relay towers.

Utility lines or service facilities means the distribution system for utilities and includes, but is not limited to cables, conduits, pipes, wires, and conductors.

Utility substation means a part of a utility distribution system where electrical current is converted for use by structures through the use of transformers.

Variance means a dispensation permitted on individual parcels of property as a method of alleviating unnecessary hardship (see also necessary hardship) by allowing a reasonable use of the building, structure or property which, because of unusual or unique circumstances, is denied by the terms of these

regulations.

Vegetation required to be preserved by law means portions of a site, including but not limited to specimen trees, natural forest communities and native vegetation which are clearly delineated on site plans, plats, or recorded restrictions, or in some other legally binding manner that are to be protected from any tree or under story removal or effective destruction and maintained without any development.

Vegetation survey means a drawing provided at the same scale as the landscape plan which includes relevant information as required by these regulations.

Vehicle means every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway or street, except devices moved by human power.

Vehicle, commercial means any vehicle designed, used or maintained, as a means of transportation on land of people, goods or things used in trade, services, or commerce in general. For the purposes of these regulations, buses, vans and other vehicles seating more than nine (9) persons used for transportation of people shall be considered commercial vehicles.

Vehicle, motor means every vehicle which is self-propelled.

Vehicle, recreational means any vehicle self-propelled or capable of being towed and primarily designed, constructed or converted to provide recreational uses, or to provide temporary living quarters for camping, or recreational travel. The following shall be included as recreational vehicles, but not to the exclusion of any other types not mentioned; trailers; trailer coaches; camping trailers; and full-tent trailers; motor homes; pickup (slide-in) camper and mini-motor homes. Any van designed for and containing seating for the transportation of not more than nine (9) persons and containing rear and side windows shall not be considered a recreational vehicle.

Vehicle sales/displays mean a business or commercial activity involving the display and/or sale or rental of automobiles, small trucks and vans and other small vehicular or transport mechanisms and including vehicle service.

Vehicle sales/displays, major means a business or commercial activity involving the display and/or sale or rental of boat and marine vessels, recreational vehicles, heavy equipment, mobile homes, and other vehicular or transport mechanisms and including vehicle service.

Vehicle service means an activity conducted entirely within an enclosed structure primarily involved in servicing or repairing of automobiles, motorcycles, trucks, boats, recreational vehicles and other similarly sized vehicular or transport mechanisms or heavy machinery. Vehicle services include washing, waxing, changing oil, tuning, installing mufflers or detailing, window tinting, shock absorbers, and painting.

Vehicle service, major means vehicle repairs which include engine repairs where the cylinder head, pan or exhaust manifold is removed; steam cleaning of engines; undercoating; vehicle spray painting; auto glass repair and replacement; repair and replacement of transmission, differential, transaxles, shaft and universal joints, wheel and steering linkages and assemblies; rebuilding and upholstering the interior of vehicles; customizing, restoration or rebuilding of vehicles; chassis, frame, body, fender and bumper molding, straightening, replacement and finishing; and repairs involving extensive welding, racing of engines or lengthy or overnight idling of engines. (Excluded from definition of automobile service station)

Vehicular use area means a hard surface area designed or used for off-street parking and/or an area used for loading, circulation, access, storage, including fire trucks, garbage trucks, or display of motor vehicles.

Vertical parking lift is a two-level/two-deck automated parking lift device and supporting structure for the stacking of two (2) vehicles in a vertical position.

Veterinary office means a facility used by veterinarians to treat and examine animals, including accessory indoor boarding of animals, not including outdoor kennels or animal runs.

Vines mean plants which normally require support to reach mature form.

Wall means a structure or device forming a physical barrier made of materials permitted by this Code that closes, makes or borders a lot, yard or field.

Water body means a lake, pond, canal, river or bay.

Wetlands mean lands which are periodically covered or saturated with water during normal rainfall years as indicated by soils, topography and vegetation, not including artificial drainage ditches checked solely for the purpose of channeling stormwater.

Window, bay means a window built to project outward from an exterior wall and is covered by a roof. All bay windows must comply with setback requirements and any bay window with a floor area of more than ten (10) square feet shall count towards gross floor area.

Wholesale / distribution / warehouse facility means a use where goods are received and/or stored for delivery to the ultimate consumer at remote locations.

Wild animal means animals which are wild by nature and not customarily domesticated in the United States not including birds, small rodents or small non-poisonous reptiles.

Wire fence means a fence whose principal material is wire, including but not limited to chain link fences.

Yard means the open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

Yard, front means the unoccupied area between the front property line and the main building, and extending across the full width of the lot.

Yard, rear means the unoccupied area extending across the full width of the lot between the main building and the rear line of the lot, except in the case of a side street.

Yard, interior side means the unoccupied area between the main building and the side line of the lot and extending from the required front yard to the required rear yard.

Yard, side street means the unoccupied area behind the front yard and between the main building and abutting street extending to the rear property line.

Zoning Code means the regulations adopted pursuant to the Local Government Comprehensive Planning and Land Development Regulations Act, Chapter 163.3161, et seq., F.S.

Zoning Map, Official means the Official Zoning Map which shows the Zoning Districts as adopted by the City Commission pursuant to the procedures of these regulations.

APPENDIX A - SITE SPECIFIC ZONING REGULATIONS

Section A-1 - General.

Facing of lots and principal buildings. General provision for the establishment and determination of lot and building facings is provided in Section 3-905., Facing of lots and principal buildings.

Section A-2 - Acreage.

A. Setbacks--minimum side. In that part of the NW 1/4 of the SE 1/4 of Section 20, Township 54 South, Range 41 East, lying between U. S. Highway No. 1 (South Dixie Highway) and the Rapid Transit--thirty-five (35) feet from the East and West center line of Section 20-54 South, 41 East on Grand Avenue.

Section A-3 - Section A.

A. Building sites.
   1. No building site facing upon Anderson Road, DeSoto Boulevard, Granada Boulevard, Coral Way or Plaza Columbus shall contain less than two (2) platted lots, where such lots are less than fifty-five (55) feet in width.
B. Setbacks-Minimum front.
   1. Facing upon Granada Boulevard or Coral Way-Fifty (50) feet.
C. Setbacks-Minimum side.
   1. East line of Lot 5, Block 18-Ten (10) feet.

Section A-3-1 – Almeria Replat.

A. Height of townhouses.
   1. Height of townhouses on the following described properties ("Properties") shall have a height limitation of forty-five (45) feet and three (3) stories:
      a. Almeria Replat, Plat Book 166, Page 82[1], Lots 6, 7, 8, 9, 10, Block 1

   Height shall be defined as per Section 4-104(D)(8)(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.

   In the event that less restrictive conditions are adopted regarding the Properties, the less restrictive conditions shall apply.

Section A-3-2 – Alvarido Estates (3313).

A. Facing of Lots.
   1. Lot 1 shall be deemed to face Wallace Street.
   2. Lot 2 shall be deemed to face Pinero Avenue.
B. Minimum Setbacks.
   1. Lot 1 - Twenty-five (25) foot front.
      - Twenty-five (25) foot adjacent to side street.
      - Five (5) foot interior side.
      - Five (5) foot rear.
   2. Lot 2 - Twenty-five (25) foot front.
      - Five (5) foot interior side.
      - Five (5) foot rear.

[1] Property Appraiser information showing Plat Book 164, Page 096 is incorrect. Property was replatted with final replat of Property Plat Book 166, Page 82. (2009)

APPENDIX A - SITE SPECIFIC ZONING REGULATIONS

Section A-4 - Annie Clarke Subdivision (2949).

A. Facing of lots.
   1. Lot 1, Block 1 shall be deemed to face onto Frow Street.
   2. Lot 2, Block 1 shall be deemed to face onto Jefferson Street.

B. Setbacks--Minimum front.
   1. Lot 1, Block 1-Twenty (20) feet.
   2. Lot 2, Block 1-Fifteen (15) feet.

C. Setbacks--Minimum side.
   1. Lot 1, Block 1-Five (5) feet (interior) -Ten (10) feet (corner).
   2. Lot 2, Block 1-Five (5) feet (interior) -Ten (10) feet (corner).

D. Setbacks--Minimum rear.
   1. Lot 1, Block 1-Five (5) feet.
   2. Lot 2, Block 1-Five (5) feet-Five (5) feet (U. S. 1) -Thirty (30) feet (Frow Street).

Section A-5 - Asa Washington Smith Subdivision (2949).

A. Facing of lots.
   1. Lots 1 through 7, inclusive, Block 1 and,
   2. Lots 1 through 7, inclusive, Block 2, shall be deemed to face onto Industrial Avenue.

B. Setbacks-Minimum front.
   1. Lots 1 through 7, Block 1-Twenty (20) feet.
   2. Lots 1 through 7, Block 2-Fifteen (15) feet.

C. Setbacks-Minimum side.
   1. Lots 1 through 7, Block 1-Seven and one-half (7½) feet (interior and corner).
   2. Lots 1 through 7, Block 2-Five (5) feet (interior) -Seven and one-half (7½) feet (corner).

D. Setbacks-Minimum rear.
   1. Lots 1 through 7, Block 1-Eight (8) feet.
   2. Lots 1 through 7, Block 2-Ten (10) feet.

Section A-6 - Avocado Land Company Subdivision-Tract 7.

A. Setbacks-Minimum front.
   1. Red Road - One-hundred (100) foot minimum for a private school.

B. Setbacks-Minimum side.
   1. Avenue Campamento - Eighty (80) feet minimum for a private school, except as approved by Ordinance No. 2011-06 allowing seventy-five (75) foot minimum for natatorium building.
   2. North property line - One-hundred (100) foot minimum from present property line for a private school, except as approved by Ordinance No. 2011-06 allowing forty (40) foot minimum for gymnasium and baseball field house.

C. Setbacks-Minimum rear.
   1. Bernal Street - Two-hundred and seventy-five (275) foot minimum except for the south one-hundred and fifty (150) feet, which shall be four-hundred and seventy-five (475) foot minimum, for a private school.

Section A-7 - Section B.

A. Building sites.
   1. No building site facing upon Granada Boulevard, North Greenway Drive, South Greenway Drive, Coral Way or LeJeune Road shall contain less than two platted lots where such lots are less than fifty-five (55) feet in width.
   2. Lots 1, 2, 3 and 24, Block 20 shall be considered as three (3) building sites as follows: (2530)
      a. One (1) building site to consist of Lot 24;
      b. One (1) building site to consist of Lot 1 and the western one-half (½) of Lot 2;
      c. One (1) building site to consist of Lot 3 and the eastern one-half (½) of Lot 2.
   3. Lots 10 and 11, Block 5 shall be considered two (2) building sites as follows: (2739)

a. One (1) building site to consist of Lot 10.
b. One (1) building site to consist of Lot 11.

B. Height of buildings. Buildings constructed on Lot 12, less that part described as beginning at the southwest corner, thence run northerly along the west line of said lot, to the northwest corner, thence easterly along the north line of said lot seven and thirteen-hundredths (7.13) feet thence southwesterly one hundred and ten and twenty-one hundredths (110.21) feet of the POB, all of Lot 13 and the east twenty (20) feet of Lot 14, Block 8, are not to exceed a height of forty-four (44) feet.

C. Setbacks-Minimum front.
1. Facing upon North Greenway Drive or South Greenway Drive (except building sites in Block 33)-Thirty-five (35) feet.
2. Facing upon Coral Way in Blocks 34 and 35 Anderson's Resubdivision of Lot C-Fifty (50) feet.
3. Facing upon Coral Way in Block 8 and 9-Twenty-five (25) feet (except Lot 13 and east twenty (20) feet of Lot 14, Block 8, which shall be twelve (12) feet).
4. Facing upon Granada Boulevard (except building sites in Block 35)-Fifty (50) feet.
5. Facing upon Granada Boulevard, in Block 35-Thirty-five (35) feet.

D. Setbacks-Minimum side.
1. On all lots abutting LeJeune Road-Seven and one-half (7½) feet from LeJeune Road except Block 8.

Section A-8 - Baker Homestead.

A. Facing of lots.
1. Lot 1 shall be deemed to face north.
2. Lot 2 shall be deemed to face east.
3. Lot 3 shall be deemed to face north.
4. Lot 4 shall be deemed to face west.
5. Lot 5 shall be deemed to face south.
6. Lot 6 shall be deemed to face north.
7. Lot 7 shall be deemed to face north.
8. Lot 8 shall be deemed to face west or south.

B. Setbacks-Minimum front.
1. Lot 3-Twenty (20) foot minimum.
2. Lot 5-Sixty-five (65) foot minimum from waterway.
3. Lot 8-Twenty-five (25) foot minimum from south.
4. Lot 8-Twenty (20) foot minimum from west.

C. Setbacks-Minimum side.
1. Lot 1-Fifty-five (55) foot minimum from west. Lot 1-Twenty-five (25) foot minimum from east.
2. Lot 2-Twenty (20) foot minimum from north. Lot 2-Fifty-five (55) foot minimum from south.
3. Lot 3-Twenty-five (25) foot minimum.
4. Lot 4-Twenty-five (25) foot minimum from south. Lot 4-Twenty (20) foot minimum from north.
5. Lot 5-Twenty-five (25) foot minimum.
6. Lot 6-Twenty-five (25) foot minimum.
7. Lot 7-Thirty (30) foot minimum from east. Lot 7-Twenty (20) foot minimum from west.
8. Lot 8-Thirty (30) foot minimum from east.

D. Setbacks-Minimum rear.
1. Lot 1-Twenty (20) foot minimum.
2. Lot 2-Fifty-five (55) foot minimum.
3. Lot 3-Six (6) foot minimum.
4. Lot 4-Twenty-five (25) foot minimum.
5. Lot 5-Twenty-five (25) foot minimum.
6. Lot 6-Fifty (50) foot minimum.
7. Lot 7-Twenty (20) foot minimum.
8. Lot 8-Twenty (20) foot minimum from north.

E. Setback from canal, waterway, lake or bay.
1. Lot 5-Sixty-five (65) feet.

Section A-9 - Banyan Tree.

A. Facing of lots.
   1. Lot 1 and 2, Block 1 shall be deemed to face Old Cutler Road.
B. Setbacks-Minimum front.
   1. Lots 1 and 2, Block 1-Thirty-five (35) feet.
C. Setbacks-Minimum side.
   1. Lots 1 and 2, Block 1 shall provide a minimum setback from the inside lot line of fifteen (15) feet.
   2. Lots 1 and 2, Block 1 shall provide a minimum setback from the side street of twenty-five (25) feet.
D. Setbacks-Minimum rear
   1. Lots 1 and 2, Block 1-Fifteen (15) feet.

Section A-10 - Bay Bluff.

A. Facing of lots.
   1. Lots 1 and 2, Block 1 shall be deemed to face north on Davis Road.
   2. Lots 3, 4 and 5, Block 1 and Lots 1, 2, 3, and 4, Block 2 shall be deemed to face on Calatrava.
B. Setbacks-Minimum side.
   1. Lots adjacent to Old Cutler Road-Twenty-five (25) feet.

Section A-11 - Biltmore Addition.

A. Setbacks-Minimum front.
   1. Facing upon Avenue Catalonia in Block 39 of Resubdivision, P. B. 42, Page 50-Twenty (20) feet.

Section A-12 - Biltmore Section.

A. Building sites.
   1. No building site facing upon Avenue Anastasia or Coral Way shall contain less than two (2) platted lots where such lots are less than sixty (60) feet in width.
   2. Lot 1, the north half of Lot 2, and Lot 5, Block 24, shall be considered two (2) building sites as follows: (3323)
      a. One (1) building site to consist of Lot 1 and the north half of Lot 2.
      b. One (1) building site to consist of Lot 5.
      c. Lot 1 and the north half of Lot 2 shall include garage.
B. Height of buildings.
   1. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy (70) feet in height, whichever is less:
      a. Lots 3 through 15, inclusive, Block 11.
      b. Lots 1, 2, 3 and 4, Block 12.
      c. Lots 1 through 19, inclusive, Block 13.
   2. No apartment buildings and/or structure shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less: (3465)
      a. All lots and tracts in Blocks 2, 3, 6 and 7.
      b. All of Block 8.
      c. Lots 4 through 32, inclusive, Block 1.
      d. Lots 19 through 32, inclusive, Block 1.
      e. Lots 3 through 41, inclusive Block 10.
   3. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
      a. Lots 12 through 34, inclusive, Block 3.
      b. Lots 15 through 26, inclusive, Block 4.
      c. Lots 1 through 24, inclusive, Block 6.
      d. Lots 1 through 23, inclusive, Block 7.

4. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed one hundred and sixty-two (162) feet in height: (2677)
   a. Lots 1 through 15, inclusive, Block 7.
5. Lot 5, Block 24 shall be limited to a one (1) story structure with architectural character and massing similar to the surrounding neighborhood. (3323)
6. All of Block 4 shall be limited to commercial buildings not to exceed four (4) stories in height and six (6) stories with Mediterranean design bonuses. (3465)
7. Height of townhouses on the following described properties ("Properties") shall have a height limitation of forty-five (45) feet and three (3) stories:
   a. Coral Gables Biltmore Section, Plat Book 20, Page 28, Lots 1, 2, 42[2] and 43, Block 10;
   b. Coral Gables Biltmore Section, Plat Book 20, Page 28, Lots 1, 2, 18, 19, 20, 21, 22, 23, Block 11.

   Height shall be defined as per Section 4-104(D)(8)(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.

   In the event that less restrictive conditions are adopted regarding the Properties, the less restrictive conditions shall apply.

C. Setbacks-minimum front. (Including Resubdivision Block 4) (3465)
   1. Facing upon Coral Way in Blocks 1 and 2-Twenty-five (25) feet.
   2. Facing upon Coral Way in Lots 2 through 11, inclusive Block 3-Fifteen (15) feet.
   3. Facing upon Coral Way in Block 4-Ten (10) feet.
   4. Facing upon Biltmore Way in Blocks 3 and 7; Lots 1 through 16, inclusive, Block 6; Lots 15 through 26, inclusive-Ten (10) feet.
   5. Facing upon Biltmore Way in Block 4-Five (5) feet.
   6. Facing upon Hernando Street in Block 4-Five (5) feet.
   7. Facing upon Avenue Andalusia Lots 17 through 24, inclusive, Block 6-Ten (10) feet.

D. Setbacks-Minimum side.
   1. Lot 1, Block 3-Four (4) feet from Segovia Street.

E. Setbacks-Minimum interior side and rear alleyway.
   1. All of Block 4-Zero (0) feet.

F. Minimum Residential Dwelling Unit Sizes
   1. The minimum residential dwelling unit size shall be four hundred (400) square feet.
   2. The minimum residential dwelling unit size of four hundred (400) square feet shall not pertain to cabanas.
   3. Seven (7) efficiency apartments, as defined and approved pursuant to Resolution No. 10436, adopted on 02.25.1964, are exempt from the these provisions. These units may be less than four hundred (400) square feet.
   4. All minimum residential dwelling unit size requirements previously adopted in Ordinance and Resolution form, with the exception of above item 3, is hereby repealed.

Section A-12-1 - Biltmore View.

A. Minimum Setbacks. All four (4) building sites shall have the following setbacks:
   1. Front setback-Twenty-five (25) feet.
   2. Rear setback-Ten (10) feet.
   3. Side setback-Ten (10) feet.

B. Facing lots. Lots 1 through 4 shall be deemed to face Mariola Way.

[2] Property Appraiser website information showing Lot 42 less N4 ½ feet is incorrect; Warranty Deed at OR 19474 Page 4579 includes Lot 42 in its entirety. (2009)

Section A-13 - Biscayne Bay Section.

A. Building sites.
   1. Lots 1 through 8, inclusive, and Lot 5A, Block 82 shall be restricted to two (2) building sites having a street frontage of one-hundred-twelve and one-half (112½) feet each.
   2. Lots 4-13 and the north 1/2 of the vacated street in Block 85 shall be considered three (3) building sites with two (2) building sites facing onto Sunset Road and one (1) building site facing onto Almansa Street with the following frontages: (3222)
      a. The two (2) sites facing Sunset Road shall have a frontage of one hundred twenty-five (125) feet and one hundred forty-five (145) feet.
      b. The one (1) site facing Almansa Street shall have a frontage of one hundred forty (140) feet.
   3. Lots 1, 2, 3 and 4, less the east thirty-eight (38) feet thereof, Block 94 shall be considered as two (2) building sites only, one such site consisting of Lot 1 and the west twenty-seven (27) feet of Lot 2, and the other building site consisting of Lot 2, less the west twenty-seven (27) feet thereof, all of Lots 3 and Lot 4, less the east thirty-eight (38) feet thereof.
   4. Lots 9 and the east eighteen (18) feet of Lot 10, Block 94 shall be considered as one (1) building site having a street frontage of eighty-eight (88) feet.
   5. No building site in or upon the following properties shall contain less than ten-thousand-eight-hundred (10,800) square feet area nor shall any such building site have less than one-hundred (100) feet street frontage:
      a. Lots 18 through 21, inclusive, Block 82, and vacated alley therein.
      b. South one-half of Tract 83.
      c. Lots 17 through 32, inclusive, Block 84, and vacated alley therein.
      d. Lots 9 through 16, inclusive, Block 85.
      e. All of Block 89.
      f. All of Block 90, and vacated alley therein.
      g. Lots 1 through 18, inclusive, and Lots 28 through 42, inclusive, Block 91, and vacated alley therein.
      h. All of Wheeler's Resubdivision of Block 92.
      i. All of Block 93 and vacated alley therein.
      j. The west twelve (12) feet of Lot 13 and Lots 14 through 16, inclusive, Block 94.

B. Percentage reduction on seventy-five (75) and one hundred (100) foot building sites. (See Archived Zoning Code Section 3-1(i))

C. Setbacks-Minimum front.
   1. Facing upon Ridge Road, Block 61-Thirty (30) feet.

Section A-14 - Bruno Estates.

A. Facing of lots.
   1. Lots 4 and 5 shall be deemed to face south, Lots 1, 2, 3, 6 and 7 shall be deemed to face north.

B. Setbacks-Minimum side.
   1. Lots adjacent to Old Cutler Road-Twenty-five (25) feet.

Section A-15 - Section C.

A. Building sites.
   1. No building site facing upon Alhambra Circle, Granada Boulevard, Columbus Boulevard, Coral Way, North Greenway Drive and South Greenway Drive East of Alhambra Circle, shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width.

B. Setbacks-Minimum front.
   1. Facing upon Granada Boulevard or Coral Way-Fifty (50) feet.
   2. Facing upon North Greenway Drive or South Greenway Drive-Thirty-five (35) feet.

Section A-16 - Callahan Tract.

A. Floor Area Ratio (F.A.R.) Provisions for buildings four (4) or more stories in height.

1. Refer to Archived Zoning Code Section 3-6(w).
2. Maximum floor area ratio (F.A.R.) for C District buildings four (4) stories in height located on that portion of the Callahan Tract bounded on the north by South Dixie Highway, on the east by Turin Street, on the south by Avenue Madruga and on the west by Mariposa Court shall not exceed 1.5. (2829)

B. Height of buildings.
1. No commercial building shall be constructed or erected on the following described property to exceed four (4) stories or forty-five (45) feet in height, whichever is less:
That portion bounded on the north by South Dixie Highway, on the east by Turin Street, on the south by Avenue Madruga and on the west by Mariposa Court.

Section A-17 - Caravel Estates.

A. Facing of lots.
1. Lot 1 shall be deemed to face Lugo Avenue.

B. Setbacks-Minimum side.
1. Lot 1-Twenty-five (25) feet from Red Road -Nine (9) feet from east lot line.
2. Lot 2-Ten (10) feet.

C. Setbacks-Minimum rear.
1. Lots 1 and 2-Ten (10) feet.

Section A-17.1 - Revised Plat of Cartee Homestead.

A. Building sites.
1. Tract 2 shall be considered two (2) building sites for single-family residences, as follows:
   a. One (1) building site consisting of Lot 1.
   b. One (1) building site consisting of Lot 2.
2. The total square footage of the two (2) residences shall be equal to or less than 39,574 square feet.
3. The building front setback for Lot 2 shall be a minimum of 50 feet.

Section A-18 - Coconut Grove Manor.

A. Setbacks-Minimum front.
1. Facing upon Manor Place in Block 5-Twenty (20) feet.

Section A-19 - Coconut Grove Section.

A. Building sites.
1. With the exception of Lot 30, Block 6; Lot 18, Block 7; Lot 17, Block 10; Lot 32, Block 11; Lot 12, Block 25; and Lot 19, Block 29; no building site shall contain less than two (2) platted lots.
2. Lots 4, 5, 6, 7 and 8, Block 22 shall be considered as two (2) building sites as follows: (2538)
   a. One (1) building site to consist of Lots 4 and 5.
   b. One (1) building site to consist of Lots 6, 7 and 8.
3. Lots 3, 4, 5 and 6, Block 21, shall be considered as two (2) building sites as follows: (2633)
   a. One (1) building site to consist of Lots 3 and 4.
   b. One (1) building site to consist of Lots 5 and 6.

B. Facing of lots.
1. Lots 51 through 55, inclusive, Block 30, shall be deemed to face Bird Road.

C. Setbacks-Minimum front.
1. Lots 41 and 42, Block 16-Twenty (20) feet.

Section A-20 - Coconut Grove Terrace.

A. Building sites.
1. The north seventy-one and three tenths (71.3) feet of Lots 1, 2 and 3, shall be considered as one (1) building site. (2834)

B. Setbacks-Minimum front.
   1. Facing upon east side of Harlano Street-Thirty-five (35) feet.

Section A-21 - Coconut Grove Warehouse Center.

A. Facing of lots.
   1. Lots 58 through 71, inclusive, shall be deemed to face upon both Industrial Avenue and Short Avenue.
B. Height of buildings.
   1. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy-two (72) feet in height, whichever is less:
      a. Lots 1 through 27, inclusive.
   2. No building and/or structure to be used for manufacturing purposes shall be erected or altered on the following described property, to exceed three (3) stories of forty-five (45) feet in height, whichever is less:
      a. Lots 1 through 27, inclusive.
C. Roofs-pitched roof material.
   1. Pitched roofs may be covered with roofing material meeting the requirements of Class A or B specifications of the Underwriters Laboratories, Incorporated. (See Section 5-1605)
D. Setbacks-minimum front.
   1. On Lots 31 through 57 inclusive-Fifteen (15) feet from Industrial Avenue.
   2. All other building sites in the SFR District-Fifteen (15) feet.
E. Setbacks-minimum rear.
   1. Lots 31 through 57, inclusive-Fifteen (15) feet from Industrial Avenue.
F. Walls and fences-materials and specifications. Wood picket fences shall be permitted on residential lots, subject to the following conditions:
   1. Such fences shall be of cedar, cypress, or redwood, with four (4) inch by four (4) inch terminal posts, two (2) inch by four (4) inch intermediate posts, wood rails and pickets one (1) inch thick. Pickets shall be placed so as to provide a space between of not less than one-half (½) the width of the picket.
   2. All such fences shall be painted on each side with an appropriate and harmonious color, and shall be maintained and kept in repair by replacing all rotting wood. Construction and painting shall be completed within a reasonable time after issuance of a permit therefore, to be determined by the Building Official.

Section A-22 - Cocoplum Section One.

A. Facing of lots.
   1. Lot 21, Block 1, shall be deemed to face Casuarina Concourse.
   2. Lots 1 and 11, Block 11, shall be deemed to face Los Pinos Boulevard.
   3. Lot 8, Block 7, shall be deemed to face Los Pinos Boulevard.
   4. Lot 1, Block 9, shall be deemed to face Los Pinos Boulevard.
   5. Lots 1 and 2, Block 2, shall be deemed to face Ridge Road and Old Cutler Road.
   6. Lot 2, Block 3, shall be deemed to face Davis Road.
   7. Lot 3, Block 3, shall be deemed to face Puerto Avenue.
   8. Lot 11, Block 5, shall be deemed to face Santurce Avenue.
   9. Lots 1, 2 and 3, Block 5, shall be deemed to face Robles Street and Old Cutler Road.
   10. Lot 43, Block 5, shall be deemed to face Robles Street.
   11. Lot 8, Block 8, shall be deemed to face Robles Street.
   12. Lots 17 and 25, Block 5, shall be deemed to face Monaco Street.
   13. Lots 1 and 7, Block 7, shall be deemed to face Monaco Street.
   14. Lot 5, Block 6, shall be deemed to face Los Pinos Court.
   15. Lot 11, Block 9, shall be deemed to face Los Pinos Court.
   16. Lot 1, Block 6, shall be deemed to face Los Pinos Court.
   17. Lots 11 and 16, Block 8, shall be deemed to face Vistalmar Street.
   18. Lot 19, Block 9, shall be deemed to face Los Pinos Circle.
   19. Lot 1, Block 8, shall be deemed to face Cocoplum Road.
   20. Lot 4, Block 10, shall be deemed to face Cocoplum Road.
   21. Lot 1, Block 11, shall be deemed to face Cocoplum Road.

B. Setbacks-Minimum front.
   1. Lots facing upon Casuarina Concourse-Fifty (50) feet.
   2. Lots facing upon Old Cutler Road-Thirty-five (35) feet.
   3. Lots facing upon Puerta Avenue, Ridge Road and Santurce Avenue-Thirty-five (35) feet.
   4. Lots facing upon Davis Road-Thirty-five (35) feet.
   5. Lots facing Calatrava Court-Thirty-five (35) feet.

C. Setbacks-Minimum side.
   1. All lots fronting upon Casuarina Concourse-Twenty (20) feet.
   2. All other lots in Blocks 1 through 11, inclusive-Fifteen (15) feet.
   3. All corner lots which have one (1) side abutting a side street shall provide the minimum side setback from such side street as required for lots facing upon such street.

D. Setbacks-Minimum rear.
   1. All lots which have a rear lot line abutting upon a street which other lots face shall provide the minimum rear setback required for lots facing upon such street.
   2. All other lots in Block 1 through 11, inclusive-Twenty-five (25) feet.

Section A-23 - Cocoplum Section Two.

A. Docks, wharves, mooring piles.
   1. Docks, wharves or similar structures may be constructed over or in canals and waterways abutting the following lots at a distance extending outward from the property line not more than ten (10) feet:
      a. Lots 1 through 9, inclusive, Block 12, Plat A.
      b. South fifty (50) feet of Lot 5, Lots 6 through 19, inclusive, and the southerly portion of Lot 20, Block 16, Plat C.
      c. Lots 1, 2, 5, 6, 7, 10, 11, 12, 13, 16, 17, 18 and 19, Block 19, Plat D.
      d. Lots 18 through 28, inclusive, and Lots 40 through 43, inclusive, Block 24, Plat F.
      e. Lots 4, 5, 8, 9, 11, 12 and 14, Block 26, Plat G. (2777)
   2. Docks, wharves or similar structures may be constructed over or in the canals and waterways abutting the following lots at a distance extending outward from the property line not more than twenty-five (25) feet:
      a. Lots 18 through 26, inclusive and the southwesterly portion of Lot 27, Block 13, and Lots 1 and 2 and Lots 5 through 13, inclusive, Block 14, Plat B.
      b. Lot 9, Block 15, the westerly portion of Lot 20, Lots 21 and 22, southwesterly portion of Lot 23, northeasterly portion of Lot 25, Lot 26, Lots 32 through 38, inclusive, Lot 43, southwesterly portion of Lot 44 and Lots 46 through 52, inclusive, Block 16, Plat C.
      c. Lots 6, 7, 8, 11, 12, 13, 14, 17, 18, 19 and 20, Block 18, Plat D.
   3. Docks, wharves or similar structures may be constructed over or in canals and waterways abutting the following lots at a distance extending outward from the property line not more than fifteen (15) feet: (2725)
      a. Lots 4 through 17, inclusive, Block 24, Plat F.
      b. Lots 6, 7, 13 and 15 through 18, inclusive, Block 26, Plat G. (2677) The design of such docks in (A) 1 and (A) 2 above shall be in accordance with plans entitled Cocoplum Section Two Typical Dock Plans, dated October 5, 1982, on file in the Office of the City Clerk.
   4. All mooring piles, docks and/or similar structures shall maintain the same minimum setback from the adjacent owner's property line extended as established for the main structure permitted on each building site, except as follows:
      a. On Lots 32, 37 and 43, Block 24, Plat F, the minimum side setback from the adjacent owner's property line extended shall be five (5) feet. (2777)
      b. On Lot 33, Block 24, Plat F, the minimum side setback from the adjacent owner's property line extended shall be two and one-half (2½) feet. (2777)
      c. On Lots 8, 9, 11 and 12, Block 26, Plat G, the minimum side setback from the adjacent owner's property line extended shall be five (5) feet. (2777)
   5. The mooring of boats within Blocks 18 and 19, Cocoplum Section Two, Plat D shall be parallel to the shoreline.

B. Facing of lots.

Plat B

1. Lots 1, 36 and 39, Block 13 and Lots 4 and 22, Block 14, shall be deemed to face Mira Flores Avenue.
2. Lots 4, 10 and 11, Block 13 shall be deemed to face Lago Drive east.
3. Lots 31 and 32, Block 13, shall be deemed to face Lago Drive west.
4. Lot 6, Block 13, shall be deemed to face southwest on Lago Drive east.
5. Lot 35, Block 13, shall be deemed to face northwest on Lago Drive west.
6. Lots 1 and 3, Block 14, shall be deemed to face Vera Court.
7. Lots 14, 17, 18 and 20, Block 14, shall be deemed to face Tulipan Court.

Plat C

1. Lot 1, Block 15, Lots 29, 36, 39 and 40, Block 16 and Lot 12, Block 17, shall be deemed to face Isla Dorada Boulevard.
2. Lots 1 and 52, Block 16, and Lots 5 and 19, Block 17, shall be deemed to face Costanera Road.
3. Lot 28, Block 16, shall be deemed to face west on Costanera Road.
4. Lot 1, Block 17, shall be deemed to face east on Costanera Road.
5. Lot 13, Block 17, shall be deemed to face Costa Brava Court.

Plat D

1. Lots 4 and 9, Block 18, shall be deemed to face Veleros Court.
2. Lots 10 and 15, Block 18, shall be deemed to face Galeon Court.
3. Lots 16 and 21, Block 18, shall be deemed to face Marinero Court.
4. Lot 2, Block 19, shall be deemed to face west.
5. Lots 4 and 8, Block 19 shall be deemed to face Las Brisas Court.
6. Lots 9 and 14, Block 19 shall be deemed to face Carabela Court.
7. Lots 15 and 20, Block 19, shall be deemed to face Rada Court.

Plat E

1. Lot 1, Block 20, shall be deemed to face Isla Dorada Boulevard.
2. Lot 1 and 6, Block 21, shall be deemed to face Bahia Vista Terrace.
3. Lot 7, Block 21, shall be deemed to face Bahia Vista Court.
4. Lot 1, Block 22, shall be deemed to face Bahia Vista Boulevard.

Plat F

1. Lots 36 and 48, Block 24, shall be deemed to face Paloma Drive.
2. Lot 3, Block 25, shall be deemed to face Caoba Court.

Plat G

1. Lots 1, 10, 23 and 28, Block 26, shall be deemed to face Rosales Court.
2. Lots 20, 29 and 30, Block 26, shall be deemed to face Orquidea Court.

Plat H

1. Lots 1 and 2 shall be deemed to face Paloma Drive.

C. Setbacks-Minimum front.

Plat A

1. All lots-Fifty (50) feet.

Plat D

1. All lots in Blocks 18 and 19-Twenty-five (25) feet.

Plat E

1. All lots in Blocks 20, 21, 22 and 23-Twenty-five (25) feet.

Plat F

1. All lots in Blocks 24 and 25-Twenty-five (25) feet.

Plat G

1. All lots in Blocks 26-Twenty-five (25) feet.

D. Setbacks-Minimum side.

Plat A

1. All lots shall provide a minimum setback from the inside lot line of twenty (20) feet.

Plat B

1. All lots shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting side street shall provide a minimum setback from the side street of twenty-five (25) feet.

Plat C

1. All lots in Block 15, 16 and 17 shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting a side street shall provide a minimum setback from the side street of twenty-five (25) feet.

Plat D (2675)

1. All lots in Blocks 18 and 19, shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting a side street shall provide a minimum setback from the side street of twenty-five (25) feet.

Plat E (2685)

1. All lots in Blocks 20, 21, 22 and 23 shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting a side street shall provide a minimum set-back from the side street of twenty-five (25) feet.
3. A gazebo structure on Tract L shall provide a minimum side setback of ten (10) feet.

Plat F (2725)

1. All lots in Blocks 24 and 25, shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting a side street shall provide a minimum setback from the side street of twenty-five (25) feet.

Plat G (2777)

1. All lots in Block 26 shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots with the exception of Lot 30 which have one side abutting a side street shall provide a minimum setback from the side street of twenty-five (25) feet.
3. Lot 30 shall provide a minimum setback from the side street of fifteen (15) feet.

E. Setbacks-minimum rear.

Plat B

1. All lots not abutting upon a waterway or canal in the rear-Fifteen (15) feet.

Plat C

1. All lots in Blocks 15 and 17-Fifteen (15) feet.
2. All lots in blocks not abutting upon a waterway or canal in the rear-Fifteen (15) feet.

Plat D (2675)

1. All lots in blocks not abutting upon a waterway or canal in the rear-Fifteen (15) feet.

Plat E (2685)

1. All lots in blocks not abutting upon a waterway or canal in the rear-Fifteen (15) feet.

Plat F (2725)

1. All lots in blocks not abutting upon a waterway or canal in the rear-Fifteen (15) feet.

Plat G (2777)

1. All lots in blocks not abutting upon a waterway or canal in the rear-Fifteen (15) feet.

F. Setback from canal, waterway, lake or bay.

1. The minimum setback from the waterway or canal line as platted shall be thirty-five (35) feet, except as follows:
   a. A gazebo structure on Tract L, Plat E, which has a minimum ten (10) feet.
   b. Tract I (Private Yacht Basin) which shall be as follows: (2675, 2685, 2725, 2777, 2867).
      i. Building setback shall be thirty-five (35) feet from any main building along the portion of Lago Monaco Waterway that lies within the yacht basin and the western boundary line of Canal B (Arroyo Sereno).
      ii. Building setback shall be twenty-five (25) feet for any main building along the westerly boundary of Arroyo Sereno.
      iii. Remote facility type No. 1 (located at the east end of dock six (6) as shown on the Private Yacht Basin Master Development Plan) shall be set back a minimum of six (6) feet. All other buildings shall have a minimum setback of twenty (20) feet within the private yacht basin.
         (a) For Tract 1 (Private Yacht Basin) the minimum setback from the west property line of Tract H and Tract I shall be:

(i) Building setback shall be twenty (20) feet excepting the storage area (stairway to gate keeper area) north of the Yacht Basin entrance which shall be a minimum of five (5) feet, six (6) inches from the west property line of Tract I (Private Yacht Basin).

Section A-24 - Coga Subdivision.

A. Facing of lots.
1. Lot 1, Block 1, shall be deemed to face Madruga Avenue.
2. Lot 3, Block 1, shall be deemed to face both Mariposa Avenue and Turin Street.
3. Lot 5, Block 1, shall be deemed to face Mariposa Avenue.
4. Lot 11, Block 4, shall be deemed to face Mariposa Avenue.
5. Lots 1 and 3, Block 2, shall be deemed to face Turin Street.
6. Lot 13, Block 3, shall be deemed to face Turin Street.
7. Lot 6, Block 2, shall be deemed to face Cotorro Avenue.
8. Lots 14 and 20, Block 3, shall be deemed to face Maynada Street.
9. Lot 29, Block 3, shall be deemed to face Hardee Road.
10. Lot 1, Block 4, shall be deemed to face Mariposa Avenue.

B. Height of buildings.
1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one (1) story in height:
   a. Lots 1 through 13, inclusive, Block 3.
2. Apartment buildings constructed on the following described property shall be restricted to not more than two (2) stories in height:
   a. Lot 7, Block 2.
   b. Lot 5, Block 4.

C. Off-street parking.
1. Off-street parking for the apartments constructed in Blocks 2 and 4 shall be located in the rear of the property; all entrances and exits to such parking shall be to and from the alley in each of said blocks.

D. Setbacks-Minimum front.
1. Lots 1 and 2, Block 1-Twenty-five (25) feet.
2. Lot 7, Block 2-Fifteen (15) feet.
3. Lots 5 through 11, Block 4-Fifteen (15) feet.
4. Lot 2, Block 4-Twenty-two (22) feet.
5. Lot 3, Block 4-Twenty (20) feet.
6. Lot 4, Block 4-Eighteen (18) feet.

E. Setbacks-Minimum side.
1. Lot 2, Block 1-Ten (10) feet.
2. Lots 2, 4 and 5, Block 2-Ten (10) feet.
3. Lots 1, 7, 8 and 15 through 19, inclusive, Block 3-Ten (10) feet.
4. Lots 5 through 10, inclusive Block 4-Ten (10) feet.
5. Lot 4, Block 1-Eight (8) feet.
6. Lots 2 through 6, inclusive and 21 through 28 inclusive, Block 3-Nine and one-half (9½) feet.
7. Lots 9 through 12, inclusive, Block 3-Nine (9) feet.
8. Lot 2, Block 4-Seven and one-half (7½) feet.
9. Lots 3 and 4, Block 4--Six and one-half (6½) feet.
10. Lot 1, Block 1-Ten (10) feet from N.E. side.
11. Lot 1, Block 1-Fifteen (15) feet from side street.
12. Lot 3, Block 1-Eight (8) feet from S.W. side.
13. Lot 5, Block 1-Fifteen (15) feet from side street.
14. Lot 5, Block 1-Eight (8) feet from N.E. side.
15. Lot 1, Block 2-Fifteen (15) feet from side street.
16. Lot 1, Block 2-Ten (10) feet from south side.
17. Lot 3, Block 2-Twenty-five (25) feet from side street.
18. Lot 3, Block 2-Ten (10) feet from north side.
19. Lot 6, Block 2-Eight (8) feet from east side.

20. Lot 7, Block 2-Ten (10) feet.
21. Lot 13, Block 3-Fifteen (15) feet from north side and six (6) feet from south side.
22. Lot 14, Block 3-Fifteen (15) feet from north side.
23. Lot 14, Block 3-Ten (10) feet from south side.
24. Lot 20, Block 3-Ten (10) feet from north side.
25. Lot 20, Block 3-Twenty-five (25) feet from south side.
26. Lot 29, Block 3-Fifteen (15) feet from N.W. side.
27. Lot 29, Block 3-Seven and one-half (7½) feet from east side.
28. Lot 1, Block 4-Ten (10) feet from N.E. side.
29. Lot 11, Block 4-Fifteen (15) feet from N.E. side.
30. Lot 11, Block 4-Ten (10) feet from S.W. side.

F. Setbacks-Minimum rear.
1. Lots 1 through 5, inclusive, Block 1-Six (6) feet.
2. Lots 1, 2, 4 and 5, Block 2-Six (6) feet.
3. Lots 1 through 28, inclusive, Block 3-Six (6) feet.
4. Lot 3, Block 2-Eight (8) feet.
5. Lot 6, Block 2-Fifteen (15) feet from Mariposa Avenue.
6. Lot 7, Block 2-Fifteen (15) feet from Mariposa Avenue.
7. Lot 29, Block 3-Fifteen (15) feet from Mariposa Avenue.
8. Lots 1 through 11, inclusive, Block 4-Five (5) feet.

Section A-25 - Coral Bay Section A.

A. Facing of lots.
1. Lot 2, Block 1, shall be deemed to face west.
2. Lot 8, Block 1, shall be deemed to face east.
3. Lot 40, Block 2, shall be deemed to face north.
4. Lot 53, Block 2, shall be deemed to face north.
5. Lot 69, Block 2, shall be deemed to face west.
6. Lot 73, Block 2, shall be deemed to face west.
7. Lot 77, Block 2, shall be deemed to face north.

B. Setbacks-Minimum front.
1. Where the front lot line is formed partially by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of fifteen (15) feet.

C. Setbacks-Minimum side.
1. Lot 14, Block 2-Ten (10) feet from each side line.
2. Lot 17, Block 2-Ten (10) feet from each side line.

D. Setbacks from canal, waterway, lake or bay. The minimum setback from waterway line, canal line or bay shore line as platted, shall be twenty-five (25) feet for main residence buildings and twenty (20) feet for screened patios and/or swimming pools.

Section A-26 - Coral Bay Section B.

A. Building sites.
1. One (1) building site to consist of Lot 15.
2. One (1) building site to consist of Lot 16.

B. Facing of lots.
1. Lots 1 and 61, Block 4, shall be deemed to face San Pedro Avenue.

C. Setbacks-Minimum front.
1. Lots 43 and 45, Block 3 and Lots 29 and 31, Block 4, shall have a minimum front setback from the most southerly and northerly portion of the arcs of twelve and one-half (12½) feet.

D. Setbacks-minimum side.
1. Lots 1 and 61, Block 4, shall have a minimum side setback from Lugo Avenue of twenty-five (25) feet and a minimum side setback from the inside lot line of ten (10) feet.
2. Lots 1 through 55, inclusive, Block 3 and Lots 2 through 60, inclusive, Block 4 shall have a minimum side setback from each side line of ten (10) feet.

E. Setback from canal, waterway, lake or bay. The minimum setback from waterway line, canal line or bay shore line, as platted shall be twenty-five (25) feet for main residence buildings and twenty (20) feet for screened patio and/or swimming pools on Lots 2 to 55, inclusive, all in Block 3, and all lots in Block 4.

Section A-27 - Coral Bay Section C.

A. Facing of lots.
   1. Lot 16, Block 5; Lot 1, Block 6; Lot 18, Block 6; Lot 1, Block 7; Lot 18, Block 7; Lot 20, Block 7 shall face on Red Road.
   2. Lot 5, Block 8 shall face east.
   3. Lot 22, Block 8 and Lots 2 and 17, Block 9 shall face south.

B. Setbacks-minimum front.
   1. Where the front lot line is formed partially by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of seven and one-half (7½) feet.
   2. Where the front lot line is formed completely by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of fifteen (15) feet.

C. Setbacks-minimum side.
   1. All lots shall have a minimum side setback from the side lot line of ten (10) feet except that on a corner lots where two streets intersect, in this event the minimum side setback from the side street shall be a minimum of twenty-five (25) feet. (For the purpose of determining the side setbacks, the lot lines extending from the street to the waterway shall be deemed side lot lines).

D. Setback from canal, waterway, lake or bay. The minimum setback from waterway line, canal line or bay shore line, as platted shall be twenty (20) feet for main residence buildings and screened enclosures.

E. Setback requirements-Swimming pools minimum side. A minimum side setback of twenty (20) feet shall be required from one side line and a minimum setback of thirteen (13) feet shall be required from the other side line on the following properties:

Lots	**Block**
a. 15, 16, 17	5
b. 1, 2, 17, 18, 19	6
c. 1, 2, 17, 18, 19, 20, 21	7
d. 4, 5, 6, 21, 22 . . .	8
e. 1, 2, 3, 16, 17	9

Section A-28 - Coral Bay Section D.

A. Facing of lots.
   1. Lot 12, Block 16; Lots 1 and 18, Block 17; Lots 1 and 22, Block 18; Lots 1 and 21, Block 19; Lots 1 and 18, Block 20; Lot 16, Block 21; Lots 1 and 16, Block 22; Lots 1 and 16, Block 23; Lots 1 and 16, Block 24; Lot 1, Block 25 shall face north.
   2. Lot 2, Block 10; Lot 1, Block 21; Lots 25 and 27, Block 15, shall face east. (2593)
   3. Lot 15, Block 10; Lot 2, Block 11; Lots 2 and 15, Block 12; Lots 2 and 15, Block 13; Lots 2 and 15, Block 14; Lots 13 and 15, Block 15 shall face south.
   4. Lot 15, Block 11; Lot 5, Block 15; Lot 2, Block 16; Lot 1, Block 26; Lot 47, Block 28 shall face west. (2593)

B. Height of buildings.
   1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one (1) story in height:
      a. Lots 46 and 47, Block 28.
   2. Apartment buildings constructed on the following described property shall be restricted to two (2) and three (3) stories in height, as per drawings on file in the office of the City Clerk, said drawings having been prepared by Radar & Associates, engineers and architects, and designated as Job Number 4892, dated July 1962 and noted as being issued by Radar & Associates on January 4, 1963:
      a. Tract A, according to Plat Book 76, at Page 69 of the Public Records of Miami-Dade County, Florida.

C. Off-street parking requirements.

1. Off-street parking spaces shall not be permitted in any yard or area facing, fronting or abutting upon the waterway, canal or bay on Tract A and Lots 9A and Lots 10 through 45, inclusive, Block 28.
2. Off-street parking spaces are permitted on Tract A and Lots 9A and Lots 10 through 45, inclusive, Block 28, in the area between the structure and the required front setback line.

D. Setbacks-minimum front.
1. Where the front lot line is formed partially by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of seven and one-half (7½) feet.
2. Where the front lot line is formed completely by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of fifteen (15) feet.
3. All MF2 lots in Block 28 shall have a minimum setback of fifteen (15) feet.
4. All apartment buildings in Tract A shall have a minimum setback of twenty-five (25) feet.
5. Lots 1 through 15, inclusive, Block 1-Twenty-five (25) feet. (2593)

E. Setbacks-minimum side.
1. In Tract A there shall be required and there shall be provided a minimum of 25 feet between apartment buildings. All other lots, except Lot 9A, Block 28, shall have a minimum side setback from each side lot line of ten (10) feet except that on the corner lots where two (2) streets intersect, the minimum side setback from the side street shall be twenty-five (25) feet.
2. Lot 9A, Block 28, shall have a minimum side setback from the inside lot line of ten (10) feet and have a minimum side setback from the side street of fifteen (15) feet.

F. Setback from canal, waterway, lake or bay. The minimum setback from a canal, waterway, lake or bay shore line, as platted, for buildings or portions thereof, designed or used for occupancy as residential, duplex, or apartment purposes, shall be twenty (20) feet for all lots in Blocks 10 to 26, inclusive, and Blocks 28 and 29. (2593)

G. Setback requirements-Swimming pools-Minimum side.
1. On the following described properties a minimum setback of twenty (20) feet shall be required from one side line and a minimum setback of thirteen (13) feet shall be required from the other side line:

Lots	Block
a. 1, 2	1
b. 1, 2, 3, 14, 15	10
c. 1, 2, 3, 14, 15	11
d. 1, 2, 3, 14, 15	12
e. 1, 2, 3, 14, 15	13
f. 1, 2, 3, 14, 15	14
g. 4, 5, 6, 12, 13, 14, 15, 16	15
h. 20, 21, 22, 22, 24, 25, 26	15
i. 1, 2, 3, 5, 6, 7, 11, 12, 13	16
j. 1, 2, 6, 7, 8, 9, 17, 18, 19	17
k. 1, 2, 21, 22, 23	18
l. 1, 2, 20, 21, 22	19
m. 1, 2, 17, 18, 19	20
n. 1, 15, 16, 17	21
o. 1, 2, 15, 16, 17	22
p. 1, 2, 15, 16, 17	23
q. 1, 2, 15, 16, 17	24
r. 1, 2	25
s. 46, 47	28

H. Building Sites. Lots 1 and 2, Block 12, shall be considered two (2) building sites as follows: (3356)
1. One (1) building site to consist of Lot 1.
2. One (1) building site to consist of Lot 2.

Section A-28-1 - Coral Ridge Acre Estates.

Refer to section A-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Section A-28-2 – Coral Waterway. (2004-47)

A. Code compliance agreements at time of annexation (Resolution No. 28844).
   1. All construction prior to annexation which has been properly permitted by Miami-Dade County, will be allowed to continue as is.
   2. Any construction prior to annexation allowed by the Miami-Dade County Code, which did not require a permit, will be allowed to continue as is.
   3. If it is determined at a future date that construction prior to annexation was built without the proper and required permits from Miami-Dade County, that construction element cannot be allowed to continue as is, and the property owner shall be required to apply for an after-the-fact permit from Coral Gables.
   4. Compliance is required with all City and zoning regulations for all new construction, additions or remodeling initiated after annexation as included herein.
   5. For the purpose of this section, the date of annexation shall be September 2, 2002, which is the service date that services were transferred from Miami-Dade County to the City.

B. Architectural type. Coral Waterway is a neighborhood of single-family residences which have been developed with the character, materials and physical massing similar to those constructed within the City of Coral Gables north of Sunset Drive. It shall be the duty of the Board of Architects to insure that any addition to an existing structure in Coral Waterway be consistent with the existing architecture of the structure and any new building must be compatible with the architecture of neighboring structures.

C. Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.

D. Building sites. No new building site shall contain less than one (1) fully platted lot and have an area of less than fifteen thousand (15,000) square feet. The minimum lot width of any new building site shall be one hundred and twenty (120) feet.

E. Ground coverage. No single-family residence shall occupy more than thirty (30%) percent of the ground area of the building site upon which the residence is erected. In addition, up to twenty (20%) percent of the rear yard may be used for accessory uses and structures.

F. Height of buildings. No new single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. 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.

G. Height of walls and fences. Walls and fences may have a maximum height of six (6) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements of this code.

H. Roof-materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for the existing buildings in the Coral Waterway area.

I. Setbacks. Principal building.
   1. All lots shall provide a minimum front setback of twenty-five (25) feet.
   2. All lots shall provide a minimum side setback of fifteen (15) feet.
   3. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
   4. All lots shall provide a minimum rear setback of twenty-five (25) feet.
   5. All lots located on a waterway shall provide a minimum rear setback of twenty-five (25) feet.

J. Setbacks. Accessory buildings general.
   1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
   2. All accessory buildings shall provide a minimum side setback of twenty (20) feet.
   3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
   4. All accessory buildings shall provide a minimum rear setback of seven (7) feet and six (6) inches.
   5. All accessory buildings on lots located on a waterway shall provide a minimum water front setback of seven (7) feet and six (6) inches.

K. Setbacks. Swimming pools.
   1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
   2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
   3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.

4. Swimming pools shall provide a minimum rear setback of seven (7) feet and six (6) inches.
5. All swimming pools on lots located on a waterway shall provide a minimum setback of seven (7) feet and six (6) inches.

L. Setbacks. Tennis courts.
1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
2. Tennis courts shall provide a minimum side setback of fifteen (15) feet.
3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of fifteen (15) feet.
4. Tennis courts shall provide a minimum rear setback of seven (7) feet and six (6) inches.
5. All tennis courts on lots located on a waterway shall provide a minimum setback of seven (7) feet and six (6) inches.

M. Setbacks. Screened enclosures.
1. Screened enclosures shall provide a minimum front setback of twenty-five (25) feet.
2. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
4. Screened enclosures shall provide a minimum rear setback of six (6) feet.
5. All screened enclosures on lots located on a waterway shall provide a minimum setback of seven (7) feet and six (6) inches.

N. As according to the Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any twelve (12) month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

O. For the purposes of this section, all setbacks from a waterway shall be taken from top of slope, which shall be defined as the tie line as indicated on the property survey.

Section A-29 - Cortez Place.

A. Setbacks-Minimum front.
1. Facing upon Catalina Place, Angelo Avenue and Trascoro Avenue-Fifteen (15) feet.

Section A-30 - Country Club Section Part 1.

A. Building sites.
1. No building site facing upon Alhambra Circle, Columbus Boulevard, Granada Boulevard, Sevilla Avenue West of Alhambra Circle or abutting upon a golf course, shall contain less than two (2) platted lots.
2. Lots 11 through 16, inclusive, Block 1 shall be considered as two (2) building sites as follows: (2868)
   a. One (1) building site to consist of Lots 11 through 14.
   b. One (1) building site to consist of Lots 15 and 16.
3. Lots 4, 5, 6 and 7, Block 7 shall be considered as two (2) building sites as follows: (2944)
   a. One (1) building site to consist of Lots 4 and 5.
   b. One (1) building site to consist of Lots 6 and 7.

B. Setbacks-Minimum front.
1. Facing upon Granada Boulevard or upon the east side of Alhambra Circle-Fifty (50) feet.
2. Facing upon Anastasia Avenue in Blocks 8, 9, 10, 11, 12 and 22-Thirty-five (35) feet.
3. Facing upon Anastasia Avenue in Block 7-Fifty (50) feet.

C. Setbacks-Minimum rear.
1. Lots 8 and 9, Block 10-Fifteen (15) feet from the west lot line.

Section A-31 - Country Club Section Part 2.

A. Building sites.
1. No building site facing upon Anastasia Avenue, Anderson Road or Granada Boulevard, shall contain less than two (2) platted lots, where such lots are less than fifty-five (55) feet in width.

B. Setbacks-Minimum front.

1. Facing upon Granada Boulevard-Fifty (50) feet.

Section A-32 - Country Club Section Part 3.

A. Building sites.
   1. No building site facing upon University Drive or Granada Boulevard, shall contain less than two (2) platted lots where such lots are less than fifty-nine (59) feet in width; no building site elsewhere in Country Club Section Part Three shall contain less than two (2) platted lots where such lots are less than fifty (50) feet in width.

B. Setbacks-Minimum front.
   1. Facing upon Granada Boulevard (except Lots 15 through 20, inclusive, Block 45)-Fifty (50) feet.
   2. Lots 15 through 20, inclusive, Block 45 as follows: Lot 15--Forty-four (44) feet; Lot 16-Forty-five (45) feet; Lot 17-Forty-six (46) feet; Lot 18-Forty-seven (47) feet; Lot 19-Forty-eight (48) feet; Lot 20-Forty-nine (49) feet.

Section A-33 - Country Club Section Part 4.

A. Building sites.
   1. No building sites abutting a golf course shall contain less than two (2) platted lots, and no building site elsewhere in Country Club Section Part Four shall contain less than two (2) platted lots where such lots are less than fifty (50) feet in width.

B. Setbacks-Minimum front.
   1. Facing upon Granada Boulevard-Fifty (50) feet.
   2. Facing upon Alhambra Circle, Alhambra Court, Mariola Court and Bird Road in Block 50 (including portions thereof replatted as part of Miami Biltmore Hotel and Country Club P. B. 40, Page 1, except that portion of Tract 1 abutting Bird Road)-Fifty (50) feet.
   3. Facing upon Anastasia Avenue (including any portions of Country Club Section, Part 4 replatted as part of Miami Biltmore Hotel and Country Club, except that portion designated as Veterans Hospital, P. B. 40, Page 1)-Thirty-five (35) feet.
   4. Facing upon Anastasia Avenue in that portion designated as Veterans Hospital and shown on P. B. 40, Page 1 as Miami Biltmore Hotel and Country Club Grounds-setbacks similar to those now existing.

Section A-34 - Country Club Section Part 5.

A. Building sites.
   1. Lot 15 less the west ten (10) feet of the north twenty (20) feet thereof, Lot 1, less the north twenty (20) feet and all of Lot 17, Block 112, shall be considered as two (2) separate building sites as follows:
      a. One (1) building site to consist of Lot 15 less the west ten (10) feet of the north twenty (20) feet thereof and the east one-half (½) of Lot 16, less the north twenty (20) feet thereof; and
      b. One (1) building site to consist of Lot 17 and the west one-half (½) of Lot 16 less the north twenty (20) feet thereof.
   2. Lot 20, less a portion beginning at the north east corner of the lot running southwesterly seventy-five (75) feet, thence running southeasterly twenty (20) feet, thence running northeasterly eighty-two (82) feet, thence running northwesterly ten (10) feet to POB, of Block 47 shall be considered a separate building site. (2788)
   3. The west ten (10) feet of Lot 34, and Lots 35 and 36, Block 82, shall be considered one (1) building site. (2860)

B. Setbacks-Minimum front.
   1. Facing upon San Amaro Drive in Block 90-Thirty (30) feet.
   2. Facing upon Blue Road in Tract 1-Thirty (30) feet.
   3. Facing upon Granada Boulevard-Thirty-five (35) feet.
   4. Facing upon Mendavia Avenue in Blocks 90, 93, 96 and Tracts 1 and 4-Thirty (30) feet.
   5. Facing upon Pinta Court in Block 3-Thirty (30) feet.
   6. Facing upon University Drive in Block 97-Thirty (30) feet.
   7. Facing upon University Drive in Block 98-Thirty-five (35) feet.

8. Facing upon Santa Maria-Thirty (30) feet.

C. Setbacks-Minimum side.
   1. Lot 20, Block 93-Ten (10) feet from south line.

Section A-35 - Country Club Section Part 6.

A. Building sites.
   1. No building site facing upon Anastasia Avenue, University Drive or Riviera Drive shall contain less than two (2) platted lots where such lots are less than sixty (60) feet in width.
   2. Lot 5, Block 143 shall be considered as one (1) building site. (2834)
   3. Lots 15 and 16, Block 119, shall be considered as two (2) building sites as follows: (2921)
      a. One (1) building site to consist of Lot 15.
      b. One (1) building site to consist of Lot 16.

B. Setbacks-Minimum front.
   1. Facing upon Cadima Avenue in Block 144-Twenty (20) feet.
   2. Facing upon Candia Avenue in Block 152-Twenty (20) feet.
   3. Facing upon Fluvia Avenue in Block 145-Twenty (20) feet.
   4. Facing upon Riviera Drive in Blocks 143 and 149-Fifteen (15) feet.

Section A-36 - Crafts Section.

A. Building sites.
   1. All of Block 38 is restricted to two (2) building sites to permit the construction of two (2) bungalow-type duplexes.
   2. Lots 1 to 11, inclusive, Block 39 shall be restricted to six (6) building sites as follows:
      a. Lot 1 and the west ten (10) feet of Lot 2.
      b. Lot 3 and the east thirty (30) feet of Lot 2.
      c. Lots 4 and 5.
      d. Lots 6 and 7.
      e. Lots 8 and 9.
      f. Lots 10 and 11.
   3. Lots 8, 9 and 10, Block 44, shall be considered as two (2) building sites as follows: (2978)
      a. One (1) building site to consist of Lot 8 and the west half of Lot 9.
      b. One (1) building site to consist of Lot 10 and the east half of Lot 9.

B. Height of buildings.
   1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one (1) story in height:
      a. Lots 16 and 17, Lots 24 through 30, inclusive, and the west one-half (½) of Lot 23, all in Block 36.
      b. Lots 1 through 4, inclusive, Block 38.
      c. Lots 1 through 11, inclusive, Block 39.
   2. No building or structure shall be constructed or erected on the following described property to exceed three (3) stories or forty-five (45) feet in height, whichever is less:
      a. Lots 1, 2, 3 and 4, in Blocks 9, 16 and 17.
      b. Lots 45, 46, 47 and 48, in Blocks 8, 9, 16 and 17.
   3. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
      a. All lots in Blocks 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 15 and 18.
      b. Tracts A and B of Pages Replat of Block 4.
      c. Lots 1 through 44, inclusive, Block 8.
      d. Lots 5 through 44, inclusive, in Blocks 9, 16 and 17.
   4. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
      a. Lots 1 through 44, inclusive, Block 8.
      b. Lots 5 through 44, inclusive, in Blocks 9, 16 and 17.
      c. All lots in Blocks 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 15 and 18.

d. Tracts A and B of Pages Replat of Block 4.

C. Off-street parking.
1. For the percentage of the area of Block 8, to be used for off-street parking, please refer to the deed restriction.

Section A-37 - Cutler Oak Estates (2845, 2856).

A. Facings.
1. Lot 6 shall be deemed to face south.
2. Lots 1, 2 and 5 shall be deemed to face Destacada Avenue.

B. Setbacks--Minimum front.
1. Lots 1, 2, 5, 6, 11, 12, 13, 14 and 15, Block 1-Twenty-five (25) feet.
2. Lots 3, 4, 7, 8, 9 and 10, Block 1-Twenty-five (25) feet (on cul-de-sac)-Fifteen (15) feet.

C. Setbacks-Minimum side.
1. Lot 1, Block 1-15 feet (abutting Old Cutler Road)-Thirty-five (35) feet.
2. Lots 2 through 15, including Block 1-Fifteen (15) feet.

D. Setbacks-Minimum rear.
1. Lots 1, 3, 4, 7, 8, 9 and 10 Block 1-Twenty-five (25) feet.
2. Lots 2, 5, 6, 11, 12, 13, 14 and 15, Block 1-Fifteen (15) feet.

E. Setback from canal, waterway, lake or bay.
1. The minimum setback from a canal or waterway line, as platted, shall be thirty-five (35) feet for Lots 8, 9, 10 and 11, Block 1.

Section A-38 - Section D.

A. Building sites.
1. No building site facing upon Sevilla Avenue between San Domingo Street and Red Road, of upon Alhambra Circle, Coral Way and Indian Mound Trail, shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width and no building site facing upon Country Club Prado shall have less than seventy-five (75) feet street frontage.
2. Lots 3 through 8, inclusive, Block 15, shall be considered one (1) building site.

B. Facing of lots.
1. Lots in the south one hundred fifty (150) feet of Blocks 10, 13 and 14, shall be governed by restrictions for other lots facing on Sevilla Avenue, west of San Domingo Street.
2. Lots 3 through 8, inclusive, Block 20, shall be deemed to face on San Domingo Street.

C. Setbacks-Minimum front.
1. Facing upon Coral Way-Fifty (50) feet.

Section A-39 - Deering Bay.

The Deering Bay Section is that neighborhood which is commonly known as Deering Bay and which was annexed into the City on July 18, 1996. (3246)

A. Approved Planned Area Development (PAD) Site Plan. Development of the Deering Bay Section shall be in accordance with the PAD site plan approved by Miami-Dade County and submitted to and on file with the City, prepared by Bermello, Ajamil and Partners, Inc., dated April 18, 1990, and last revised on July 11, 1995. Amendment to the approved Development Plan shall be subject to the procedures stated in Article 3, Division 5, "Planned Area Development" of this Code.

B. Approved Planned Area Development (PAD) Building Program. Development of the Deering Bay Section shall be in accordance with the following building program which is presented on the site plan referenced in subsection (A) of this section, and approved by Miami-Dade County prior to annexation of Deering Bay by the City:

Development Tract A (Condominiums).
Gross Area ……...16.20 Acs.
Net. . ……..16.20 Acs.
Number of Residential Units. . ……...255

Number of Bedrooms:
3 Bedrooms Units . ……..115
4 Bedrooms Units . ……..…140
Gross Density……...15.74 Units/Acre
Net Density. ……...15.74 Units/Acre
Area of Condominiums…….. 331,672 S.F.
Area of Pool Cabanas..…… ……1,200 S. F.
Area of Road & Ramps ……28,990 S. F.
Options . ……18,093 S. F
Lot Coverage……379.995 S.F. = 8.72 Acs.
Open Space Required…… 46%
Open Space Required. ……46%
Parking Required...……510 Spaces
Parking Provided ……...625 Spaces
Maximum Height of Condo Buildings*…13 Stories
Residential Above
One Level of Parking
Not to Exceed
one-hundred fifty-five (155) feet of Height
Population Projection…….. 765
* Chimney Stacks, Elevator Towers and LR. Volumes Extend Above Roof.

Development Tract B (Villas). (3421)
Gross Area . ……..12.41 Acs.
Net Area . …… 12.41 Acs.
Number of Villas Units . ……....31
Number of Bedrooms:
5 Bedroom Units**…...……31
**Excludes Guest House
Gross Density . ……...2.50 Units/Ac.
Net Density ……. ……...2.50 Units/Ac.
Lot Coverage …… S. F.
Villas..……..97,091
Road & Surface Parking..…… 45,594
Total.....143,715=3.29 Acs.
Total Open Space…… 9.12 Acs.
Maximum Height of Building*. ……..2 Stories
Population Projection …… 111
Parking
Garages. ……62 Spaces
Driveways . …… 62 Spaces
Guest Parking…… 20 Spaces
Total. …… 144 Spaces
*Chimney Stacks and Elevator Towers Extend Above Roof.

Development Tracts C & E (Marina, Including Limited Convenience Area).
Gross Area . ……. ……9.5 Acs.
Density. . ……...N/A
Building . . …… 0.5 Acs.
Number of Boat Slips. ……114
Number of Parking Spaces……40
Open Space. ……9.0 Acs.
Population Projection…… 0

Development Tracts D (Golf Course).
Gross Area ……. ……111.18 Acs.

Residential Units ……. 0
Bedrooms . ……0
Density. ……. 0
Lot Coverage …….. 0.01%
Area of Buildings……..…….. 43,000 S.F.
Clubhouse Areas:
Administration/Sales Office…..……1,200 S.F.
Dining/Kitchens …… ……8,500 S.F.
Locker Rooms/Fitness Area……12,000 S.F.
General Maintenance Area…… .2,500 S.F.
Pro-Shops …….. 2,600 S.F.
Golf Cart Storage…….. 6,000 S.F.
Underground Parking…… 8,700 S.F.
Roads & Parking . ……3.5 Acs.
Open Space. ……106.68 Acs.
Maximum Ht. of Building . . ……4 Stories
Marina Facilities
Proposed Island Slips. ……16
Proposed Bulkhead Docking…….. 8
Future Marina . …… 40

Development Tract F (Leasehold for Miami-Dade County).
Gross Area . ……..71.87 Acs.
Density . . ……. 0
Area of Gatehouse & Maintenance
Building . . . ……..10,000 S.F.
Area of Entry Road . …… 1.43 Acs.
Open Space (Golf Course & Water)……..70.15
Population Projection . ……..……0

Total Development Summary (Tracts A, B, C, D & E Only Leasehold Not Included).
Gross Area ..……..… 149.29 Acs.
Net Area Proposed. . ……...96.15
Dwelling Units Condominiums (Tract A)…….. 255
Villas (Tract B)…….. 31
Total…….....286
Gross Density……..... 1.92 Units/Ac.
Net Density ……... 2.97 Units/Ac.
Bedrooms
3 Bedroom Units . . ……..…127
4 Bedroom Units . . ……..150
5 Bedroom Units. . . ……..…9
Total Land Coverage All Bldgs...……12.15 Acs.
Total Area of Non-Residential…….. 2.31 Acs.
Total Area of Public Roads . ……..…0
Total Area of Private Roads & Surface Parking 3.58 Acs.
Parking Required:
Condominiums . . . ……510
Villas . . . ……...62
Clubhouse…...…… 192
Golf House . . . ……....76
Combined Marinas……..…… 117
Total…….…… 957
Parking Provided:
Condominiums . . ……. ……...625
Villas . . ……..…… ……144

Clubhouse . . ……..…….....90
Golf Course . . …….....0
Combined Marinas . . .…… .81
Total. . . .……..940
Total Population Projection…… 876

Section A-39-1 - Deering Bay North.

All site development shall be in accordance with the adopted Planned Area Development for Deering Bay prepared by Bermello, Ajamil and Partners, Inc. and dated April 16, 1990, and site specific zoning regulations specified for Tract A or Ordinance No. 3246 as presented in section A-39 of the Zoning Code. (3451)

Section A-40 - Douglas Section.

A. Building sites.
   1. No building site facing upon Ponce de Leon Boulevard or east Ponce de Leon Boulevard shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width.
   2. Building sites for buildings or structures for apartments, apartment-hotels, hotels, motels and special-use buildings having a height of more than three (3) stories or forty-five (45) feet shall have a street frontage of not less than one-hundred (100) feet and an area of not less than twenty thousand (20,000) square feet, provided, however, that in that portion of the Douglas Section bounded on the west by Salzedo Street, on the north by Southwest Eighth Street (Tamiami Trail), on the east by Douglas Road and on the south by Section K and Section L, apartment buildings may be constructed to a height not exceeding six (6) stories or seventy (70) feet, whichever is less, provided that such building sites and density conform to Section 4-103(D). (2829)

B. Density requirements. The density requirements for apartment buildings having a height of not more than six (6) stories or seventy (70) feet, whichever is less, located in that area of the Douglas Section bounded on the west by Salzedo Street on the north by Southwest Eighth Street (Tamiami Trail), on the east by Douglas Road and on the south by Section K and Section L, shall be as follows:

Min. Frontage	Min. Depth	Min. Bldg.Site Area	Max.No. of Apt. Units
50 ft	100 ft.	5,000 sq. ft.	3
--	--	10,000 sq. ft.	7
--	--	15,000 sq. ft.	11
--	--	19,999 sq. ft.	15

The number of units permitted between increments shall be increased or decreased proportionally.

C. Height of buildings.
   1. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy (70) feet in height, whichever is less:
      a. Lots 1 through 8, inclusive, Block 1.
      b. Lots 1 through 6, inclusive, Block 10.
      c. Lots 8, 9 and 10, Block 10.
      d. Lots 1 through 10, inclusive, Block 18.
      e. Lot A between Blocks 10 and 18.
      f. Lot B between Blocks 1 and 10.
      g. Lot C between Blocks 18 and 27.
      h. Lots 1 through 5, inclusive, Block 27.
      i. Lots 7, 8, 9 and 10, Block 27.
      j. Lots 1 through 5, inclusive, Block 34.
      k. Lots 7 through 12, inclusive, Block 34.
   2. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:

a. Lots 9 and 10, Block 1.
b. All lots in Blocks 2, 3, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28, 29, 30, 31, 32, 33, 35, 36, 38, 39, 40, 41, 42, 43 and 44.

3. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
   a. Lots 9 and 10, Block 1.
   b. Lots 1 through 11, inclusive, Block 2.
   c. Lots 1 through 11, inclusive, Block 3.
   d. Lots 21 and 22, Block 3.
   e. Lots 8, 9, 10, 11, in Blocks 9, 11, 17, 19, 26, 28, 33, 35 and 40.
   f. Lots 8 and 9, Block 41.
   g. Lots 1, 2, 21 and 22, Block 8.
   h. Lots 1, 2, 18 and 19, Block 12.
   i. Lots 1, 2, 10 and 11, Block 16.
   j. Lots 1, 18, 19 and 20, Block 29.
   k. Lots 1, 2, 21 and 22, in Blocks 32, 36 and 39.
   l. Lots 1 and 2, Block 42.

Section A-41 - Revised plat of Douglas Section.

A. Height of buildings.
   1. No apartment building and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
      a. All of the Revised Plat of Douglas Section, Plat Book 34, Page 32.

Section A-42 - Section E. (3606)

A. Building sites.
   1. No building sites facing upon South Greenway Drive, Columbus Boulevard, south of South Greenway Drive, or upon North Greenway Drive, Coral Way or Columbus Plaza, shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width; and no building site facing upon Country Club Prado shall have less than seventy-five (75) feet street frontage.
   2. Lot 21, Block 5 shall be considered a building site (1215 Asturia Ave.).
   3. Lot 22, Block 5 shall be considered a building site (1221 Asturia Ave.).
   4. Lot 23 and the south one-half (½) of Lot 24, Block 23, shall be considered one (1) building site. (2733)
   5. Lots 5 and 6, Block 27 shall be considered a building site.
   6. Lots 7, 8 and 9, Block 27 shall be considered as two (2) building sites as follows: (3132)
      a. One (1) building site to consist of Lots 7 and 8, with a one hundred (100) foot frontage.
      b. One (1) building site to consist of Lot 9, with a fifty (50) foot frontage.

B. Facing of lots.
   1. Lot 15, Block 23, shall be deemed to face Country Club Prado.

C. Setbacks-Minimum front.
   1. Facing upon Coral Way-Fifty (50) feet.
   2. Facing upon Country Club Prado-Thirty-five (35) feet.
   3. Facing upon North Greenway Drive in Blocks 4, 13, 14 and 15-Thirty-five (35) feet.
   4. Facing upon South Greenway Drive in Blocks 5 and 12-Thirty-five (35) feet.

Section A-43 - Erin Subdivision.

A. Facing of lots.
   1. Lot 4 shall be deemed to face Old Cutler Road.

Section A-44 - Fairchild Manors.

A. Facing of lots.
   1. Lot 1, Block 1; Lot 1, Block 3 and Block 4 shall be deemed to face west.
   2. Lot 3, Block 1 shall be deemed to face south.
   3. Lot 3, Block 3, shall be deemed to face Sierra Circle.

B. Setbacks-Minimum front.
   1. Lot 1, Block 1 and Lot 1, Block 3-Thirty-five (35) feet from Old Cutler Road.

C. Setbacks-Minimum side.
   1. Lot 1, Block 1 and Lot 1, Block 3-Thirty-five (35) feet from side street.
   2. Lot 3, Block 1-Twenty-five (25) feet from the easterly property line.
   3. Lot 3, Block 3-Twenty-five (25) feet.
   4. All lots in Blocks 1, 2 and 3-Ten (10) feet from inside property line.
   5. Block 4-Fifteen (15) feet from side streets.

D. Setbacks-Minimum rear.
   1. All lots in Blocks 1, 2 and 3-Ten (10) feet. (NOTE: For the purpose of determining the ten (10) foot rear setback, the west line of Lot 2, Block 1 and of Lot 2, Block 3, shall be considered as the rear lot line of Lot 1, Block 1 and Lot 1, Block 3, respectively.)
   2. Block 4-Twenty-five (25) feet from rear street.

Section A-45 - Fairchild Oaks Subdivision. (2824)

A. Facings.
   1. Lot 3, Block 1 and Lot 1, Block 2 shall be deemed to face Old Cutler Road.
   2. Lot 4, Block 1 shall be deemed to face east on Girasol Avenue.

B. Setbacks-Minimum front.
   1. Lots 1, 2 and 3, Block 1-Fifty (50) feet.
   2. Lot 1, Block 2-Fifty (50) feet.
   3. Lots 2 and 3, Block 2-Forty (40) feet.
   4. Lots 4 and 5, Block 1-Thirty (30) feet.
   5. Lots 4 and 5, Block 2-Thirty (30) feet.
   6. Lots 6 and 7, Block 1-Twenty-five (25) feet.
   7. Lots 6 and 7, Block 2-Twenty-five (25) feet.

C. Setbacks-Minimum side.
   1. Lot 1, Block 1-Fifteen (15) feet-Twenty (20) feet (south).
   2. Lot 2, Block 1-Fifteen (15) feet.
   3. Lot 3, Block 1-Fifteen (15) feet-Twenty-five (25) feet (corner).
   4. Lot 4, Block 1-Twelve (12) feet (south).
   5. Lots 5 and 6, Block 1-Twelve (12) feet.
   6. Lot 7, Block 1-Twelve (12) feet-Twenty (20) feet (south).
   7. Lot 1, Block 2-Twenty-five (25) feet.
   8. Lots 2, 3, 4, 5 and 6, Block 2-Twelve (12) feet.
   9. Lot 7, Block 2-Twelve (12) feet-Twenty (20) feet (south).

D. Setbacks-Minimum rear.
   1. Lots 1, 2 and 3, Block 1-Twenty-five (25) feet.
   2. Lots 4, 5, 6 and 7, Block 1-Twenty (20) feet.
   3. Lot 1, Block 2-Twenty-five (25) feet.
   4. Lots 2, 3, 4, 5 6 and 7, Block 2-Twenty (20) feet.

Section A-46 - F. H. Dunbar Tract.

A. Facing of lots.
   1. Lot 8 shall be deemed to face Old Cutler Road.

Section A-47 - Flagler Street Section.

A. Building sites.
   1. No building site facing upon Ponce de Leon Boulevard shall contain less than two (2) platted lots, where such lots are less than fifty-five (55) feet in width.
   2. The west one-half (½) of Lot 46 and all of Lots 47 through 51, inclusive, Block 11, shall be considered as two (2) building sites as follows: (2853)
      a. One (1) building site to consist of the west one-half (½) of Lot 46, Lots 47, 48 and the east one-half (½) of Lot 49.
      b. One (1) building site to consist of the west one-half (½) of Lot 49 and Lots 50 and 51.

B. Facing of lots.
   1. Lots in Block 7 shall be deemed to face Ponce de Leon Boulevard.

C. Setbacks-Minimum front.
   1. All building sites abutting Flagler Street-Thirty-five (35) feet from center line of Flagler Street.

D. Setbacks-Minimum side.
   1. All building sites abutting Flagler Street-Thirty-five (35) feet from center line of Flagler Street.

Section A-47-1 - French Estates. (3558)

Refer to section A-56 Hammock Lakes for applicable site-specific requirements in addition to general code requirements.

Section A-48 - French Village.

A. Architectural style. On lots 1, 2, 3 and 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, all new buildings and any additions and alterations to the existing buildings shall be of French Normandy Village type architecture to conform with existing types of architecture in the blocks. Specific reference should be made to the review guide portion of the Designation Report for the French Normandy Village Historic Landmark District, adopted by ordinance of the City Commission. (2726)

B. Building sites.
   1. Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6 are determined to be building sites for the construction of residences.

C. Courtyards.
   1. Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 and Lots 11 through 16, inclusive, Block 6, shall be required to provide and maintain an open courtyard in the front yard area having an area of not less than one-hundred (100) square feet.

D. Facing of lots.
   1. The facings of residences constructed on Lots 1, 2, 3, 6 and 7, Block 4, shall conform to the facings of the other buildings in said Block 4.

E. Floor area factor-Maximum.
   1. On Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, the maximum floor area factor shall not exceed 1.22. The maximum square foot floor area shall be computed as set forth under Section 4-101(C)10.

F. Ground area coverage.
   1. On Lot 5 and Lots 8 through 12, inclusive, Block 4, and Lots 12 through 16, inclusive, Block 6; the ground area coverage occupied by the main building and auxiliary structures shall not exceed a maximum of fifty-four (54%) percent and further providing that any increase of ground area coverage for existing buildings shall be carried out simultaneously with appropriate facade renovation and shall not exceed said maximum of fifty-four (54%) percent. Appropriate street facade renovation shall be approved by the Historic Preservation Board and by the Board of Architects and shall be in accordance with specific facade improvement guidelines established by the Historic Preservation Board. (2506) (See Resolution No. 26248)
   2. On Lots 1, 2, 3, 6 and 7, Block 4, and Lot 11, Block 6, the maximum ground area coverage occupied by the main building and auxiliary structures shall not exceed fifty-four (54%) percent. (2711) (See Resolution No. 26248)

G. Height of buildings.

1. All buildings constructed on Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 and Lots 11 through 16, inclusive, Block 6, shall not exceed a height of thirty-two (32) feet above the elevation of the sidewalk.

H. Off-street parking.
1. There shall be provided one off-street parking space per lot for Lots 1, 2, 3, 6 and 7, Block 4.
2. All buildings constructed on Lots 5, 8, 9, 10, 11 and 12, Block 4, and Lots 11 through 16, inclusive, Block 6, shall be exempt from the off-street parking requirements contained in Section 5-1409 of this Code, unless the cost of improvements and/or modifications to the property exceed fifty (50%) percent of the assessed value of the property, at which time one (1) off-street parking space would have to be provided. (2977)

I. Roofs.
1. On Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, all roofs shall be pitched and the roof material shall be a terra-cotta colored clay tile/shingle or a concrete tile/shingle having a similar appearance as approved by the Historic Preservation Board and the Board of Architects. (2756)
2. Flat Roofs Without a Parapet (See Section 5-1602)
3. Flat Roofs With An Eighteen (18) Inch Parapet. (See Section 5-1603)

J. Septic tanks. Any new installation of septic tanks in connection with construction of new structures or additions to existing structures, shall be located and installed in the front or side yards where such structures are located, provided, however, that on Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, septic tanks may be permitted to be located in the rear yard.

K. Setbacks-Minimum front.
1. The front setbacks for Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, shall be zero (0) feet minimum.
2. The front setbacks for Lots 11 through 16, inclusive, Block 6, shall be zero (0) feet minimum.

L. Setbacks-Minimum side.
1. The side setbacks for Lots 1, 2, 3, and Lots 5 through 12, inclusive, Block 4 shall be zero (0) feet minimum.
2. The side setbacks for Lots 11 through 16, inclusive, Block 6, shall be zero (0) feet minimum.

M. Setbacks-Minimum rear.
1. The rear setbacks for Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 shall be twelve (12) foot minimum.
2. The rear setbacks for Lots 11 through 16, inclusive, Block 6, shall be twelve (12) foot minimum.

N. Walls, fences shrubbery and hedges.
1. Height.
   a. No walls shall be permitted in the street side of Lots 1, 2, 3 and 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6.
   b. Walls constructed in the rear and side yards on Lots 1, 2, 3, and 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, may be erected to a maximum height of eight (8) feet provided, however, that no walls shall be permitted on the side street.
2. Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls in the respective blocks:
   a. Lots 1 through 12, inclusive, Block 4.
   b. Lots 11 through 16, inclusive, Block 6.

Section A-48-1 Gables Estates.

The following site specific regulations shall apply to the Gables Estates neighborhood.

A. Height of residences in flood hazard district. 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:
1. That the residence shall not exceed two and one-half (2½) stories in height.
2. That the residence shall not exceed a height of forty-two (42) feet above established grade including ridgeline, domes, steeples, towers, cupolas, chimneys, decorative features, and other similar structures.

3. That the additional building height from thirty-nine (39) feet to forty-two (42) feet shall be limited to properties with a minimum required side setback of thirty (30) feet or greater.
4. That Lots 17 and 22 through 26, Block A and Lots 7, 16, 24 and 54, Block B shall be exempt from the thirty (30) foot side setback limitation required in item 3 of this subsection.

B. Determination of maximum square foot floor area. In addition to the general requirements for the determination of the maximum square foot floor area found in Section 4-101(D)10, the following shall not be computed in the determination of the maximum square foot floor area:
1. Floor space in carports and porte-cocheres.

C. Garage, private or garage apartment. A private garage, or garage apartment providing living quarters for the use only of members of the family living in the main residence building or servants employed on the premises, will be permitted as an auxiliary-use. Occupancy of garage apartments shall be limited to members of the family living in the main residence or to servants employed on the premises. Only one (1) private garage or garage apartment attached to the main residence and one (1) detached private garage or garage apartment shall be permitted upon the building site occupied or used by the main residence. No kitchen or cooking facilities shall be permitted in private garage or garage apartment. Garage doors shall not be permitted on the front elevation of a residence.

D. Davits – Number. Two (2) sets of davits shall be permitted, subject to complying with all other requirements of Section 5- 805 “Davits, Watercraft Lifts and Floating Watercraft Lifts.” The second set of davits shall only be permitted on properties with water frontage of one hundred (100) feet or more.

E. Cabana – Size. A Cabana may have a maximum area of three-hundred (300) square feet, subject to complying with all other requirements of Section 5-104 “Cabana.”

F. Tennis Courts – Setbacks. Subject to complying with all other requirements of Section 5-112 “Tennis Courts” the setbacks for illuminated tennis courts and non-illuminated tennis courts shall be as follows.
1. Illuminated tennis courts are restricted from front and side street yards, and shall be required to comply with the minimum setback requirements required for the principal building.
2. Non-illuminated tennis courts are restricted from front and side street yards. Non-illuminated tennis courts shall have a minimum side setback of ten (10) feet for each interior side, and shall comply with the rear setback requirements for the principal building. In those cases where the back nets of the tennis courts are retractable, a minimum setback of ten (10) feet, from the rear and waterway will be permitted. All retractable back nets shall be retracted when the tennis court is not in use.

G. Entry gates and columns – height. Entry gates and columns shall not exceed a height of eight (8) feet.

H. Mooring piles – height. Mooring piles shall not exceed a height of fourteen (14) feet over the mean water line, or as required by the Federal Emergency Management Agency (FEMA).

Section A-49 - Gables Estates No. 2.

A. Setbacks-Minimum front.
1. Lots 17 and 22 through 26, inclusive, Block A, and Lots 7, 16, 23, 24 and 54, Block B-Thirty-five (35) feet.
2. Lots 1 through 16, inclusive; Lots 18 through 21, inclusive; and Lots 27 through 38, inclusive, all in Block A and Lots 1 through 6, inclusive; Lots 8 through 15, inclusive; Lots 17 through 22, inclusive; Lots 25 through 53, inclusive; and Lot 56, all in Block B and Lots 1 and 2, Block C-Fifty (50) feet.

B. Setbacks-Minimum side.
1. Lot 1, Block A-Fifty (50) feet from Arvida Parkway (side street)-30 feet from inside property line.
2. Lot 5, Block A-Fifty (50) feet from Casuarina Concourse (side street)-30 feet from inside property line.
3. Lots 2, 3, 4 and 6 through 16, inclusive; Lots 18 through 21, inclusive; Lots 27 through 38, inclusive, all in Block A, Lots 1 through 6, inclusive; Lots 8 through 15, inclusive; Lots 17 through 22, inclusive; Lots 25 through 53, inclusive; and Lot 56, all in Block B, and Lot 1, Block C-Thirty (30) feet.
4. Lot 2, Block C-Fifty (50) feet from Leucadendra Drive (side street)-Thirty (30) feet from inside property line.

C. Setbacks-Minimum rear.
1. Lot 5, Block A-Thirty (30) feet from east property line.
2. Lot 56, Block B-Thirty (30) feet.

D. Setback from canal, waterway, lake or bay.

1. The minimum setback from a waterway line, canal line or bay shore line, as platted, for Lots 1 through 16, inclusive; Lots 18 through 21, inclusive; and Lots 27 through 38, inclusive, all in Block A and Lots 1 through 6, inclusive; Lots 8 through 15, inclusive; Lots 17 through 22, inclusive; and Lots 25 through 53, inclusive, all in Block B, and Lots 1 and 2 in Block C shall be fifty (50) feet.

E. Required conditions. Lots 14 and 15, Block B, located at 325 Leucadendra Drive be considered two (2) building sites, subject to certain conditions: (3269)
   1. That owner shall be required to remove the existing encroachments unto Lot 15 of the subject property, including patio, gate, wrought-iron fence, parking court, and boat davits.
   2. That the driveway and the concrete seawall along the entire perimeter of the property be retained, if possible.
   3. That all setback requirements shall be required to be met.
   4. That a restrictive covenant shall be executed by the owner in a manner acceptable to the City Attorney and duly recorded, in exchange for the existing restrictive covenant.

Section A-50 - Gables Estates No. 3.

A. Building sites. Lots 21 and 22, Block C, shall be considered as two (2) building sites as follows: (2861)
   1. One (1) building site to consist of Lot 21.
   2. One (1) building site to consist of Lot 22.

B. Setbacks-Minimum front.
   1. All lots-Fifty (50) feet.
   2. Parcel C to be established.

C. Setbacks-Minimum side.
   1. All lots-Thirty (30) feet.
   2. Parcel C to be established.

D. Setback from canal, waterway, lake or bay.
   1. The minimum setback from waterway line, canal line or bay shore line, as platted, shall be fifty (50) feet.

Section A-51 - Gables Estates No. 4.

A. Facing of lots.
   1. Tract E and Lots 1A, 1B, 2 and 3, Block G shall be deemed to face both Old Cutler Road and Arvida Drive.

B. Setbacks-Minimum front.
   1. Tract E and all lots in Blocks F and G-Fifty (50) feet.

C. Setbacks-Minimum side.
   1. Tract E-Fifty (50) feet from Arvida Parkway.
   2. Lots 1A, 1B, 2, 3, 4 and 7, Block G, and all lots in Block F-Thirty (30) feet.

D. Setbacks-Minimum rear.
   1. Lots 4 and 7, Block G-Fifty (50) feet.

E. Setback from canal, waterway, lake or bay.
   1. The minimum setback from a waterway line, canal line or bay shore line, as platted, shall be fifty (50) feet for all buildings or portions thereof designed and used for residential purposes.

Section A-52 - Golden Gate Section.

A. Architectural style. In the Golden Gate Subdivision, such type of architecture shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.

B. Setbacks-Minimum front.
   1. All building sites abutting Grand Avenue-Five (5) feet from Grand Avenue.
   2. All building sites in an SFR District-Fifteen (15) feet.

C. Roofs-Pitched roof materials.
   1. Pitched roofs may be covered with roofing material meeting the requirements of Class A or B specifications of the Underwriters Laboratories, Incorporated.

D. Walls and fences-Materials and specifications.
   1. Wood picket fences shall be permitted on residential lots, subject to the following conditions:
      a. Such fences shall be of cedar, cypress, or redwood, with four (4) inch by four (4) inch terminal posts, two (2) inch by four (4) inch intermediate posts, wood rails and pickets one (1) inch thick. Pickets shall be placed so as to provide a space between of not less than one-half (½) the width of the picket.
      b. All such fences shall be painted on each side with an appropriate and harmonious color, and shall be maintained and kept in repair by replacing all rotting wood. Construction and painting shall be completed within a reasonable time after issuance of permit therefore, to be determined by the Building Official.

Section A-53 - Granada Section.

A. Building sites.
   1. No building site facing upon Granada Boulevard shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width; and no building site in Granada Section facing upon Country Club Prado shall have less than seventy-five (75) feet street frontage.
   2. Lots 14 and 15, Block 80 shall be considered as two (2) building sites as follows:
      a. Lot 14 shall be subject to use for a single-family residence.
      b. Lot 15 shall be subject to use for off-street parking in connection with the funeral chapel located on Lots 1, 2 and 3, Block 80.
      c. That should the off-street parking be discontinued on said Lot 15, said Lots 14 and 15 shall be subject to the provisions of Section 3(b) of Ordinance No. 2469.
   3. Lot 20 and the east six and thirty-six hundredths (6.36) feet of Lots 21 and 22, Block 8, shall be considered as one (1) building site. (2606)
   4. Lot 5, Block 4F, shall be considered as a separate building site. (2762)
   5. The north half of Lot 19 and all of Lots 20, 21 and 22, Block 72, shall be considered as two (2) building sites as follows: (2970)
      a. One (1) building site to consist of the north half of Lot 19 and all of Lot 20;
      b. One (1) building site to consist of Lots 21 and 22.
   6. Lots 11, 12, 13, 20, 21, 22 and the south 15 feet of Lots 10 and 23, Block 77, shall be considered as three (3) building sites as follows: (2993)
      a. One (1) building site to consist of the north half of Lot 12, Lot 11 and the south fifteen (15) feet of Lot 10.
      b. One (1) building site to consist of Lot 13 and the south half of Lot 12.
      c. One (1) building site to consist of Lots 20, 21, 22 and the south fifteen (15) feet of Lot 23.
B. Facing of lots.
   1. All lots in Block 36 shall be deemed to face Venetia Avenue.
   2. Lot 7, Block 1F, shall be deemed to face Granada Boulevard.
C. Height of buildings.
   1. Buildings constructed on Lot 3, Block 81, shall be restricted to one (1) story in height.
D. Setbacks-Minimum front.
   1. Facing upon Algeria Avenue in Lots 11 through 14, inclusive, Block 15-Fifteen (15) feet.
   2. Facing upon Country Club Prado-Thirty-five (35) feet.
   3. Facing upon Granada Boulevard in Block 4F-Fifteen (15) feet.
E. Setbacks-Minimum side.
   1. Lot 3, Block 81-Twelve (12) feet from the south property line.

Section A-54 - Guma Subdivision.

A. Setbacks-Minimum side.
   1. Lot 1, Block 1-Twenty-five (25) feet from Coruna Avenue-Ten (10) feet from the south lot line.
   2. Lot 2, Block 1-Ten (10) feet.
B. Setbacks-Minimum rear.
   1. Lot 1, Block 1-Ten (10) feet.
C. Setback from canal, waterway, lake or bay.

1. The minimum setback from a canal or waterway line, as platted, shall be twenty-five (25) feet for Lot 2, Block 1.

Section A-55 - Hammock Heights.

A. Facing of lots.
   1. Lot 3, Block 1 shall be deemed to face south.
   2. Lot 1, Block 2 shall be deemed to face south.
   3. Lot 2, Block 3 shall be deemed to face north.
   4. Lots 1 and 6, Block 4 shall be deemed to face north.

B. Setbacks-Minimum front.
   1. Lot 1, Block 4-Thirty-five (35) feet.

C. Setbacks-Minimum side.
   1. Lot 1, Block 1-Twenty-five (25) feet from west lot line.
   2. Lot 1, Block 1-Twenty (20) feet from east lot line.
   3. Lot 2, Block 1-Ten (10) feet.
   4. Lot 3, Block 1-Ten (10) feet from west lot line.
   5. Lot 3, Block 1-Fifteen (15) feet from east lot line.
   6. Lot 1, Block 2 and Lot 1, Block 3-Fifteen (15) feet from west lot line.
   7. Lot 1, Block 2, and Lot 1, Block 3-Ten (10) feet from east lot line.
   8. Lot 1, Block 4-Thirty-five (35) feet from west lot line.
   9. Lot 1, Block 4-Twenty (20) feet from east lot line.
   10. Lots 2, 3, 4 and 5, Block 4-Ten (10) feet.
   11. Lot 6, Block 4-Ten (10) feet from west lot line.
   12. Lot 6, Block 4-Fifteen (15) feet from east lot line.

D. Setbacks-Minimum rear.
   1. Lots 1, 2 and 3, Block 1-Ten (10) feet.
   2. Lot 1, Block 2-Ten (10) feet.
   3. Lot 1, Block 3-Ten (10) feet.
   4. Lots 1, 2, 3, 4, 5 and 6, Block 4-Ten (10) feet.

Section A-56 - Hammock Lakes.

The Hammock Lakes area is that neighborhood which is commonly known as Hammock Lakes and which was annexed into the City on July 31, 1996. (3247, 3495)

A. Architectural type. The primary architectural feature of Hammock Lakes is the landscape, which includes irregular topography, two lakes, stands of gumbo limbos, oaks, and other native vegetation. A predominant part of the landscape is the use of native coral rock in slabs as fence material or as individual landscape boulder type decoration. Homes are built in the classical contemporary style; however, there are homes built in other classical styles. It shall be the duty of the Board of Architects to insure that any addition to an existing structure in the Hammock Lakes area be consistent with the existing architecture of the structure and any new buildings must be compatible with the landscape environs and the architecture of neighboring structures.

B. Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.

C. Building sites. No new building site shall contain less than one (1) fully platted lot and have an area of less than one (1) acre. The minimum lot width of any new building site shall be one-hundred and twenty-five (125) feet. All existing building sites shall be as existing at the time Hammock Lakes was annexed into the City on July 31, 1996 and shall be deemed in conformity with this Ordinance.

D. Ground coverage. No single-family residence shall occupy more than fifteen (15%) percent of the ground area of the building site upon which the residence is erected. In addition, up to five (5%) percent of the rear yard may be used for accessory uses and structures.

E. Height of buildings. No single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. 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.

F. Height of walls and fences. Walls and fences may have a maximum height of six (6) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements of this code.

G. Roof-Materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for the existing buildings in the Hammock Lakes area.

H. Setbacks-Principal building.
   1. All lots shall provide a minimum front setback of fifty (50) feet.
   2. All lots shall provide a minimum side setback of fifteen (15) feet.
   3. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
   4. All lots shall provide a minimum rear setback of twenty-five (25) feet.
   5. All lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of thirty-five (35) feet.
   6. All lots located on Hammock Lake No. 2 shall provide a minimum waterfront setback which coincides with the building line as shown on the plat.

I. Setbacks-Accessory buildings general.
   1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
   2. All accessory buildings shall provide a minimum side setback of twenty feet (20) feet.
   3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
   4. All accessory buildings shall provide a minimum rear setback of seven (7) feet and six (6) inches.
   5. All accessory buildings on lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of seven (7) feet and six (6) inches. No accessory building shall be built closer to the water in Hammock Lake No. 2 than the building line as shown on the plat.

J. Setbacks-Swimming pools.
   1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
   2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
   3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
   4. Swimming pools not located on a water body shall provide a minimum rear setback of seven (7) feet and six (6) inches.
   5. Swimming pools on lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.
   6. Decks on lots located on Hammock Lake No. 2 shall provide a minimum rear setback of forty (40) feet and swimming pools a minimum rear setback of forty-five (45) feet.

K. Setbacks-Tennis courts.
   1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
   2. Tennis courts shall provide a minimum side setback of twenty (20) feet.
   3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
   4. Tennis courts shall provide a minimum rear setback of seven (7) feet and six (6) inches.
   5. Tennis courts on lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.
   6. Tennis courts on lots located on Hammock Lake No. 2 shall provide a minimum waterfront setback which coincides with the building line as shown on the plat.

L. Setbacks-Screened enclosures.
   1. Screened enclosures shall provide a minimum front setback of seventy-five (75) feet.
   2. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
   3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
   4. Screened enclosures shall provide a minimum rear setback of six (6) feet.
   5. Screened enclosures on lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.
   6. No screened enclosure shall be built closer to the water on Hammock Lake No. 2 than the building line as shown on the plat.

M. As according to the Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any

twelve (12) month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

N. No boathouse or other structure shall be erected on the shore of lakes or extended into the waters thereof unless the same shall be approved by a majority of the owners of other property fronting on said lake.

O. No encroachments of imported earth, sand, gravel or fill of any kind and no petroleum based fuel motors of any kind shall be allowed on Hammock Lake No. 2.

P. No grading or filling shall be allowed closer to the water on Hammock Lake No. 2 than the minimum rear setback of forty (40) feet provided for decks on lots on Hammock Lake No. 2.

Section A-56-1 - Hammock Lake No. 2. (3558)

Refer to section A-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Section A-56-2 - Hammock Lake Park. (3558)

Refer to section A-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Section A-56-3 - Hammock Park.

Refer to section A-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Section A-56-4 - First Addition Hammock Park.

Refer to section A-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Section A-57 - Hammock Oaks Harbor.

A. Facing of lots.
   1. Lots 1 and 7, Block 1 shall be deemed to face north.
   2. Lot 15, Block 1 shall be deemed to face east.
   3. Lot 16, Block 1 shall be deemed to face west.

B. Setbacks-Minimum front.
   1. Lots 1 through 23, inclusive, Block 1-Thirty-five (35) feet.
   2. Lots 24 through 31, inclusive, Block 1-Thirty (30) feet.

C. Setbacks-Minimum side.
   1. Lot 1, Block 1-Thirty (30) feet from Old Cutler Road-Ten (10) feet from inside lot line.
   2. Lot 7, Block 1-Thirty-five (35) feet from Monfero Street-Ten (10) feet from inside lot line.
   3. Lots 15 and 16, Block 1-Fifteen (15) feet from Neda Avenue-Ten (10) feet from inside lot line.
   4. Lots 2 through 6, inclusive; Lots 8 through 14, inclusive; and Lots 17 through 31, inclusive, all in Block 1-Ten (10) feet from each side lot line.

D. Setbacks-Minimum rear.
   1. A minimum rear setback of ten (10) feet shall be maintained and required on all lots.

Section A-58 - Hammock Oaks Harbor Section 2.

A. Facing of lots.
   1. Lot 8, Block 3 shall be deemed to face east.
   2. Lot 22, Block 3 shall be deemed to face south.
   3. Lot 45, Block 3 shall be deemed to face north.

B. Setbacks-Minimum front.
   1. Lots 1 through 12, inclusive, Block 2-Thirty-five (35) feet.
   2. Lots 1 through 39, inclusive, Block 3-Thirty-five (35) feet.

3. Lots 40 through 45, inclusive, Block 3-Thirty (30) feet.
4. Lot 46, Block 3-Thirty-five (35) feet.

C. Setbacks-Minimum side.
1. Lots 1 through 12, inclusive, Block 2-Ten (10) feet from each side lot line.
2. Lots 1 through 44, inclusive, and Lot 46, all in Block 3-Ten (10) feet from each side lot line.
3. Lot 8, Block 3-Thirty-five (35) feet from Campana Avenue.
4. Lot 22, Block 3-Thirty-five (35) feet from Monfero Avenue.
5. Lot 45, Block 3-Thirty-five (35) feet from Monfero Avenue.

D. Setbacks-Minimum rear.
1. Lots 1 through 12, inclusive, Block 2-Ten (10) feet.
2. Lot 45, Block 3-Twenty-five (25) feet.

E. Setbacks from canal, waterway, lake or bay.
1. The minimum setback from a waterway line as platted, shall be twenty-five (25) feet for Lots 1 through 46, inclusive, Block 3.

Section A-59 - Hammock Oaks Harbor Section 3.

A. Facing of lots.
1. Lot 22, Block 2 shall be deemed to face north.
2. Lot 1, Block 4 shall be deemed to face west.
3. Lot 3, Block 4 shall be deemed to face east.
4. Lot 4, Block 4 shall be deemed to face west.

B. Setbacks-Minimum front.
1. Lots 13 through 26, inclusive, Block 2-Thirty-five (35) feet.
2. Lots 1 through 5, inclusive, Block 4-Thirty-five (35) feet.

C. Setbacks-Minimum side.
1. Lots 13 through 21, inclusive, Block 2-Ten (10) feet.
2. Lot 22, Block 2-Ten (10) feet from inside line-Thirty-five (35) feet from side street.
3. Lots 23, 24, 25 and 26, Block 2-Ten (10) feet.
4. Lot 1, Block 4-Ten (10) feet from inside lot line-Twenty-five (25) feet from side street.
5. Lot 2, Block 4-Ten (10) feet.
6. Lots 3 and 4, Block 4-Ten (10) feet from inside line.
7. Lot 5, Block 4-Ten (10) feet.

D. Setbacks-Minimum rear.
1. Lots 13 through 18, inclusive, Block 2--Ten (10) feet.
2. Lot 22, Block 2-Ten (10) feet.
3. Lot 1, Block 4-Thirty-five (35) feet.
4. Lots 2, 3, 4 and 5, Block 4-Ten (10) feet.

E. Setbacks from Canal, Waterway, Lake or Bay.
1. The minimum setback from the waterway line, canal line or lake, as platted, shall be twenty-five (25) feet for Lots 19 through 26, inclusive, Block 2.

Section A-60 - H. H. B. Property.

A. Building sites.
1. Lot 1 less a .0263 acre triangular portion of land extending along the southern property line and more fully described in Warranty Deed No. 114721683 recorded in Miami-Dade County on June 17, 1982, of Block 1, shall be considered as one (1) building site. (2657)

B. Facing of lots.
1. Lot 1, Block 1 shall be deemed to face both Arvida Parkway on the north and Arvida Parkway on the southeast.

C. Setbacks-Minimum front.
1. Lots 1, 2, and 3, Block 1-Fifty (50) feet.

D. Setbacks-Minimum side.
1. Lot 1, Block 1-Thirty (30) feet from lot line abutting Lot 2 on the south.

2. Lot 2, Block 1-Thirty (30) feet from lot line abutting Lot 1 on the north-Thirty (30) feet from lot lines abutting Lot 3 on the south and east.
3. Lot 3, Block 1-Thirty (30) feet from lot lines abutting Lot 2 on the north and west-Thirty (30) feet from the easterly lot line.

E. Setback from canal, waterway, lake or bay.
1. The minimum setback from a waterway line, canal line or bay shore line, as platted, shall be fifty (50) feet for Lots 1, 2 and 3, Block 1.

Section A-61 - Industrial Section.

A. Architectural style.
1. In the Industrial Section such type of architecture shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.

B. Height of buildings.
1. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy-two (72) feet in height whichever is less.
   a. Lots 7 through 21, inclusive, Block 1.
   b. Lots 5 through 38, inclusive, Block 2.
   c. Lots 5 through 38, inclusive, Block 3.
   d. Lots 1 through 38, inclusive, Block 4.
   e. All lots and tracts in Blocks 5, 6, 7, 12, 13, 14, 16 and 17.
   f. All in Block 8.
   g. Lots 1 through 11, inclusive, Block 9.
   h. Lots 21 through 46, inclusive, Block 10.
   i. All of the Replat of Blocks 10 and 11.
   j. Lots 3 through 39, inclusive, Block 5.
   k. All of Block 18 east of a line extending from the southeast corner of Lot 20, Block 10 south to the northeast corner of Lot 3, Block 15.
2. No building and/or structure to be used for manufacturing purposes shall be erected or altered on the following described property, to exceed three (3) stories or forty-five (45) feet in height, whichever is less:
   a. Lots 7 through 21, inclusive, Block 1.
   b. Lot 5 through 38, inclusive, Block 2.
   c. Lots 5 through 38, inclusive, Block 3.
   d. Lots 22 through 38, inclusive, Block 4.
   e. Lots 44 through 63, inclusive, Block 5.
   f. Lots 12 through 22, inclusive, Block 6.
   g. All lots and tracts in Blocks 7, 12, 13 and 14.
   h. All of Block 8.
   i. Lots 1 through 11, inclusive, Block 9.
   j. Lots 21 through 46, inclusive, Block 10.
   k. All of the Replat of Blocks 10 and 11 less east one hundred ten (110) feet.
   l. Lots 4 through 39, inclusive, Block 15.
   m. All of Block 18 east of a line extending from the southeast corner of Lot 20, in Block 10, south to northeast corner of Lot 3, Block 15.
   n. Tracts A, B and C of Replat of Block 16.
   o. Lots 1 through 83, inclusive, Block 17.

C. Roofs.
1. Pitched Roof Material. Pitched roofs may be covered with roofing material meeting the requirements of Class A or B specifications of the Underwriters Laboratories, Incorporated. (See Section 5-1605)

D. Signs-location upon buildings, cantilevers and marquees.

E. Walls and fences.
1. Wire fences may be erected provided that such wire fences are not located closer than one hundred (100) feet to Bird Road, LeJeune Road or Ponce de Leon Boulevard.

2. Height. Wire fences may be erected to a maximum height of eight (8) feet. Not more than three (3) strands of barbed wire may be attached to the top of such eight (8) foot high fence at a forty-five (45) degree angle facing toward the inside of the property.

Section A-61-1 Journeys End Addition.

Refer to section A-56 Hammock Lakes for applicable site-specific requirements in addition to general code requirements.

Section A-62 - Journey's End Estates.

A. Facing of lots.
   1. Lot 1 shall be deemed to face north.
   2. Lot 5 shall be deemed to face north.
   3. Lot 8 shall be deemed to face west.
   4. Lot 12 shall be deemed to face west.
   5. Lots 13 and 14 shall be deemed to face east.
   6. Lot 15 shall be deemed to face south.

B. Setbacks-Minimum front.
   1. Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16 and 17-Seventy-five (75) feet.
   2. Lot 11-Seventy-five (75) feet from cul-de-sac.
   3. Lot 12-One-hundred and twenty-five (125) feet.
   4. Lot 18-Two-hundred and ten (210) feet from cul-de-sac.

C. Setbacks-Minimum side.
   1. Lot 1-Thirty (30) feet from inside line-Fifty (50) feet from Old Cutler Road.
   2. Lots 2, 3, 4, 6, 7, 9, 10, 14, 16 and 17-Thirty (30) feet.
   3. Lot 5-Thirty (30) feet from west-Seventy-five (75) feet from east.
   4. Lot 8-Thirty (30) feet from inside line-Seventy-five (75) feet from side street.
   5. Lot 11-Thirty (30) feet from south.
   6. Lot 12-Thirty (30) feet from inside line-Seventy-five (75) feet from side street.
   7. Lot 13-Thirty (30) feet from inside line-Seventy-five (75) feet from side street.
   8. Lot 15-Thirty (30) feet from south-Thirty (30) feet from east-Fifty (50) feet from Old Cutler Road.

D. Setbacks-Minimum rear.
   1. Lots 1, 2, 3 and 4-Fifty (50) feet.
   2. Lot 5-Sixty (60) feet from south.
   3. Lots 13 and 14-Fifty (50) feet from Old Cutler Road.
   4. Lot 15-Thirty (30) feet from north.

E. Setback from canal, waterway, lake or bay.
   1. The minimum setback from a canal or waterway line, as platted, shall be as follows:
      a. Lot 6-Fifty (50) feet from east thirty (30) feet.
      b. Lots 7, 8, 9, 10, 11, 12, 16, 17 and 18-Fifty (50) feet.

Section A-63 - Section K.

A. Height of buildings.
   1. No buildings and/or structures shall be constructed or erected on the following described property, to exceed three (3) stories or forty-five (45) feet in height, whichever is less:
      a. Lots 1, 2, 3 and 4 in Blocks 8, 9, 18, 19, 26, 27, 35 and 36.
      b. Lots 45, 46, 47 and 48 in Blocks 8, 9, 18, 19, 26, 27 and 35.
   2. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy (70) feet in height, whichever is less:
      a. Lots 1 through 24, inclusive, Block 1.
   3. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
      a. Lots 5 through 44, inclusive, in Blocks 8, 9, 18, 19, 26, 27 and 35.

b. Lots 5 through 45, inclusive, Block 36.
c. All lots in Blocks 2, 7, 10, 17, 20, 25, 28, 34 and 37.

4. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
   a. Lots 21, 22, 23 and 24, Block 2.
   b. Lots 21 through 28, inclusive, Block 7.
   c. Lots 20 through 28, inclusive, Block 10.
   d. Lots 21 through 48, inclusive, Block 17.
   e. Lots 25 through 44, inclusive, Block 18.
   f. Lots 5 through 44, inclusive, in Blocks 19, 26, 27 and 35.
   g. Lots 5 through 45, inclusive, Block 36.
   h. All lots in Blocks 20, 25, 28, 34 and 37.
5. A multi-story building approximately one-hundred-fifteen (115) feet in height, consisting of seven (7) floors of general office with the erection of a penthouse on top of such building, may be constructed on Lots 39 through 48, inclusive, Block 27, Section K, according to Plat Book 8, Page 33 of the Public Records of Miami-Dade County, Florida.

B. Setbacks-Minimum side.
   1. Lot 25, Block 27-Five (5) feet from Salzedo Street.

Section A-63-1 - Kerwood Oaks.

Refer to section A-56 Hammock Lakes for applicable site-specific requirements in addition to general code requirements.

Section A-63-2 - Kings Bay. (2004-48)

A. Code compliance agreements at time of annexation (Resolution No. 28970).
   1. All construction prior to annexation which has been properly permitted by Miami-Dade County will be allowed to continue as is.
   2. Any construction prior to annexation allowed by the Miami-Dade County Code, which did not require a permit, will be allowed to continue as is.
   3. If it is determined at a future date that construction prior to annexation was built without the proper and required permits from Miami-Dade County, that construction element cannot be allowed to continue as is, and the property owner shall be required to apply for an after-the-fact permit from Coral Gables.
   4. Compliance is required with all City and zoning regulations for all new construction, additions or remodeling initiated after annexation as included herein.
   5. For the purpose of this section, the date of annexation shall be October 1, 2003, which is the service date that services were transferred from Miami-Dade County to the City.

B. Architectural type. Kings Bay is a neighborhood of single-family residences which have been developed with the character, materials and physical massing similar to those constructed within the City of Coral Gables east of Old Cutler Road. It shall be the duty of the Board of Architects to insure that any addition to an existing structure in Kings Bay be consistent with the existing architecture of the structure and any new building must be compatible with the architecture of neighboring structures.

C. Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.

D. Building sites. No new building site which faces S.W. 67th Avenue (Ludlam Road) shall contain less than one (1) fully platted lot and have an area of not less than one (1) acre (gross acreage - as measured to adjacent street centerline), and the minimum lot width of any new building site shall be one-hundred and twenty-five (125) feet. No new building site which does not face S.W. 67th Avenue (Ludlam Road) shall contain less than one (1) fully platted lot and have an area of less than fifteen thousand (15,000) square feet (gross acreage - as measured to adjacent street centerline) and the minimum lot width of any new building site shall be one-hundred and twenty (120) feet.

E. Ground coverage. No single-family residence facing S.W. 67th Avenue (Ludlam Road) shall occupy more than fifteen (15%) percent of the ground area of the building site upon which the residence is erected and up to five (5%) percent of the rear yard may be used for accessory uses and structures.

No single-family residence not facing S.W. 67th Avenue (Ludlam Road) shall occupy more than thirty (30%) percent of the ground area of the building site upon which the residence is erected and up to twenty (20%) percent of the rear yard may be used for accessory uses and structures.

F. Height of buildings. No new single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. 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.

G. Height and Materials of Walls and fences. Walls and fences may be constructed of wood and all other materials permitted by this code, have a maximum height of six (6) feet; provided that in no case shall a wall or fence violates the triangle of visibility requirements of this code.

H. Roof-Materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for other existing buildings in the Kings Bay area, as determined by the City's Building and Zoning Director and approved by the Board of Architects. Roofs of existing structures shall be permitted to remain and be re-roofed and/or repaired in the same type as at time of annexation.

I. Chickee Huts. All chickee huts existing at the time of annexation shall be permitted to remain, and shall be allowed to be rethatched and maintained as required and necessary.

J. Prefabricated Chimneys. Prefabricated chimneys shall be permitted, and shall require review and approval by the Board of Architects.

K. Finger Piers. Finger Piers are allowed for Lots 75 through 95 on the Kings Bay turning basin only, and a maximum of two (2) per property shall be permitted not to exceed or extend more than twenty-five (25) feet from bank or sea wall of the turning basin. Vessels shall be permitted to be moored perpendicular to the bank or sea wall within the turning basin.

L. Setbacks. Principal Building.
   1. All lots facing S.W. 67th Avenue (Ludlam Road) shall provide a minimum front setback of fifty (50) feet.
   2. All lots not facing S.W. 67th Avenue (Ludlam Road) shall provide a minimum front setback of twenty-five (25) feet.
   3. All lots shall provide a minimum side setback of fifteen (15) feet.
   4. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
   5. All lots shall provide a minimum rear setback of twenty-five (25) feet.
   6. All lots located on a waterway shall provide a minimum water front setback of twenty-five (25) feet.

M. Setbacks. Accessory buildings general.
   1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
   2. All accessory buildings shall provide a minimum side setback of twenty (20) feet.
   3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
   4. All accessory buildings shall provide a minimum rear setback of seven (7) feet and six (6) inches.
   5. All accessory buildings on lots located on a waterway shall provide a minimum water front setback of seven (7) feet and six (6) inches.

N. Setbacks. Swimming pools.
   1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
   2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
   3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
   4. Swimming pools shall provide a minimum rear setback of seven (7) feet and six (6) inches.
   5. All swimming pools on lots located on a waterway shall provide a minimum setback of s seven (7) feet and six (6) inches.

O. Setbacks. Tennis courts.
   1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
   2. Tennis courts shall provide a minimum side setback of fifteen (15) feet.
   3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of fifteen (15) feet.
   4. Tennis courts shall provide a minimum rear setback of seven (7) feet and six (6) inches.
   5. All tennis courts on lots located on a waterway shall provide a minimum setback of seven (7) feet and six (6) inches.

P. Setbacks. Screened enclosures.
   1. Screened enclosures of lots which face S.W. 67th Avenue (Ludlam Road) shall provide a minimum front setback of fifty (50) feet.
   2. Screened enclosures of lots which do not face S.W. 67th Avenue (Ludlam Road) shall provide a minimum front setback of twenty-five (25) feet.
   3. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
   4. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
   5. Screened enclosures shall provide a minimum rear setback of six (6) feet.
   6. All screened enclosures on lots located on a waterway shall provide a minimum setback of seven (7) feet and six (6) inches.

Q. As according to the Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any twelve (12) month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

R. For the purposes of this section, all setbacks from a waterway shall be taken from the top of slope, which shall be defined as the tie line as indicated on the property survey.

Section A-64 - Section L.

A. Height of building.
   1. No apartment building and/or structures shall be erected or altered to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
      a. All lots, blocks and parcels.
   2. No commercial buildings and/or structures shall be erected or altered to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
      a. All lots in Blocks 3, 6, 11, 16, 21, 23, 24, 29, 30, 31, 32, 33, 38, 39, and replat of Blocks 32 and 39.

B. Off-street parking.
   1. There shall be required and there shall be provided and maintained off-street parking for Lots 1 through 8, inclusive, and Lots 43 through 48, inclusive, Block 30, as stipulated in Ordinance No. 1273.

C. Setbacks-Minimum front.
   1. Lots 16 through 40, inclusive, Block 22-Ten (10) feet.
   2. Lots 1 through 8, inclusive, Block 30-Three (3) feet.
   3. Lots 9 through 25, inclusive, Block 30-Ten (10) feet.

Section A-65 - Leyshon Property (Tract One).

A. Facing of lots.
   1. Parcel 1 shall be deemed to face Old Cutler Road.
   2. Parcels 2 and 5 shall be deemed to face east.
   3. Parcels 3 and 4 shall be deemed to face west.

B. Setbacks-Minimum front.
   1. Parcel 1-Thirty-five (35) feet from Old Cutler Road.
   2. Parcels 2 and 5-Fifty-five (55) feet from east lot line.
   3. Parcels 3 and 4- Fifty-five (55) feet from west lot line.

C. Setbacks-Minimum side.
   1. Parcels 1, 2, 3, 4, and 5-Ten (10) feet.

D. Setbacks-Minimum rear.
   1. Parcels 1, 2, 3, 4, and 5-Fifteen (15) feet.

Section A-66 - MacFarlane Homestead.

A. Architectural style.
   1. In the MacFarlane Homestead Section, such type of architecture shall be permitted as approved by the Board of Architects as being harmonious with the immediate neighborhood.

B. Building sites.
   1. Lot 2, Block 2B, having a frontage of forty-five (45) feet shall be considered a building site.
   2. Lot 3, Block 2B, having a frontage of forty-five (45) feet shall be considered a building site. (2800)

C. Height of buildings.
   1. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy-two (72) feet in height, whichever is less:
      MacFarlane Homestead and St. Albans Park.
      a. Tracts A and B, Block 5.
      b. Tract 1.
   2. No buildings and/or structures to be used for manufacturing purposes shall be erected or altered on the following described property, to exceed three (3) stories or forty-five (45) feet in height, whichever is less:
      MacFarlane Homestead and St. Albans Park
      a. Tracts A and B, Block 5.
      b. Tract 1.

D. Roofs.
   1. Pitched roofs may be covered with roofing material meeting the requirements of Class A or B specifications of the Underwriters Laboratories, Incorporated. (See Section 5-1605)

E. Setbacks-Minimum front.
   1. On all building sites abutting Grand Avenue-Twenty (20) feet from Grand Avenue.
   2. On all building sites in an SFR District-Fifteen (15) feet.

F. Walls and fences-Materials and specifications.
   1. Wood picket fences shall be permitted on residential lots subject to the following conditions:
      a. Such fences shall be of cedar, cypress, or redwood with four (4) inch by four (4) inch terminal posts, two (2) inch by four (4) inch intermediate posts, wood rails and pickets one inch thick. Pickets shall be placed so as to provide a space between of not less than one-half (½) the width of the picket.
      b. All such fences shall be painted on each side with an appropriate and harmonious color, and shall be maintained and kept in repair by replacing all rotting wood. Construction and painting shall be completed within a reasonable time after issuance of permit thereof, to be determined by the Building Official.

Section A-67 - Mahi Canal.

A. Setbacks from Mahi Canal.
   1. The minimum setback from the north side of Mahi Canal, as dug, shall be thirty-five (35) feet for screened enclosures.
   2. The minimum setback from the south side of the Mahi Canal, as platted, shall be twenty-five (25) feet for screen enclosures.

B. Docks, wharves, davits, boat lifts and mooring piles, and the mooring of boats.
   1. No dock, wharf, davits, boat lifts, or similar structure shall be constructed over or in the Mahi Canal or on land abutting thereon which permanently extends more than five (5) feet outward from the bank of such canal.
   2. Floating boatlifts shall not be permitted.
   3. Where there is a reasonable area along the shore of the Mahi Canal which is at such a level as to provide a natural landing stage or platform for persons embarking on or debarking form boats, then fender or mooring piles may be placed at a distance not greater than eighteen (18) inches from the bank or shore.
   4. Mooring piles shall be Venetian type and ornamentally capped.
   5. No dock, wharf, davits, boat lifts, or similar structure, and boat moored thereto shall in total protrude into or over the water more than twenty-five (25%) percent of the width of the waterway where such dock, wharf or similar structure and moored boat or boats on davits or boat lifts are located; except as follows:
      a. The twenty-five (25%) percent in which a dock, wharf, davits, boat lifts, or similar structure, and boat moored thereto may in total protrude into or over the water shall be proportionately reduced for the properties on each side of the waterway where there will

be less than thirty (30) feet of open and unobstructed navigable waterway at mean high tide. The center of the thirty (30) feet of open and unobstructed navigable waterway shall be measured from the center of the Mahi Canal.

b. That in no case shall the distance between boats moored on opposing banks leave less than a minimum of thirty (30) feet of open and unobstructed navigable waterway at mean high tide, except as follows:

i. That any boat owned by the property owner of property on the Mahi Canal as of November 12, 1996 and which has a minimum twenty-five (25) feet of open and unobstructed navigable waterway at mean high tide, may continue to be moored at the property until such time as the property and/or the non-conforming boat is sold. Any new boat or property owner who purchases property on the Mahi Canal after November 12, 1996 will have to comply with all of the requirements of this Section for the mooring of boats along the Mahi Canal.

c. That in no case shall any dock, wharf, davits, boatlifts, or similar structure, and boat moored thereto protrude more than twenty-five (25) feet into or over the Mahi Canal.

6. All mooring piles, docks, wharves, davits, boat lifts, and similar structures shall maintain the same minimum setback from the adjacent owner's property line extended as established for the main structure permitted on each building site, except as described for specific properties as provided for in this Section.

7. Any dock, wharf, davits, boat lifts and similar structures on the Mahi Canal which is destroyed, damaged, or in need of repair or replacement, and the cost of which will exceed fifty (50%) percent of the total replacement cost of the dock, wharf, davits, boat lift, and similar structure will not be replaced or reconstructed except in conformity with these regulations.

Section A-68 - Mar Street Subdivision.

A. Facing of lots.
   1. Lots 1 and 15, Block 1 shall face Mar Street. (2593)

B. Setbacks-Minimum front.
   1. Lots 1 through 15, inclusive, Block 1-Twenty-five (25) feet. (2593)

C. Setbacks-Minimum side.
   1. Lots 1 through 15, inclusive, Block 1, shall have a minimum side setback of ten (10) feet, except that on corner lots where two (2) streets intersect, the minimum side setback from the side street shall be a minimum of twenty-five (25) feet. (2593)

D. Setbacks-Minimum rear.
   1. On a lot or building site not abutting upon a canal, waterway, lake or bay-Twelve (12) feet.

Section A-68-1 - Matheson Hammock Park.

Refer to section A-56 Hammock Lakes for applicable site-specific requirements in addition to general code requirements.

Section A-69 - Old Cutler Bay Section 1.

A. Facing of lots.
   1. Lot 2, Block 1 shall be deemed to face north.
   2. Lots 13, 14, 17, 18 and 20, Block 2 shall be deemed to face north.
   3. Lot 21, Block 2 shall be deemed to face west.
   4. Lot 3, Block 3, shall be deemed to face east.

B. Setbacks-Minimum side.
   1. Lot 2, Block 1-Twenty-five (25) feet from side street--Ten (10) feet from inside lot line.
   2. Lots 1, 2 and 12 through 25, inclusive, Block 2-Ten (10) feet from inside lot line.
   3. Lots 3 through 11, inclusive, Block 2-Twenty (20) feet from inside lot line.
   4. Lots 13, 14, 17, 18 and 20, Block 2-Twenty-five (25) feet from side street, except, that a fifteen (15) foot minimum setback shall be required for that portion of the side lot line formed by the arc of the cul-de-sac.

5. All lots in Block 3-Ten (10) feet from inside lot line.
6. Lots 3 and 4, Block 3-Twenty-five (25) feet from side street.

C. Setbacks-Minimum rear.
1. All lots in Blocks 1, 2 and 3-Ten (10) feet.

D. Setback from canal, waterway, lake or bay.
1. The minimum setback from a canal or waterway line, as platted, shall be twenty-five (25) feet for Lots 1, 12, 15, 16, 19, 23, 24 and 25, Block 2.

Section A-70 - Old Cutler Bay Section 2.

A. Facing of lots.
1. Lot 1 shall be deemed to face North.

B. Setbacks-Minimum front.
1. Lots 17 and 18-Twenty-five (25) foot minimum, except on curve of cul-de-sac which shall be fifteen (15) foot minimum.
2. Lots 19 and 20-Fifteen (15) foot minimum.

C. Setbacks-Minimum side.
1. Lot 1-Twenty-five (25) foot minimum from side street.
2. Lots 3 through 20, inclusive-Ten (10) foot minimum.

D. Setbacks-Minimum rear.
1. Lot 1-Ten (10) feet.

Section A-71 - Old Cutler Bay Section 3.

A. Facing of lots.
1. Lot 17 shall be deemed to face Solano Prado.

B. Setbacks-Minimum side.
1. Lots 4 through 16, inclusive-Ten (10) foot minimum.
2. Lot 17-Twenty-five (25) foot minimum from side street-Ten (10) foot minimum from inside line.

C. Setbacks-Minimum rear.
1. Lot 17-Ten (10) foot minimum.

Section A-72 - Old Cutler Bay Section 4.

A. Setbacks-Minimum side.
1. Lots 26 through 31, inclusive, Block 2-Ten (10) foot minimum.
2. Lots 74 through 83, inclusive, Block 2-Ten (10) foot minimum.
3. Lots 32 through 41, inclusive, Block 2-Twenty (20) foot minimum.
4. Lots 18 and 19, Block 3-Ten (10) foot minimum.

Section A-73 - Old Cutler Bay Section 4A.

A. Facing of lots.
1. Lot 84, Block 2 shall be deemed to face Solano Prado and Marquesa Drive.

B. Setbacks-Minimum side.
1. Lot 84, Block 2-Ten (10) foot minimum from east property line.
2. Lots 20 through 30, inclusive, Block 3-Ten (10) foot minimum.
3. Lots 31, Block 3-Ten (10) foot minimum from east property line.

C. Setbacks-Minimum rear.
1. Lot 84, Block 2-Twenty-five (25) foot minimum from Marquesa Drive.

D. Setback from canal, waterway, lake or bay.
1. The minimum setback from a canal or waterway line, as platted, shall be twenty-five (25) feet for Lot 31, Block 3.

Section A-74 - Old Cutler Bay Section 5.

A. Building sites.
   1. Lots 57 and 58, Block 2 shall be considered as two (2) building sites as follows: (2698)
      a. One (1) building site to consist of Lot 57.
      b. One (1) building site to consist of Lot 58.

B. Docks, wharves, mooring piles.
   1. Mooring piles may be set or placed in the waterway abutting Lots 49 through 57, inclusive, Block 2, at a distance not greater than twenty-five (25) feet from the bank of such waterway. In no other case shall any dock or mooring piles be placed in any waterway within the City at a greater distance from the bank thereof, which, when allowance is made for the erection or placing of a dock or mooring piles on the opposite bank at a similar distance from the bank, will leave less than seventy-five (75) feet of open, unobstructed, navigable water between such piles, docks and similar structures on the opposite bank.

C. Setbacks-Minimum side.
   1. Lots 42, 43 and 44, Block 2-Twenty (20) foot minimum.
   2. Lots 45 through 73, inclusive, Block 2-Ten (10) foot minimum.

Section A-74-1 - Palm Vista.

Refer to section A-56 Hammock Lakes for applicable site-specific requirements in addition to general code requirements.

Section A-75 - Pine Bay Estates.

The Pine Bay Estates Section is that neighborhood which is commonly known as Pine Bay Estates and which was annexed into the City on April 10, 1996. (3248)

A. Architectural type. Pine Bay Estates is a neighborhood of single-family residences which have been developed with the character, materials and physical massing similar to those constructed east of Old Cutler Road. It shall be the duty of the Board of Architects to insure that any addition to an existing structure in Pine Bay Estates be consistent with the existing architecture of the structure and any new building must be compatible with the architecture of neighboring structures.

B. Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.

C. Building sites. No new building site shall contain less than one (1) fully platted lot and have an area of less than twenty-five-thousand (25,000) square feet. The minimum lot width of any new building site shall be one-hundred and twenty-five (125) feet. All existing building sites shall be as existing at the time Pine Bay Estates was annexed into the City on April 10, 1996 and shall be deemed in conformity with this Ordinance.

D. Ground coverage. No single-family residence shall occupy more than thirty (30%) percent of the ground area of the building site upon which the residence is erected. In addition, up to five (5%) percent of the rear yard may be used for accessory uses and structures.

E. Height of buildings. No new single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. 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.

F. Setbacks-Principal building.
   1. All lots shall provide a minimum front setback of thirty-five (35) feet.
   2. All lots shall provide a minimum side setback of fifteen (15) feet.
   3. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
   4. All lots shall provide a minimum rear setback of twenty-five (25) feet.

G. Setbacks-Accessory buildings general.
   1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
   2. All accessory buildings shall provide a minimum side setback of twenty (20) feet.
   3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
   4. All accessory buildings shall provide a minimum rear setback of seven (7) feet and six (6) inches.

H. Setbacks-Swimming pools.

1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
4. Swimming pools shall provide a minimum rear setback of seven (7) feet and six (6) inches.

I. Setbacks-Tennis courts.
1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
2. Tennis courts shall provide a minimum side setback of fifteen (15) feet.
3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of fifteen (15) feet.
4. Tennis courts shall provide a minimum rear setback of seven (7) feet and six (6) inches.

J. Setbacks-Screened enclosures.
1. Screened enclosures shall provide a minimum front setback of seventy-five (75) feet.
2. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
4. Screened enclosures shall provide a minimum rear setback of six (6) feet.

K. As according to the Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any twelve (12) month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

Section A-76 - Pino Subdivision.

A. Facing of lots.
1. Lot 1, Block 1 shall be deemed to face Old Cutler Road.

B. Setbacks-Minimum side.
1. Lot 1, Block 1-Twenty-five (25) feet.
2. Lots 2 and 3, Block 1-Ten (10) feet.

C. Setbacks-Minimum rear.
1. Lots 1, 2 and 3, Block 1-Ten (10) feet.

Section A-77 - Riviera Circle.

A. Facing of lots.
1. Lots 1 and 10, Block 1 and Lot 1, Block 2 shall be deemed to face Riviera Drive.
2. Lots 5 and 6, Block 1 shall be deemed to face west.
3. Lots 2, 3 and 4, Block 2 shall be deemed to face north.

B. Percentage Reduction on seventy-five (75) and one hundred (100) foot building sites. (See Archived Zoning Code Section 3-1(i))

C. Setbacks-Minimum front.
1. Lots 2, 3, 4, 7, 8 and 9, Block 1-Twenty (20) feet from Riviera Court.
2. Lots 5 and 6, Block 1-Fifteen (15) feet from Riviera Court.
3. Lots 2, 3, and 4, Block 2-Twenty (20) feet from Riviera Court.

D. Setbacks-Minimum side.
1. Lots 1 and 10, Block 1 and Lot 1, Block 2--Twenty (20) feet from Riviera Court-Fifteen (15) feet from any other side line.
2. Lots 2 through 9, inclusive, Block 1 and Lots 2 and 3, Block 2-Ten (10) feet on each side.
3. Lot 4, Block 2-Ten (10) feet from inside lot line.

E. Setbacks-Minimum rear.
1. Lots 1 and 10, Block 1 and Lot 1, Block 2-Ten (10) feet.
2. Lots 2, 3, 4, 7, 8 and 9, Block 1-Fifteen (15) feet.
3. Lots 5 and 6, Block 1-Five (5) feet.
4. Lots 2, 3, and 4, Block 2-Twenty (20) feet from Riviera Court.

APPENDIX A - SITE SPECIFIC ZONING REGULATIONS

Section A-77.1 - Riviera-Maggiore Subdivision.

A. Building sites.
   1. Lot 1 and 2 shall be considered two (2) building sites for single-family residences, as follows:
      a. One building site consisting of Lot 1.
      b. One building site consisting of Lot 2.
   2. The residences of both building sites shall face onto Maggiore Street.

Section A-78 - Riviera Section Part 1.

A. Building sites.
   1. Lots 14, 15, 16 and 17, Block 17 shall be considered as two (2) building sites as follows: (2637)
      a. One (1) building site to consist of Lots 14 and 15 less the west five (5) feet.
      b. One (1) building site to consist of Lots 16 and 17 and the west five (5) feet of Lots 14 and 15.
   2. Lots 7, 8, 9, 21, 22 and 23, Block 12, shall be considered as two (2) building sites as follows: (2716)
      a. One (1) building site to consist of Lots 7, 8 and 9.
      b. One (1) building site to consist of Lots 21, 22 and 23.

Section A-79 - Riviera Section Part 2.

A. Architectural style.
   1. On Lots 1 through 14, inclusive, Block 100, all new buildings and any additions and alterations to the existing buildings shall be of Chinese Compound type of architecture to conform with the existing type of architecture in the block. Specific reference should be made to the Review Guide Section of the Designation Report for the Chinese Village Historic Landmark District adopted by ordinance of the City Commission. (2636)

B. Building sites.
   1. No building site in or upon Lots 10 through 20, inclusive, Block 39 shall have a street frontage of less than seventy (70) feet.
   2. Lots 1 and 2, Block 37 shall be restricted to one (1) building site.
   3. No building site in or upon Lots 3 through 13, inclusive, Block 37 shall have a street frontage of less than ninety (90) feet.
   4. No building site in or upon Lots 14 through 35, inclusive, Block 37 shall have a street frontage of less than seventy-five (75) feet.
   5. Lots 36 through 40, inclusive, Block 37 shall be restricted to one (1) building site.

C. Facing of lots.
   1. Lots 1 and 2, Block 96 shall be deemed to face east on LeJeune Road.
   2. Lots 3 and 4, Block 96 shall be deemed to face south on Rosario Avenue.
   3. Lots 1 and 19, Block 104 shall be deemed to face Riviera Drive.
   4. Lots 1 and 2, Block 37 shall be deemed to face Riviera Drive.
   5. Lots 36 through 40, inclusive, Block 37 shall be deemed to face Riviera Drive.

D. Height of buildings.
   1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one (1) story in height:
      a. Lots 1 through 13, inclusive, and Lots 36 through 40, inclusive, Block 37.
   2. Duplex buildings constructed on the following described property shall be restricted to not more than two (2) stories in height:
      a. Lots 14 through 35, inclusive, Block 37.

E. Off-street parking.
   1. All off-street parking for duplexes constructed on Lots 1 through 13, inclusive, and Lots 36 through 40, inclusive, Block 37, shall be located in the rear of the buildings and all entrances and exits to the parking area shall be from the rear (alley).
   2. All of Lot 1, except the east one-hundred-seven (107) feet thereof, Block 96, shall be reserved for off-street parking for use only in connection with the buildings to be constructed on the East ninety-five (95) feet of Lot 1 and on all of Lot 2, Block 96.

F. Setbacks-Minimum front.

1. Lots 31 and 32, Block 95-Two (2) feet eight (8) inches.
2. Lots 1 and 2, Block 96-Ten (10) feet.
3. The front setbacks for Lots 1 through 14, inclusive, Block 100 shall conform to the existing front setbacks in the block. Specific reference should be made to the Review Guide Section of the designation report for the Chinese Village Historic Landmark District, adopted by Ordinance of the City Commission. (2636)

G. Setbacks-Minimum side.
1. Lot 1, Block 96-Ten (10) feet from south line, provided, however, that no side setback shall be required along the south line of the east ninety (90) feet thereof.
2. Lot 2, Block 96-Twenty-five (25) feet from Rosario Avenue.
3. Lot 4, Block 96-Fifteen (15) feet from Menendez Avenue.
4. The side setbacks for Lots 1 through 14, inclusive, Block 100 shall conform to the existing side setbacks in the block. Specific reference should be made to the Review Guide Section of the designation report for the Chinese Village Historic Landmark District, adopted by Ordinance of the City Commission. (2636)

H. Setbacks-Minimum rear.
1. Lot 2, Block 96-One-hundred (100) feet from the rear west property line.
2. The rear setback for Lots 1 through 14, inclusive, Block 100 shall conform to the existing rear setbacks in the block. Specific reference should be made to the Review Guide Section of the designation report for the Chinese Village Historic Landmark District, adopted by Ordinance of the City Commission. (2636)

I. Walls and fences.
1. Height, Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls on the block:
   a. Lots 1 through 14, inclusive, Block 100. Specific reference should be made to the Review Guide Section of the designation report for the Chinese Village Historic Landmark District, adopted by ordinance of the City Commission. (2636)

Section A-80 - Riviera Section Part 3.

A. Architectural style.
1. In Block 45, Dutch Colonial type houses shall be permitted.

B. Building sites.
1. No building site in or upon Lots 19 through 24, inclusive, Block 89, and Lots 37 through 52, inclusive, Block 91 shall have a street frontage of less than one hundred (100) feet if used for erection and construction of duplex residence buildings.
2. Lots 10 and 11, Block 48 shall be restricted to one (1) building site.
3. Lots 12 through 15, inclusive, Block 48 shall be restricted to one (1) building site.
4. Lots 42 and 43, Block 85 shall be restricted to one (1) building site.
5. Lots 1 and 2, Block 88 shall be restricted to one (1) building site.
6. No building site in or upon the following described properties shall have a street frontage of less than seventy-five (75) feet:
   a. Lots 16 through 32, inclusive, Block 48.
   b. Lots 13 through 36, inclusive, Block 49.
   c. Lots 1 through 5, inclusive, and Lots 44 through 47, inclusive, Block 85.
   d. Lots 11 through 29, inclusive, Block 88.
7. No building site in or upon the following described properties shall have a street frontage of less than ninety (90) feet:
   a. Lots 1 through 9, inclusive, Block 48.
   b. Lots 1 through 12, inclusive, Block 49.
   c. Lots 6 through 25, inclusive, Block 85.
   d. Lots 3 through 10, inclusive, Block 88.
8. Lots 25, 26, 27, 28 and 29, Block 48 shall be considered as two (2) building sites as follows:
   a. One (1) building site to consist of Lots 25, 26 and an irregular portion of Lot 27.
   b. One (1) building site to consist of Lots 28, 29 and an irregular portion of Lot 27.

C. Facing of lots.

1. Lots 10 and 11, Block 48 shall be deemed to face Orduna Drive.
2. Lots 12, 13, 14 and 15, inclusive, Block 48 shall be deemed to face Orduna Drive.
3. Lot 26, Block 85 shall be deemed to face Pisano Avenue.
4. Lots 1 and 2, Block 88 shall be deemed to face Granada Boulevard.

D. Height of buildings.
1. Duplex buildings constructed on the following described properties shall be restricted to bungalow type duplexes one (1) story in height.
   a. Lots 1 through 15, inclusive, Block 48.
   b. Lots 1 through 12, inclusive, Block 49.
   c. Lots 6 through 25, inclusive, and Lots 42 and 43, Block 85.
   d. Lots 1 through 10, inclusive, Block 88.
   e. Lots 19 through 24, inclusive, Block 89.
   f. Lots 37 through 52, inclusive, Block 91.
2. Duplex buildings constructed on the following described properties shall be restricted to not more than two (2) stories in height:
   a. Lots 16 through 32, inclusive, Block 48.
   b. Lots 13 through 36, inclusive, Block 49.
   c. Lots 1 through 5, inclusive, and Lots 44 through 47, inclusive, Block 85.
   d. Lots 11 through 29, inclusive, Block 88.
3. Apartment buildings constructed on the following described properties shall be restricted to not more than two (2) stories in height:
   a. Lot 1 through 18, inclusive, Block 89.
   b. Lots 1 through 36, inclusive, Block 91.

E. Off-street parking.
1. All off-street parking for duplexes constructed on the following described properties shall be located in the rear of the buildings and all entrances and exits to the parking area shall be from the rear (alley):
   a. Lots 1 through 15, inclusive, Block 48.
   b. Lots 1 through 12, inclusive, Block 49.
   c. Lots 1 through 10, inclusive, Block 88.

F. Roofs.
1. On Lots 1 through 18, inclusive, Block 89, and Lots 20 through 36, inclusive, Block 91, all roofs shall be constructed of tile.
2. Flat roofs without a parapet. (See Section 5-1602)
3. Flat roofs with an eighteen (18) inch parapet. (See Section 5-1603)

G. Setbacks-Minimum front.
1. Lots facing upon Granada Boulevard-Thirty-five (35) feet.

Section A-81 - Riviera Section Part 4.

A. Building sites.
1. No building site in or upon Lots 1 through 8, inclusive, Block 56, shall have a street frontage of less than one-hundred (100) feet.
2. No building site in or upon Lots 9 through 19, inclusive, Block 56, shall have a street frontage of less than one-hundred (100) feet.

B. Percentage reduction on seventy-five (75) and one-hundred (100) foot building sites. (See Archived Zoning Code Section 3-1(l))

C. Setbacks-Minimum front.
1. Lots facing upon Granada Boulevard-Thirty-five (35) feet.

D. Setbacks-Minimum side.
1. Property bounded by University Drive, Pisano Avenue and Campo Sano-Ten (10) feet from Pisano Avenue. (2763)

E. Height of buildings. A medical office building to have four (4) stories with a specific height of forty-eight (48) feet, four (4) inches and a parking garage not to exceed six (6) stories with a specific height of forty-eight (48) feet, four (4) inches on property bounded by University Drive, Pisano Avenue and Campo Sano. (2763)

Section A-82 - Riviera Section Part 5.

A. Building sites.
   1. Lots 3, 4 and 5, Block 75, shall be considered as two (2) building sites as follows: (2753)
      a. One (1) building site to consist of Lot 3 and the west twenty-five (25) feet of Lot 4.
      b. One (1) building site to consist of the east twenty-five (25) feet of Lot 4 and all of Lot 5.

Section A-83 - Riviera Section Part 8.

A. Floor area ratio (FAR) Provisions for buildings four (4) or more stories in height.
   1. See Archived Zoning Code Section 3-6(y).
   2. Maximum floor area ratio (FAR) for C District buildings four (4) stories in height located on the following described property shall not exceed 1.5: (2829)
      a. Lots 1 through 13, inclusive, Block 148.
      b. Lots 1, 16, 17 and 27 in Block 155.
      c. Lots 27, 28, 29, 30 and 31, in Block 156.
      d. All portions of Tract A except for the Southwesterly 360.00 feet of Tract A.
   3. Maximum floor area ratio (FAR) for C District buildings located on the following described property shall not exceed 3.5:
      a. The Southwesterly 360.00 feet of Tract A.
B. Height of buildings.
   1. No commercial building shall be constructed or erected on the following described properties to exceed four (4) stories or forty-five (45) feet, whichever is less:
      a. Lots 1 through 13, inclusive, Block 148.
      b. Lots 1, 17, 26 and 27, Block 155.
      c. Lots 27, 28, 29, 30 and 31, Block 156.
      d. All portions of Tract A except for the Southwesterly 360.00 feet of Tract A.
   2. No commercial building shall be constructed or erected on the following described properties to exceed one hundred and twenty-six (126) feet:
      a. The Southwesterly 360.00 feet of Tract A.
   3. No residential or mixed-use building shall be constructed or erected on the following described properties to exceed one hundred twenty-two (122) feet:
      a. The Southwesterly 360.00 feet of Tract A.
C. Setbacks-Minimum front.
   1. All portions of Tract A except for the Southwesterly 360.00 feet of Tract A.-One-hundred and twenty-five (125) feet (P. B. 46, Page 100).
D. Setbacks-Minimum rear.
   1. All portions of Tract A except for the Southwesterly 360.00 feet of Tract A.-Fifty (50) feet (P. B. 46, Page 100).

Section A-84 - Riviera Section Part 9.

A. Architectural style.
   1. On Lots 1 through 20, inclusive, Block 145, all new buildings and any additions and alterations to the existing buildings shall be of French Village (City Style) type of architecture to conform with existing type of architecture in the block.
B. Setbacks-Minimum front.
   1. Lots facing upon Granada Boulevard, except in Block 135-Thirty-five (35) feet.
   2. Block 135-Eighty-five (85) feet from Granada Boulevard.
   3. The front setbacks for Lots 1 through 20, inclusive, Block 145 shall conform to the existing front setbacks in the block.
C. Setbacks-Minimum side.
   1. The side setbacks for Lots 1 through 20, inclusive, Block 145 shall conform to the existing side setbacks in the block.
D. Setbacks-Minimum rear.

1. The rear setbacks for Lots 1 through 20, inclusive, Block 145 shall conform to the existing rear setbacks in the block.

E. Walls and fences.
1. Height, Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls on the block:
a. Lots 1 through 20, inclusive, Block 145.

Section A-85 - Riviera Section Part 10.

A. Setbacks-Minimum front.
1. Lots facing upon Granada Boulevard-Thirty-five (35) feet.
2. Lots facing upon Maggiore Avenue in Blocks 122 and 124-Fifteen (15) feet.

Section A-86 - Riviera Section Part 11.

A. Architectural style.
1. On Lots 1, 2, 3 and 4, Block 267, and Lots 7, 8 and 9, Block 266, all new buildings and any additions and alterations to the existing buildings shall be of Dutch South African type of architecture to conform with the existing type of architecture in the block.
2. On Lots 1 through 18, inclusive, Block 259, all new buildings, and any additions or alterations to the existing buildings shall be of the French style architecture to conform to the existing architecture in the block.

B. Building sites.
1. Lot 15, Block 259, shall be considered as one (1) building site.

C. Setbacks-Minimum front.
1. Lots facing Granada Boulevard-Thirty-five (35) feet.
2. The front setbacks for Lots 1, 2, 3 and 4, Block 267 shall conform to the existing front setbacks in the block.

D. Setbacks-Minimum side.
1. The side setbacks for Lots 1, 2, 3 and 4, Block 267 shall conform to the existing side setbacks in the block.

E. Setbacks-Minimum rear.
1. The rear setbacks for Lots 1, 2, 3 and 4, Block 267 shall conform to the existing rear setbacks in the block.

F. Walls and fences.
1. Height, Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls on the block:
a. Lots 1, 2, 3 and 4, Block 267.

Section A-87 - Riviera Section Part 12.

A. Architectural style.
1. On Lots 1 through 9, inclusive, Block 244, all new buildings and any additions and alterations to the existing buildings shall be of French Village (City Style) type of architecture to conform with the existing type of architecture in the block.

B. Setbacks-Minimum front.
1. Lots facing Granada Boulevard-Thirty-five (35) feet.
2. The front setbacks for Lots 1 through 9, inclusive, Block 244 shall conform to the existing front setbacks in said Lots 1 through 9.

C. Setbacks-Minimum side.
1. The side setbacks for Lots 1 through 9, inclusive, Block 244 shall conform to the existing side setbacks in said Lots 1 through 9.

D. Setbacks-Minimum rear.
1. The rear setbacks for Lots 1 through 9, inclusive, Block 244 shall conform to the existing rear setbacks in said Lots 1 through 9.

E. Walls and fences.

1. Height, Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls on the block:
   a. Lots 1 through 9, inclusive, Block 244.

Section A-88 - Riviera Section Part 13.

A. Building sites.
   1. The north ten (10) feet of Lot 13, all of Lot 14, the south fifteen (15) feet of Lot 15 and the west ten (10) feet of adjacent vacated alley, Block 227, shall be considered as one (1) building site. (2555)

Section A-89 - Riviera Section Part 14.

A. Facing of lots.
   1. Lots 15 and 16, Block 203, shall be deemed to face Venera Avenue.
   2. Lots 17 and 18, Block 203, shall be deemed to face San Remo Avenue.
B. Floor area ratio (FAR) provisions for buildings four (4) or more stories in height.
   1. See Archived Zoning Code Section 3-6(y).
   2. Maximum floor area ratio (FAR) for C District buildings four (4) stories in height located on the following described property shall not exceed 1.5: (2829)
      a. All lots and tracts in Block 197, 198 and 199.
C. Height of buildings.
   1. No buildings or structures shall be constructed or erected on the following described properties to exceed three (3) stories or forty-five (45) feet in height, whichever is less:
      a. Lots 8 through 21, inclusive, in Block 192.
      b. Lots 13 through 40, inclusive, in Block 196.
      c. Lots 10 through 29, inclusive, in Block 206.
      d. All Lots in Blocks 206A and 207. (2771)
   2. No apartment buildings shall be constructed or erected on the following described properties to exceed four (4) stories or forty-five (45) feet in height, whichever is less:
      a. All lots and tracts in Blocks 197, 198 and 199.
      b. All lots in Blocks 201 and 202.
      c. Lots 3 through 31, inclusive, Block 203.
      d. Lot 4 through 37, inclusive, Block 204.
      e. Lots 4 through 37, inclusive, Block 205.
      f. Lots 4 through 7, inclusive, Lots 9 through 13, inclusive and a portion of Lot 8, Block 208. (2771)
   3. No commercial buildings shall be constructed or erected on the following described buildings four (4) stories or forty-five (45) feet in height, whichever is less:
      a. All lots and tracts in Blocks 197, 198, and 199.
      b. All lots in Blocks 201 and 202.
      c. Lots 3 through 10, inclusive, and Lots 25 through 31, inclusive, Block 203.
      d. Lots 4 through 37, inclusive, Block 204.
      e. Lots 4 through 37, inclusive, Block 205.
   4. No commercial buildings and/or structures shall be erected or altered on the following described properties to exceed six (6) stories or seventy-two (72) feet in height, whichever is less:
      a. Lots 1, 2, 32, 33 and 34, Block 203.
      b. Lots 1, 2, 3, 38, 39 and 40, Block 204.
      c. Lots 1, 2, 3, 38, 39 and 40, Block 205.
   5. A structural addition, having a tower and cross of approximately sixty-eight (68) feet in height, to the First Methodist Church of South Miami, may be constructed on Lots 1 through 5, inclusive, Lots 36 through 40, inclusive, Block 196, according to Plat Book 28, Page 32 of the Public Records of Miami-Dade County, Florida.
D. Setbacks-Minimum front.
   1. In Block 199, according to 2nd Revised Plat thereof, P. B. 28/32, or any replat of all or part of such Block-Fifty-six (56) feet from U.S. Route 1.
E. Setbacks-Minimum rear.
   1. Lots 11 through 16, inclusive, Block 203-Ten (10) feet.

2. Lots 17 through 26, inclusive, Block 203-Ten (10) feet.

Section A-90 - Riviera Waterways Subdivision.

A. Floor area ratio (FAR) provisions for buildings four (4) or more stories in height.
   1. Maximum Floor Area Ratio (FAR) for C District buildings four (4) stories in height located on the following described properties shall not exceed 1.5:
      a. Lots 1 and 2 in Block 5.
      b. Lots 1, 2, 3 and 4 in Block 6.

B. Height of building.
   1. No apartment building shall be constructed or erected on the following described property to exceed four (4) stories or forty-five (45) feet in height, whichever is less:
      a. Lots 1 and 2 in Block 5.
   2. No commercial buildings shall be constructed or erected on the following described properties to exceed four (4) stories or forty-five (45) feet, whichever is less:
      a. Lots 1 and 2 in Block 5.
      b. Lots 1, 2, 3 and 4, Block 6.

Section A-91 - Addition to Riviera Waterways.

A. Floor area ratio (FAR) provisions for buildings for four (4) or more stories in height.
   1. Maximum floor area ratio (FAR) for C District buildings four (4) stories in height located on the following described property shall not exceed 1.5:
      a. Tract K.

B. Height of buildings.
   1. No apartment building shall be constructed or erected on the following described property to exceed four (4) stories or forty-five (45) feet in height, whichever is less:
      a. Tract K.
   2. No commercial building shall be constructed or erected on the following described property to exceed four (4) stories or forty-five (45) feet, whichever is less:
      a. Tract K.

Section A-92 - San Juan Estates.

A. Facing of lots.
   1. Lot 6 shall be deemed to face Old Cutler Road.

Section A-93 - Singer Subdivision No. 2.

A. Facing of lots.
   1. Lot 1, Block 1 shall be deemed to face Madruga Avenue and Turin Street.
   2. Lot 4, Block 1 shall be deemed to face Turin Street.
   3. Lots 5 and 8, Block 1 shall be deemed to face Maynada Street.
   4. Tracts A and B shall be deemed to face Madruga Avenue and Turin Street.

B. Height of buildings.
   1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one (1) story in height:
      a. Lots 1 through 4, inclusive, Block 1.
   2. Buildings constructed on the following described property shall be restricted to not more than three (3) stories in height:
      a. Tracts A and B.

C. Setbacks-Minimum front.
   1. Tract A-Fifteen (15) feet from Madruga Avenue-Fifteen (15) feet from Turin Street.
   2. Tract B-Fifteen (15) feet from Madruga Avenue-Fifteen (15) feet from Turin Street.

D. Setbacks-Minimum side.
   1. Lot 1, Block 1-Eight and one-half (8½) feet from south side.

2. Lot 2, Block 1-Eight and one-half (8½) feet.
3. Lot 3, Block 1-Nine and one-half (9½) feet.
4. Lot 4 and 5, Block 1-Fifteen (15) feet from side street.
5. Lots 6 and 7, Block 1-Ten (10) feet.
6. Lot 8, Block 1-Twenty-five (25) feet from side street-Ten (10) feet from inside lot line.
7. Tract A-Ten (10) feet from northeast line.
8. Tract B-Ten (10) feet from inside lot line.

E. Setbacks-Minimum rear.
1. Lots 1 thru 8, inclusive, Block 1-Six (6) feet.
2. Tract A-Five (5) feet from northwest lot line.
3. Tract B-Ten (10) feet from south line.

Section A-94 - Snapper Creek Lakes.

The Snapper Creek Section known as Snapper Creek Lakes Subdivision was approved by the City of Coral Gables City Commission for the following: 1) Annexation via Resolution No. 28947 on November 14, 1995 (ratified by Miami-Dade County via Ordinance No. 96-58 on June 26, 1996); 2) Land Use and Zoning Designation via Ordinance No. 3207 on December 7, 1996; and establishment of Site Specific Regulations via Ordinance No. 3249 on May 13, 1997. The following provisions shall apply exclusively to the Snapper Creek Lakes Subdivision single family residences:

A. Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.
B. Building sites. No new building site shall contain less than one (1) fully platted lot and have an area of less than one (1) acre. The minimum lot width of any new building site shall be one hundred twenty-five (125) feet. All existing building sites shall be as existing at the time Snapper Creek was annexed into the City on June 26, 1996 and shall be deemed in conformity with this Ordinance.
C. Ground coverage. No single-family residence shall occupy more than fifteen (15%) percent of the ground area of the building site upon which the residence is erected. In addition, up to five (5%) percent of the rear yard may be used for accessory uses and structures.
D. Height of buildings. No single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. 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.
E. Height of walls and fences. Walls and fences may have a maximum height of six (6) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements of this code.
F. Roof-Materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for the existing buildings in the Snapper Creek area.
G. Setbacks-Principal building.
1. All lots shall provide a minimum front setback of fifty (50) feet.
2. All lots shall provide a minimum side setback of fifteen (15) feet.
3. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
4. All lots shall provide a minimum rear setback of twenty-five (25) feet.
5. All lots located on a lake or waterway shall provide a minimum waterfront setback of thirty-five (35) feet.

H. Setbacks-Accessory Buildings general.
1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
2. All accessory buildings shall provide a minimum side setback of twenty (20) feet.
3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
4. All accessory buildings shall provide a minimum rear setback of seven (7) feet and six (6) inches.
5. All accessory buildings on lots located on a lake or waterway shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.

I. Setbacks-Swimming pools.
1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.

4. Swimming pools shall provide a minimum rear setback of seven (7) feet and six (6) inches.
5. Swimming pools on lots located on a lake or waterway shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.

J. Setbacks-Tennis courts.
1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
2. Tennis courts shall provide a minimum side setback of twenty (20) feet.
3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
4. Tennis courts shall provide a minimum rear setback of seven (7) feet and six (6) inches.
5. Tennis courts on lots located on a lake or waterway shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.

K. Setbacks-Screened enclosures.
1. Screened enclosures shall provide a minimum front setback of seventy-five (75) feet.
2. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
4. Screened enclosures shall provide a minimum rear setback of six (6) feet.
5. Screened enclosures on lots located on a lake or waterway shall provide a minimum waterfront setback of seven (7) feet and six (6) inches.

L. As according to the Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any twelve (12) month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

Section A-94-1 - Snapper Creek Lakes – Tract A.

A. The following provisions shall apply exclusively to the Snapper Creek Lakes Subdivision - Tract A – Snapper Creek Lakes boat marina and community center. Except as specified in the following provisions, all requirements of this section and all other applicable requirements of the City of Coral Gables Zoning Code and City Code and federal, state, county governments shall apply.

B. Permitted uses. The following principal and accessory uses may be permitted on the property:
1. Private boat marina, boat launching, ground level boat storage and dispensing of fuels and associated boat marina facilities uses approved pursuant to the City of Coral Gables Resolution No. 28947 (Annexation), Ordinance No. 3207 (Land Use and Zoning Designation) and Ordinance No. 3249 (Site Specific Single-Family Regulations).
2. Private community center.
3. Associated private boat marina accessory uses including:
   a) Bait and tackle sales.
   b) Vending machine facilities for the dispensing of food and nonalcoholic beverages located within a building.
   c) Exterior storage of kayaks, canoes, boat trailers, and non-motorized small boat(s) less than a total of fourteen (14) feet in length.
   d) Minor customary vessel maintenance and repair.
4. Awnings and canopies. Awnings/canopies shall be permitted to be as building appendages and/or free standing.

C. Prohibited uses and operations. The following uses and/or operations shall be prohibited on any portion of the property:
1. Community center third party rental. No portion of the community center may be rented to third parties. The center shall remain as a private facility for use by the members of Snapper Creek.
2. Dry storage stacking of boats.
3. Food preparation for distribution to the public.
4. Mooring or operation of commercial vessels, charter boats or other similar commercial operations.
5. Overnight stays. No overnight accommodations shall be permitted on any portion of the property.
6. Rental or leasing of vessels.

7. Retail sales, professional office and boat repair facilities.

D. Community center hours of operation for activities and meetings. Activities and meetings within the community center shall be limited to the hours of 8:00 AM to 10:00 PM, daily.

E. Boat marina. The maximum number of wet marina boat slips shall be thirty-five (35) and thirty-two (32) ground level dry storage spaces. The marina and all associated boat marina support facilities including but not limited to docks, finger piers, etc. shall satisfy all applicable local, county, state and federal requirements for the operations permitted pursuant to the approvals granted via City of Coral Gables Resolution No. 28947 (Annexation), Ordinance No. 3207 (Land Use and Zoning Designation) and Ordinance No. 3249 (Site Specific Single-Family Regulations). A boat slip as referenced herein is defined as that portion of a pier, finger pier, or float where a boat is moored for the purpose of berthing, embarking or disembarking.

F. Community center and accessory building regulations.
   1. Maximum building capacity. The maximum building capacity may be up to one-hundred-and twenty-five (125) persons.
   2. Maximum building square footage(s). A maximum of four-thousand-two-hundred (4,200) square foot building floor area is permitted on the property. Future community center and/or accessory building expansions up to a total of five-thousand (5,000) square feet may be administratively reviewed and approved by the City.

G. Maximum building height for the community center. A maximum height of two (2) stories, not to exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers is permitted.

H. Ground coverage. No structure shall occupy more than seven-and-a-half (7.5%) percent of the total ground area of the building site.

I. Landscape requirements. A five (5) foot minimum landscape buffer with vegetation shall be maintained the entire length of the property line abutting Old Cutler Bay Road to satisfy all applicable Zoning Code landscape requirements. Landscaping may be located within the Old Cutler Road right-of-way subject to receipt of applicable City encroachments review and approval and other applicable City/County/State review and approval requirements.

J. Parking. A minimum of six (6) vehicle parking spaces shall be provided.

K. Driveway access aisle width. A minimum of fourteen (14) feet shall be permitted for two-way driveway access from the northern to southern portion of the property.

L. Height of walls and fences. Walls and fences may have a maximum height of eight (8) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements.

M. Roof materials. Roofs materials shall be consistent with the roof materials of single family residences in Snapper Creek Lakes Subdivision.

N. The community center building shall satisfy as a minimum the following setbacks:
   1. Front (north) - fifteen (15) feet.
   2. Side (west) - fifteen (15) feet.
   3. Side street (east) - eighteen (18) feet.
   4. Rear (south) – two-hundred-and-fifty (250) feet.
   5. Waterfront setback – thirty (30) feet.

O. All accessory buildings shall satisfy as a minimum the following setbacks:
   1. Front (north) - fifteen (15) feet.
   2. Side (west) - twenty (20) feet.
   3. Side street (east) – eighteen (18) feet.
   4. Rear (south) - seven-and-a-half (7.5) feet.
   5. Waterfront setback - seven-and-a-half (7.5) feet.

P. All screen enclosure(s) shall satisfy as a minimum the following setbacks:
   1. Front (north) - fifteen (15) feet.
   2. Side (west) - fifteen (15) feet.
   3. Side street (east) - eighteen (18) feet.
   4. Rear (south) - twenty (20) feet.
   5. Waterfront setback - seven-and-a-half (7.5) feet.

Q. Sanitation facilities or dumpsters shall satisfy as a minimum the following setbacks:
   1. Front (north) - fifteen (15) feet.
   2. Side (west) - fifty (50) feet.

3. Side street (east) – zero (0) feet.
4. Rear (south) – two-hundred-and-fifty (250) feet.
5. Waterfront setback – fifteen (15) feet.

R. Community center façade mounted building signage. One (1) non-illuminated, fifty (50) square foot façade mounted building sign with a maximum of six (6) inch lettering may be located above the main door of the community center.

Section A-94-2 - Snapper Creek Lakes Sub.

Refer to section A-56 Hammock Lakes for applicable site-specific requirements in addition to general code requirements.

Section A-94-3 - Snapper Creek Oaks. (3558)

Refer to section A-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Section A-94-4 - Snapper Creek Oaks First Addition.

Refer to section A-56 Hammock Lakes for applicable site-specific requirements in addition to general code requirements.

A. That the appropriateness of the proposed location shall be reviewed and approved by the Building and Zoning Department.
B. That certified engineering drawings be submitted with details of the proposed method of attachment.
C. That the minimum side setback for such davits, boat lifts or floating boat lifts shall be the same as the minimum side setbacks, extended, for the main structure.
D. The number of davits, boatlifts or floating boatlifts permitted.
   1. On properties with less than one hundred (100) feet of water frontage only one (1) of the following shall be permitted a set of davits, a boat lift, or floating boat lift shall be permitted for each residence building and duplex building.
   2. On properties with one hundred (100) feet or more of water frontage, two (2) of any one (1) or combination of the following shall be permitted a set of davits, a boat lift, or floating boat lift shall be permitted for each residence, building and duplex building.
   3. Apartment buildings, condominium apartment buildings or cooperative apartment buildings may have at least one (1) set of davits or floating boat lift, but may not have more than one (1) set of davits, boat lift, or floating boatlift per ten (1) apartment units.
E. That boat lifts or floating boat lifts shall not extend beyond twenty-five (25) feet from the banks of waterways.
F. That the remaining, navigable waterway shall be a minimum of seventy-five (75) feet in width.
G. That boat lifts or floating boat lifts shall maintain safety light reflectors visible at night, and guide poles to show the submerged portion of the lift.

Section A-95 - Sunrise Harbour.

A. Facing of lots.
   1. Lot 9, Block 2 and Lots 1 and 20, Block 1 shall be deemed to face south.
   2. Lot 102, Block 2 shall be deemed to face west.
B. Height of buildings.
   1. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
      a. Blocks 3 and 4 and the east two-hundred and thirty-five (235) feet of Block 5.
   2. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
      a. Blocks 3 and 4 and the east two-hundred and thirty-five (235) feet of Block 5.
C. Off-street parking.
   1. Not less than sixty-five (65%) percent of the area of Block 3 shall be set aside for off-street parking.

2. The off-street parking for apartment buildings on Lots 8 through 20, inclusive, Block 1 and Lots 1 through 9, inclusive, Block 2 shall be subject to the terms and conditions stipulated in Ordinance No. 1280.

D. Setbacks-Minimum front.
1. Lots 1 through 20, inclusive, Block 1-Fifteen (15) feet.
2. Lots 15 through 39, inclusive, and Lot 102, Block 2-Thirty-five (35) feet.

E. Dock facilities Lots 1, 2 and 3, Block 2 Revised Plat of Sunrise Harbour a/k/a Gables Harbour Condominium.
1. Dock facilities are depicted on survey prepared by Thomas J. Kelly Inc. under Order 10-1597 last revised 02-2012. Survey is on file in the Development Services Department.
2. There shall be no more than twenty-three (23) slips.
3. Boat slips 1-12 shall be angled in a northeasterly direction.
4. Boat slips 15-23 shall be angled in a south or slightly southeasterly direction.
5. Boat slips 13 and 14 shall not have piers but may have fender-mooring pilings. Boats or vessels shall be moored parallel to the seawall.
6. No pier between slips 1-12 shall exceed twenty-six (26) feet in length except for pier between slips 11 and 12 which shall not exceed forty-two (42) feet in length, measured from the existing seawall.
7. No piers between slips 15-23 shall exceed twenty-two (22) feet in length, measured from the existing seawall.

Section A-96 - Sunrise Point (amended and corrected plat).

A. Building sites
1. Lots 18, 19 and 29, Block E and portion of vacated Sunrise Avenue adjacent thereto shall be considered as two (2) building sites as follows:
a. One (1) building site to consist of Lot 18 and that portion of vacated Sunrise Avenue adjacent thereto.
b. One (1) building site to consist of Lots 19 and 20 and the adjacent portion of vacated Sunrise Avenue lying north of Lot 102, Block 2, Sunrise Harbour.

Section A-97 - Sunset Bay Estates.

A. Setbacks-Minimum side.
1. Lots 1, 2, 3 and 4, Block 1-Ten (10) feet.

B. Setbacks-Minimum rear.
1. Lots 1, 2, 3 and 4, Block 1-Ten (10) feet.

Section A-98 - Tamiami Place Plan No. 3.

A. Building sites.
1. Lot 15 and Lot 16 less the north twenty-five (25) feet shall be considered as two (2) building sites as follows:
a. One (1) building site to consist of Lot 15.
b. One (1) building site to consist of Lot 16 less the north twenty-five (25) feet.
2. Lots 25 and 26 shall be considered as two (2) building sites as follows: (2775)
a. One (1) building site to consist of Lot 25.
b. One (1) building site to consist of Lot 26.

B. Setbacks-Minimum side.
1. Lot 15-Twelve (12) feet from west side.

Section A-99 - Vencor Hospitals South, Inc.

A. Facing of lots.
1. Tracts "A", "B" and "C" shall be deemed to face S.W. 8th Street (Tamiami Trail).

B. Setbacks-Minimum front.

1. Tracts "A", "B" and "C"-Zero (0) feet.

C. Setbacks-Minimum side.
   1. Tracts "A", "B" and "C"-Zero (0) feet.

D. Setbacks-Rear.
   1. Tracts "A", "B" and "C"-Ten (10) feet.

Section A-100 - Villa Dolce. (3189)

A. Facing of lots.
   1. Lot 1, Block 1 shall be deemed to face Neda Avenue.

B. Setbacks-Minimum front.
   1. Lot 1, Block 1-Thirty (30) feet.

C. Setbacks-Minimum side.
   1. Lot 1, Block 1-Fifteen (15) feet west side.
   2. Lot 1, Block 1-Thirty (30) feet east side.

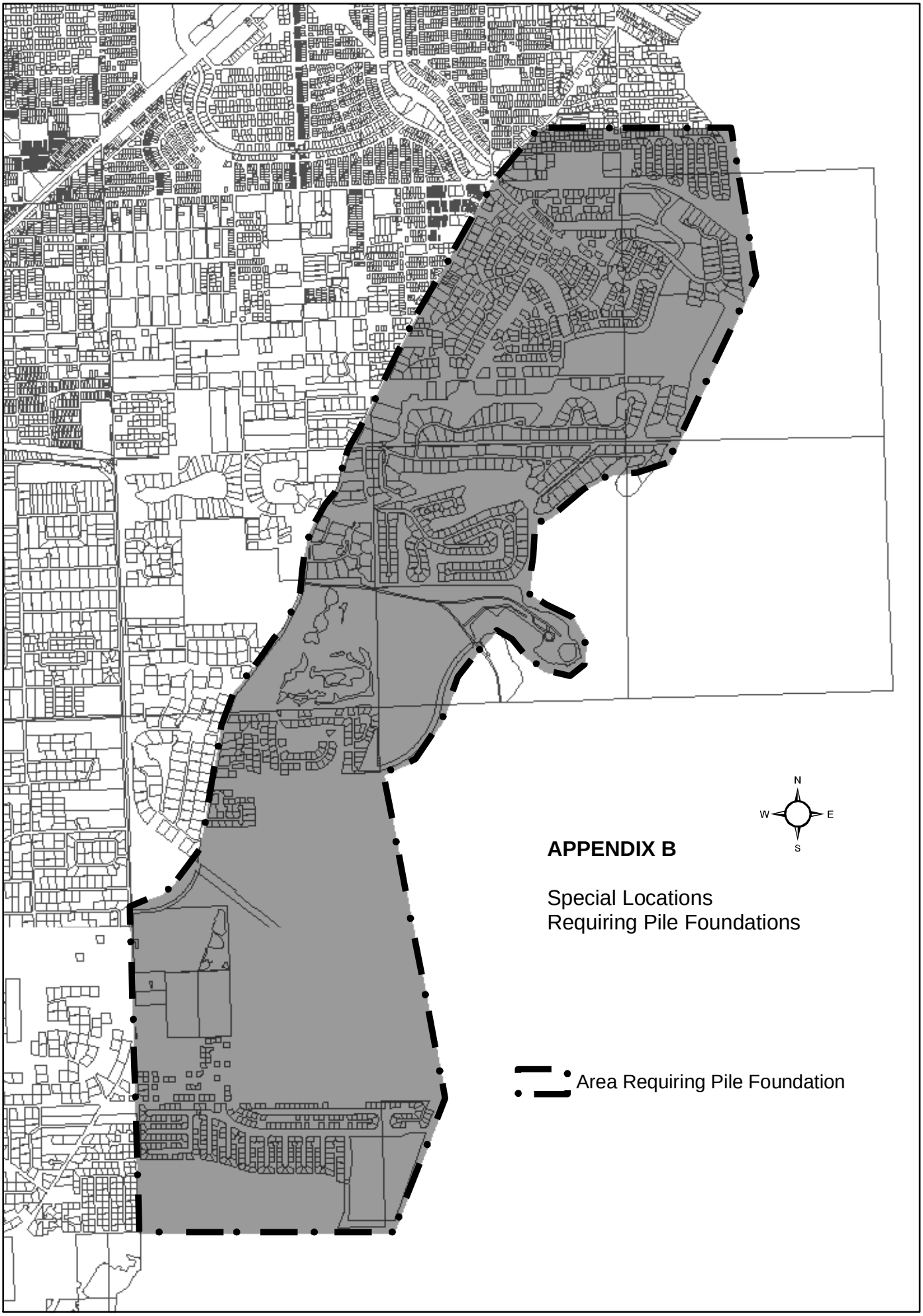
D. Setbacks-Rear.
   1. Lot 1, Block 1-Ten (10) feet.

Section A-101 - Welbon Subdivision.

A. Facing of lots.
   1. Lots 1 and 30 shall be deemed to face Southwest Eighth Street.

B. Setbacks-Minimum front.
   1. Lots 1 and 30-No front setback required.

C. Setbacks-Minimum rear.
   1. Lots 1 and 30-Ten (10) feet from the south lot line.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APPENDIX B
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Requiring Pile Foundations
Area Requiring Pile Foundation

APPENDIX C - MEDITERRANEAN VILLLAGE FORM-BASED PLANNED AREA DEVELOPMENT

APPENDIX C - MEDITERRANEAN VILLLAGE FORM-BASED PLANNED AREA DEVELOPMENT

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APPENDIX C - MEDITERRANEAN VILLLAGE FORM-BASED PLANNED AREA DEVELOPMENT

Section C-1: Administration

A. Intent

The intent of this section is to create an alternative to the current regulations of development intensity in the walkable urban village-style area of Coral Gables. The City finds that the current regulations sometimes lead to unpredictable results and, in some cases, have fallen short of ensuring the City's desired outcome. The goal of these regulations is appropriate redevelopment and infill in the City's urbanized areas that is customized to and compatible with founder George Merrick's vision. The regulations use the touchstone of Merrick's plan and Coral Gables Mediterranean architecture to create a green, walkable and diverse Mediterranean Village environment, with a sense of place and identity. Except as provided in this section, all provisions of the applicable underlying land use and zoning regulations, including the Planned Area Development (PAD) regulations, shall control the use and development of the property in the Mediterranean Village.

B. Applicability

1. Mediterranean Village

The Mediterranean Village option is only available for the properties bounded by Ponce de Leon Boulevard. on the west, Sevilla Avenue on the north, Galiano Street on the east, and Malaga Avenue on the south. This area is identified because it is a suitable contiguous infill development opportunity in the City for the form-based approach. The area has several locational characteristics that make it suitable:

a. Mediterranean Village in character, and

b. Strategically located and encompassing several blocks, and

c. Enhances the ability of residents and visitors to walk to destinations and to live, work and play within the same area; encourages alternative modes of travel; and reduces vehicular traffic due to its location on a transit route, and

d. Appropriate intensity

i. Next to land designated in the Comprehensive Plan for and developed with "commercial high-rise intensity" development, and

ii. A significant portion of the area is currently designated in the Comprehensive Plan as "commercial highrise intensity development," and

e. All of the area is zoned Commercial, and

f. The area involves re-use of a developed site(s) with access to transit, existing utilities, and infrastructure and roadway networks to minimize environmental impact to ecological communities, wetlands, agricultural lands, and 100-year floodplains.

g. Minimum site area. The minimum site area required for a Mediterranean Village shall be not less than six (6) acres.

h. Ownership. All land included within a Mediterranean Village shall be owned by the applicant requesting approval of such development, whether that applicant be an individual, partnership or corporation, or groups of individuals, partnerships or corporations. The applicant shall present proof of the unified control of the entire area within the proposed PAD and shall submit an agreement stating that if the owner(s) proceeds with the proposed development they will:

i. Develop the property in accordance with:

- The final development plan approved by the City Commission for the area.
- Regulations existing when the PAD ordinance is adopted.
- Such other conditions or modifications as may be attached to the approval of the special-use permit for the construction of such PAD.

ii. Provide agreements and declarations of restrictive covenants acceptable to the City Commission for completion of the development in accordance with the final development plan as well as for the continuing operation and maintenance of such areas, functions and facilities as are not to be provided, operated or maintained at general public expense.

2. Properties inside the boundaries of, but excluded from, a Mediterranean Village

Redevelopment of a property which is surrounded by, but is not a part of, an approved Mediterranean Village shall be compatible with the scale, building form, quality and design of adjacent uses within the Mediterranean Village.

C. Procedure

1. The Mediterranean Village development option is authorized by the Comprehensive Plan and utilizes the existing PAD process, rather than creating a separate overlay zone. In addition to following the review procedures and requirements of the PAD process, the City Commission may approve, approve with conditions or modifications, or disapprove any request for development under the Mediterranean Village PAD program.

2. The City Commission shall review the components of a proposal and evaluate its compliance with the Standards required in this Section, with full discretion to reject, approve, modify or condition any approval as needed to comply with the intent and purpose of this Section. The PAD regulations in Section 3-502.A. and Section 3-502.C. of the Zoning Code shall not apply to a Mediterranean Village.

3. Applications to amend an approved Mediterranean Village shall be processed in the same manner as an application to approve the Mediterranean Village, following the procedures in effect at the time of the application to amend. The Development Services Director may determine that specific requirements and procedures of the application process required by the Zoning Code are not necessary if an application to amend does not affect those requirements.

4. Treatment of Newly Acquired Property: In the event that additional property within or adjacent to an approved Mediterranean Village is acquired by the applicant or subsequent owner of the Mediterranean Village property, the applicant or subsequent property owner shall develop and maintain the acquired property in a manner consistent with the approved Mediterranean Village, and compatible with the building form and design of adjacent uses. Specifically,

   a. If the newly acquired property is interior to the Mediterranean Village, the applicant or subsequent property owner shall apply to amend the Comprehensive Plan, the Zoning Map and the Mediterranean Village approval within 180 days to incorporate the acquired property and develop it in a manner that is consistent with and fully integrated into the Mediterranean Village, and proceed with its review, approval and development within 18 months of the application date, unless this deadline is extended by the Development Services Director.

   b. If the newly acquired adjacent property is exterior to the Mediterranean Village and has at least 100 feet of frontage on Ponce de Leon Boulevard or Sevilla Avenue, the applicant or subsequent property owner shall evaluate whether the property should be added to the Mediterranean Village approval, and ensure the development and maintenance of the acquired property in a manner that is consistent and compatible with both (a) the Mediterranean Village and its off-site improvements, and (b) the form, uses and quality of all adjacent properties.

D. Development Agreement

A proposed development agreement shall accompany the Mediterranean Village application, to assure all of the commitments and conditions associated with the Mediterranean Village option. Designed to assure a world class, unified and integrated mixed use project, the agreement shall include at least the following:

1. Detailed quality standards for attributes of the project including use and tenant selection, tenant build-out, maintenance and operations, and
2. Limits on the development rights granted, and
3. Aesthetic and operational assurances regarding well-integrated modifications and alterations over time, and
4. Assurances as to valet operation and tandem parking and contribution to transit, if a parking reduction is sought, and
5. Off site improvements and timing of such.
6. Any common areas established for the PAD shall be subject to the following:

   a. The applicant shall establish an association for the ownership and maintenance of all common areas on the property, including open space, public art, recreational facilities, private streets, etc. Such association shall not be dissolved nor shall it dispose of any common areas by sale or otherwise (except to an organization conceived and established to own and maintain the common areas), however, the conditions of transfer shall conform to the Development Plan.

   b. Membership in the association shall be mandatory for each property owner in the PAD and any successive purchaser that has a right of enjoyment of the common areas.

   c. The association shall be responsible for liability insurance, local taxes, the maintenance of the property, and the long term maintenance of all encroachments into the Rights-of-Way.

   d. Property owners that have a right of enjoyment of the common areas shall pay their pro rata share of the cost, or the assessment levied by the association shall become a lien on the property.

   e. In the event that the association established to own and maintain commons areas or any successor organization, shall at any time after the establishment of the

PAD fail to maintain the common areas in reasonable order and condition in accordance with the Development Plan, the City Commission may serve written notice upon such association and/or the owners of the PAD and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing the City Commission shall call upon any public or private agency to maintain the common areas for a period of one year. When the City Commission determines that the subject organization is not prepared or able to maintain the common areas such public or private agency shall continue maintenance for yearly periods.

The cost of such maintenance by such agency shall be assessed proportionally against the properties within the PAD that have a right of enjoyment of the common areas and shall become a lien on said properties.

f. Land utilized for such common areas shall be restricted by appropriate legal instrument satisfactory to the City Attorney as common areas in perpetuity in accordance with the provisions of Article 5, Division 23. Such instrument shall be recorded in the Public Records of Dade County and shall be binding upon the developer, property owners association, successors, and assigns and shall constitute a covenant running with the land.

7. A process for ensuring that the applicant and any subsequent property owner shall be fully responsible for the initial development, maintenance, redevelopment if needed, and repair of all private and public infrastructure, both below and above ground, within a Mediterranean Village including, but not limited to, utilities; pedestrian amenities; tree grates; adjacent of above ground rights-of-ways, streets, alleys; and paseos and sidewalks.

8. Surety or a bond for the cost of restoration of the development site and its adjacent public rights-of-way if the project does not proceed to completion as approved.

9. Standards and procedures governing the notice to the City or approval by the City for future changes to the mix of uses affecting the shared parking calculations.

10. Traffic calming and streetscape improvement strategy for adjacent residential streets affected by project traffic including timing of requirements.

11. Mechanism for tracking and demonstrating continued consistency with the use assumptions utilized in the calculation of any shared parking reduction approved with Mediterranean Village, and further providing guidelines and procedures for the City to approve any material deviations from the use assumptions underlying the shared parking reduction study.

E. Application Submission Items

In addition to the procedure and application submission items outlined in Section 3-505 and 3-506, applicants shall demonstrate to the Development Services Department that the proposed development complies with all of the regulations in this Appendix C. These may include drawings, diagrams, and calculations that should be self-explanatory to staff assigned to review the submission. Any limitations of the size or other requirements of submission drawings shall be consistent with any imposed by the Zoning Code.

1. Pre-application Meeting

An applicant shall schedule a pre-application meeting with the Development Services Director or his/her designee to verify that a project or development meets the zoning standards prior to the preparation of detailed construction documents and/or subdivision plans. In addition to the requirements outlined in Section 3-505, the applicant shall bring to the meeting:

a. Survey of all property proposed to be included in the Mediterranean Village showing existing conditions,
b. Site plan or sketch showing lot lines, building footprints, driveways, parking, sidewalks, walkways, Parti diagrams, rights-of-way encroachment locations, etc.,
c. A list or notation of all proposed uses, existing and/or proposed for the site and drawings of the front elevation (facing streets or public spaces) of all the buildings proposed to be constructed or altered, with the location of the proposed uses notated on the drawings,
d. Site sections showing adjacent buildings, and
e. Context analysis of surrounding streets and blocks, including but not limited to photos, figure-ground plans, sections, and street elevations indicating how the proposed development relates to its context.

2. Application Requirements:

The applicant shall submit a public hearing application including all plans, documents, materials and information identified and required by staff at the required pre-application meeting. In addition, the applicant shall submit:

a. A Street-Types Plan.
b. A Regulating Plan.
c. Building massing, elevations and sections of any

proposed buildings facades that face public or private rights-of-way or open spaces, drawn at an appropriate scale. The elevation drawings shall comply with the Architectural Standards in Section C-5.

d. Pedestrian Open Space Plan, including detailed plans, sections, and elevations of all public spaces, including streets, plazas, arcades, paseos, and building frontages of at least the first 45' of the buildings, and addressing streetscape, landscape, and materials.

e. Parking and Service Diagrams, including but not limited to:
   i. The location of Parking and Service and which portions of the proposed development are served,
   ii. Circulation patterns of vehicles, bicycles and pedestrians within buildings,
   iii. Turning radii of service vehicles and their ability to complete all turning movements within the building, and
   iv. The location of bicycle parking, lockers and shower facility.

f. Analysis of LEED-ND indicating how the project conforms with LEED-ND requirements.

g. Any other diagrams, notes, and/or charts that identify requirements from these standards and demonstrate how they have been met.

F. How to Use this Section

The following steps generally describe the process to use these Standards:

1. In Section C-2 (Regulating Plans), locate your property or properties in the Street Types Plan, taking note of the street-type designation. The majority of regulations are dictated by the Street Type on which the building or property fronts.
2. In Section C-3 (Building Form Standards), review the main form-giving standards such as height, setbacks, and parking locations. The Building Form Standards also contain permitted land uses, organized by street-type, as well as requirements for street cross sections and streetscaping, if an application involves reconstruction of street surfaces.
3. In Section C-4 (General Standards), review the additional standards that apply within all street-type designations. The General Standards also include adjustments to the landscaping regulations in Division 11, *Landscaping*, of the Coral Gables Zoning Code.
4. In Section C-5 (Architectural Standards), review the standards that apply to all buildings irrespective of street-type designation, and additional standards that may only apply if certain building details or accessories are proposed by the applicant.
5. In Section C-6 (Definitions), refer to definitions for all terms capitalized in these standards.

Section C-2: Regulating Plans

A. Intent

The intended result of the Street Type Plan and the Regulating Plan is the creation of memorable public spaces, including streets and plazas, through the creation of "outdoor living rooms" shaped by high quality building frontages.

B. Street Types Plan

The Street Types Plan's purpose is to provide a framework that depicts predictable physical outcomes to control development form and intensity in lieu of floor area ratio requirements. The Street Types Plan sets up a system of categories based on form and character from which the regulations for buildings, and the interface between the building and the street, are based. The various land development regulations are specific to, and may vary from one street type to another. If a single building is intended to face more than one street type, then the standards for that building will vary based on the portion of the building facing each street type. At street intersections shown in the regulating plan, the demarcation for some street types will "turn the corner." This signifies that the rules for the street with the greater importance must continue around the corner of a building for the maximum distance noted on the map.

The dashed red line shows the boundary of the proposed Mediterranean Village. For each of the street type designations, the rules specific to those locations can be found in Section C-3, Building Form Standards.

Signature Streets: Primary thoroughfares with wide rights of way that accommodate taller buildings.

Plazas: Public spaces defined by integrated, harmonious streetscape, pedestrian amenities, and building frontages that work together to shape an "outdoor living room."

Downtown Streets: Typical streets within Downtown Coral Gables that accommodate taller buildings that respectfully step back at a reasonable height.

Apartment & Townhouse Streets: Smaller-scale, residential streets that are lined with low-scale multifamily buildings.

Paseos: Mid-block, open air pedestrian accessways that interconnect two public rights-of-way.

Alleys (Public or Private): Narrow accessways in the rear of the properties intended for parking access, trash pick-up and other services.

C. Regulating Plan

The Regulating Plan's purpose is to add additional design requirements that are place specific. The Regulating Plan identifies physical features within the Mediterranean Village that shall be included in any subsequent buildings designed with the rules of this section.

Build-To Line: A range of allowable distances from a street right-of-way that the building shall be built to in order to create a cohesive street frontage.

Shopfront Frontage: A ground floor lined with storefronts made with a combination of opaque and transparent materials. The uses behind shopfronts shall be commercial uses allowed by this section. Shops and restaurants shall have operable doors along their front facades spaced at an average of 60 feet on center. Door requirements for Retail Anchors may be reduced if windows provide visibility into the store. A shopfront may occur at the street-facing edge of the building or it may be set back under or inside an arcade. See Section C-5, Architectural Standards, for specific requirements regarding storefronts.

Arcade Frontage: A covered pedestrian space along the street level of a building, as described in Section C-5, Architectural Standards.

Pedestrian Amenities: Sidewalks along the buildings' frontages with this designation on the Regulating Plan shall contain pedestrian amenities as required by the Mediterranean Level 2 Bonus program.

Historic/Civic Building: Buildings that have significance due to their special use, architectural design, or history. These buildings are given priority in site plan design and are made a focal point of public spaces. Frontages of surrounding buildings shall be harmonious with and subservient to Historic/Civic Buildings identified on the Regulating Plan. In addition, Historic Buildings are subject to all applicable standards in the Zoning Code for historic structures.

Upper Level Bridge: Upper level bridges are optional at the approximate locations shown on the Regulating Plan only. See Section C-4, General Standards for additional requirements pertaining to upper level bridges.

Upper Level Stepback: Locations where upper floors of tall buildings set back from the Build-To Line in order to respectfully shape public space and allow additional light and air at street level.

Terminated Vista: An architectural treatment or expression on the facade of a building that is visible from a distance due to its relationship to the street grid.

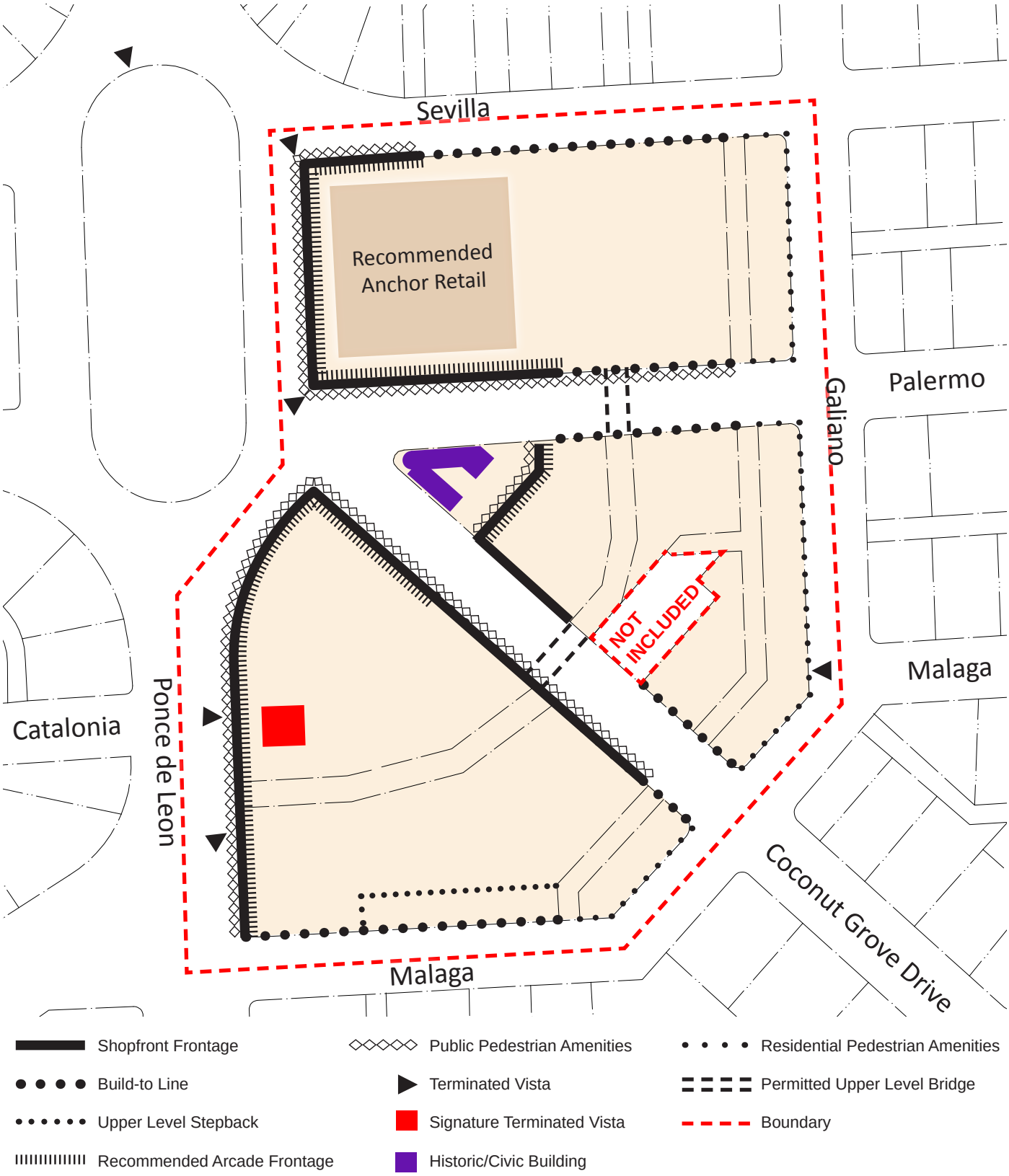
Signature Terminated Vista: An architectural feature on a building that may include additional floors and height in recognition of its location fronting a Signature Street and its unique site and visibility.

C-2.B. Street Type Plan

LEGEND

- Signature Streets
- Downtown Streets
- Apt & Townhouse Streets
- Paseos
- Alleys (public or private)
- Plazas
- Boundary
- NOTE 1 Distance to be determined by Development Services Director

C-2.C. Regulating Plan



Section C-3: Building Form Standards

A. Intent

The purpose of the Building Form Standards is to establish the physical and functional relationships between buildings. All proposed new buildings in the Mediterranean Village must follow the prescribed Building Form Standards set forth herein. The standards set forth rules related to building placement (build-to-lines, setbacks, lot widths, etc.), intended building types, permitted uses, and building heights.

B. Frontage on More than One Street Type

In concept, when a single platted property is at the intersection of two different street type designations, the designation of greater intensity (typically the frontage street for the property) should govern for all sides of the property adjacent to a public right-of-way or side property line. This works well when the depth of a lot is 50 feet to 200 feet. However, if the property extends to one entire block and the applicant is proposing one building to occupy the majority of the entire block, the intention of the Mediterranean Village Form-Based PAD is to cause the building to provide distinction of character along the different street types as designated in the Street Types Plan. In this latter case, one building could have frontages along 3 or more different street types.

If an application does have a single building that faces more than one street-type designation, it should be the decision of the applicant as to where the division occurs between designations, and the designations should be clearly defined in the design of the building through the submitted documents. These guidelines shall be followed as determined the Development Services Director:

(1) In the case of a corner site, the rules of the frontage street, typically that of the greater intensity, should not extend deeper than 200 feet.

(2) If there is an alley or pedestrian passageway, whether publicly dedicated or not and whether existing or proposed, the logical location for a change in designation would be along the centerline of that alley or passageway.

(3) In the case of a proposed building that extends across the depth of the block to two opposite streets, the division should be located between the midpoint of the block, or off the midpoint so that the bias of the “deeper” side of the block does not exceed 75% of the distance of the entire block depth.

The method of division used by the applicant must be described on the site plan or an additional plan diagram to illustrate compliance. For proposed Mediterranean Villages that contain more than one lot, more than one method of division may be used for a single application. However, the method of division used for one continuous frontage shall be the same.

C. Description of Street Types

Some elements of Street Types vary, while some elements remain constant or only vary slightly. These variations include lane widths, parking and sidewalk configurations, frontage rules and landscaping standards.

Signature Streets: Primary thoroughfares with wide rights of way that accommodate taller buildings.

Plazas: Public spaces defined by integrated, harmonious streetscape, pedestrian amenities, and building frontages that work together to shape an "outdoor living room."

Downtown Streets: Typical streets within Downtown Coral Gables that accommodate taller buildings that respectfully step back at a reasonable height.

Apartment & Townhouse Streets: Smaller-scale, residential streets that are lined with low-scale multifamily buildings.

Paseos: Mid-block, non-air conditioned, publicly accessible pedestrian accessways that interconnect two public rights-of-way or interconnected paseo.

Alleys (Public or Private): Narrow accessways in the rear of the properties intended for parking access, trash pick-up and other services.

D. Summary of Street Type Standards

	Signature	Plaza	Downtown	Apt & Townhouse	Paseos	Alleys (public or private)
Street Names:	Ponce de Leon	At the intersection of Ponce de Leon with Palermo & Coconut Grove Drive	Sevilla, Malaga, Palermo & Coconut Grove Drive	Galiano & Malaga		
Heights						
Building Height [1]	3 Floors min	3 Floors min	2 Floors min	1 Floor min	Not Applicable	Not Applicable
	190'-6" max or as provided in the Comprehensive Plan	190'-6" max or as provided in the Comprehensive Plan	190'-6" max or as provided in the Comprehensive Plan	3 Floors max or as provided in the Comprehensive Plan		
Signature Terminated Vista Building Height Bonus [2]	2 Floors max	Not Applicable	Not Applicable	Not Applicable		
Rooftop Architectural Elements[3]						
Rooftop Area	3/4 max	3/4 max	1/2 max	1/3 max		
Height Above Rooftop	25' max	25' max	25' max	11' max		
Signature Terminated Vista Rooftop Architectural Element Bonus[2]	1/2 Building Height max, including 25' allowed	Not Applicable	Not Applicable	Not Applicable		
Floor Heights (Floor to Floor):						
Ground Floor & 2nd Floor	11' min 17' max	11' min 17' max	11' min 17' max	9' min 13'6" max		
Third Floor	9' min 17' max	9' min 17' max	9' min 13'6" max	9' min 13'6" max		
Upper Floors [5] (above 3rd Floor)	9' min 13'6" max	9' min 13'6" max	9' min 13'6" max	Not Applicable		
Ground Finished Floor level above sidewalk[4]	6" max	6" max	6" max	18" min 4' max		

Note:
(1) Height measured to the eave.
(2) Signature Terminated Vistas are permitted in locations designated by the Regulating Plan. Signature Terminated Vistas may exceed the Building Height Maximum by 2 Floors, with a maximum floor plate of 5,900 sq ft of enclosed air conditioned space, and must be used for publicly accessible uses such as restaurants. The Signature Terminated Vista Rooftop Architectural Element Bonus may be up to a height of half of the Building Height Maximum.
(3) For decorative or mechanical use only. Rooftop Architectural Elements shall not contain enclosed air conditioned spaces. Mechanical equipment must be screened from view, in elevation on all sides. Height measured from the eave of the building to the top of the Rooftop Architectural Element.
(4) Ramping may be necessary between the floor of the arcade and the sidewalk for ADA compliance. Ramping may occur in between the arcade's columns or piers and/or in the sidewalk area. The floor of an arcade at a street's edge shall also meet this requirement.
(5) Upper Level Floors containing public uses, such as ballrooms, may exceed the maximum Floor to Floor height up to a maximum of 36'.

APPENDIX C - MEDITERRANEAN VILLLAGE FORM-BASED PLANNED AREA DEVELOPMENT

Street Types:	Signature	Plaza	Downtown	Apt & Townhouse	Paseos	Alleys (public or private)
Street Names:	Ponce de Leon	At the intersection of Ponce de Leon with Palermo & Coconut Grove Drive	Sevilla, Malaga, Palermo & Coconut Grove Drive	Galiano & Malaga		
Street Widths						
Right of Way Width	100' min	35,000 sf min 1:3 max width:length	60' min 70' max	60' min	10' min 30' max	20' min 30' max
Building Profile						
Stepback	0'	Recommended 15' at 8th Floor	Recommended 15' at 8th Floor	Not Applicable	Not Applicable	Not Applicable
Building Spacing above 8th Floor	45' min separation	60' min separation	60' min separation	Not Applicable		Not Applicable
Building Floorplate above 8th Floor	30,000sf office max 22,000sf residential 215' length max	25,000sf office max 20,000sf residential 215' length max	25,000sf office max 18,000sf residential 215' length max	Not Applicable		Not Applicable
Parking Placement [1]	3rd - 8th Floor	3rd - 8th Floor	3rd - 8th Floor	Ground Floor		Ground Floor
Parking Setback from Primary Street BTL	Recommended 20' min 70% min of Frontage	Recommended 20' min	0' min	10' min		0'
Parking Setback from Side Street BTL	20' min 70% of Frontage	Not Applicable	Not Applicable	20' min		20' min
Building Placement						
Front Build-to Line[2]	0' min 14' max	0' min 14' max	0' min 14' max	0' min 14' max	Not Applicable	Refer to nearest Street Type Frontage
Side Setback (next to another property)	Not Applicable	Not Applicable	0' 10' min from SFR	Not Applicable		
Rear setback	Not Applicable	Not Applicable	10' 0' with Alley	10' 0' with Alley		Not Applicable
Frontage Build-out [3]	100%	100%	80% min	50% min		Not Applicable
Frontage Elements (refer to Section 3-510-5, Architectural Standards for further clarification)						
Allowed Frontage Elements:	Shopfront	Shopfront	Shopfront	Stoops	Shopfront	Stoop
	Gallery	Gallery	Gallery	Canopy	Gallery	Porch
	Arcade	Arcade	Arcade	Porches	Arcade	Balcony
	Canopy	Canopy	Canopy	Balcony	Canopy	Canopy
	Balcony	Balcony	Balcony	Awning	Balcony	Awning
	Awning	Awning	Awning		Awning	Bay Windows
	Outdoor Dining[4]	Outdoor Dining[4]	Outdoor Dining[4]		Outdoor Dining[4]	

Note:

(1) Parking may be located underground and is prohibited on the Ground Floor and 2nd Floor for all street types. See Section C-4: General Standards for additional parking requirements.

(2) Build-to lines are measured from the property line along a street frontage to a distance back from the street.

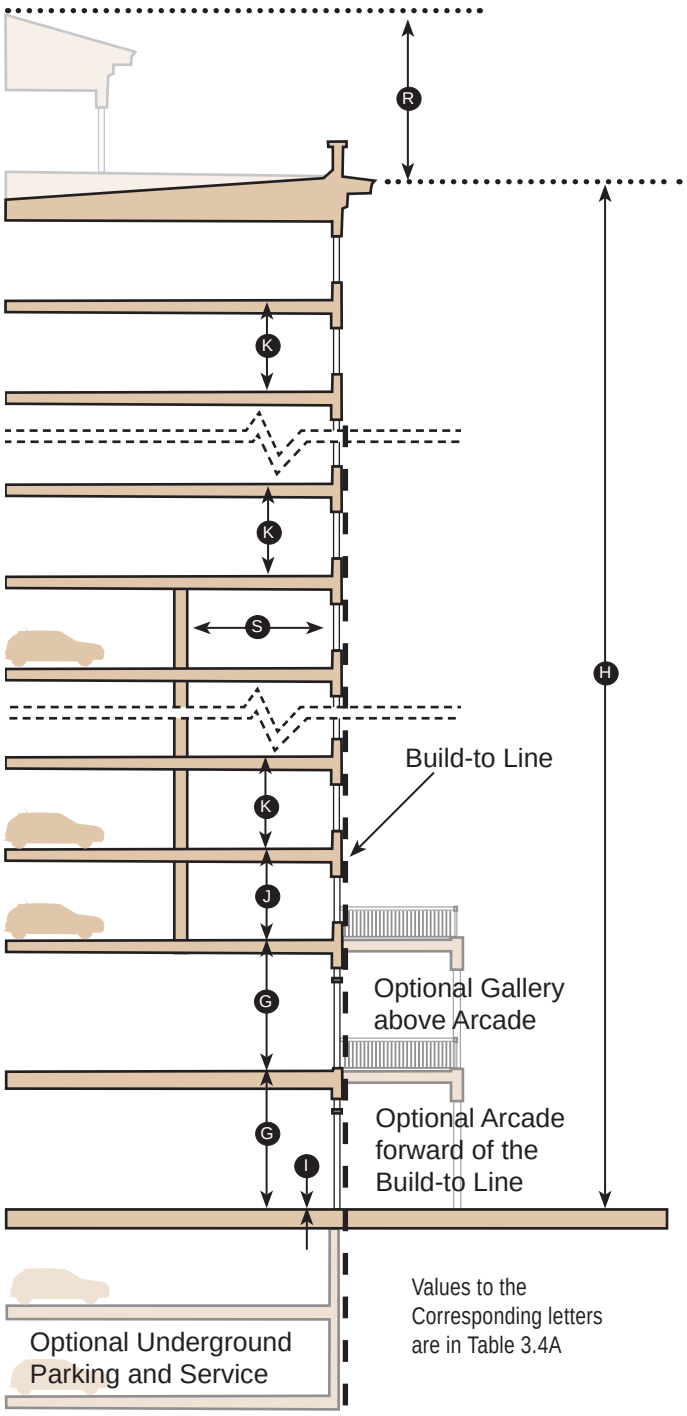
(3) Frontage Build-out is the width of the facade to be built along the build-to line. It is measured based on the percentage of the front property line running along the street-type designation from the Street Type Plan in Section C-2. For Signature Streets and Plazas, entrances to drop-offs, garbage dumpsters, delivery bays and parking garages shall be flush and integrated with the facade of the building. If a gallery or arcade is used in the facade of the buildings, any doors for vehicular access should be setback a minimum of 20' from the inside wall of the pedestrian corridor.

(4) Outdoor dining shall be permitted in ROW subject to City approval with encroachment agreement.

E. Signature Streets

Signature Streets are primary thoroughfares in Coral Gables with wide rights of way that can accommodate taller buildings.

1. Building Heights & Profile



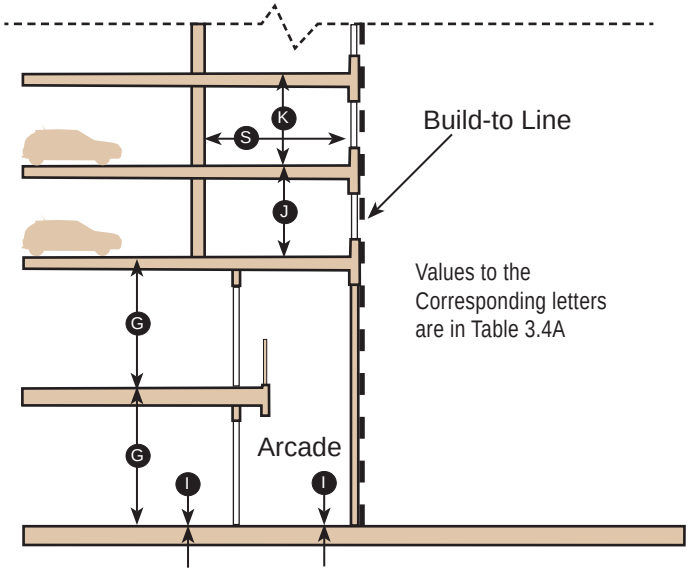
Key

Build-to Line (BTL) — Building

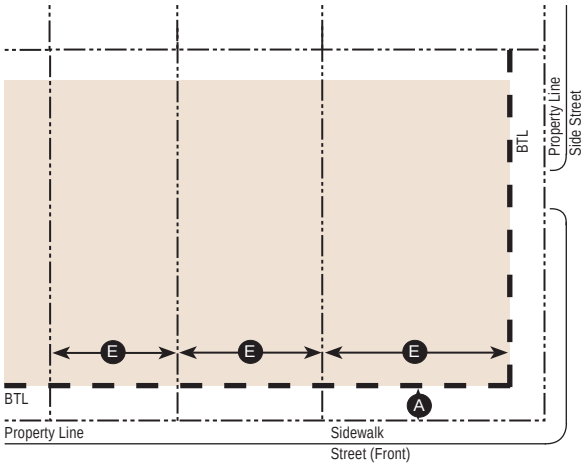
Building Heights & Profile, Table 3.4A		
Heights		
Building Height [1]	3 Floors min 190'-6" to eave max or as provided in the Comprehensive Plan	H
Signature Terminated Vista Bonus[2]	2 Floors max	
Rooftop Architectural Elements[3]		
Rooftop Area	3/4 max	
Height Above Rooftop	25' max	R
Signature Terminated Vista Element[1]	1/2 Building Height, including 25' allowed	
Floor Heights (floor to floor)		
Ground Floor & 2nd Floor	11' min 17' max	G
Third Floor	9' min 17' max	J
Upper Floors (above 3rd Floor)[5]	9' min 13'6" max	K
Ground Finished Floor above sidewalk[4]	6" max	I
Profile		
Building Separation above 8th Floor	45' min	
Building Floorplate above 8th Floor	30,000sf office max 22,000sf residential max 215' length max	
Parking Placement	3rd - 8th Floor	
Recommended Parking Setback from Primary Street BTL	20' min 70% min of Frontage	S
Parking Setback from Side Street BTL	20' min 70% min of Frontage	

(1) See note 1 on page 3.2.
(2) See note 2 on page 3.2.
(3) See note 3 on page 3.2.
(4) See note 4 on page 3.2.
(5) See note 5 on page 3.2.

Alternative Profile with Arcade



2. Building Placement



Values to the Corresponding letters are in Table 3.5A

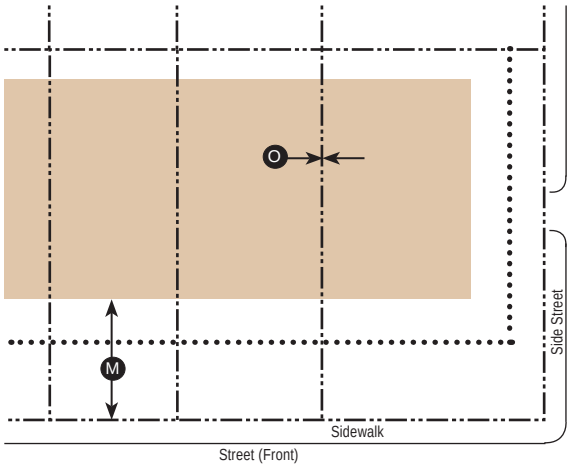
Key

- Property Line
- Build-to Line (BTL)
- Building Area

Building Placement, Table 3.5A		
Front Build-to Line[2]	0' min to 14' max	A
Frontage Build-out[3]	100%[3]	E

(2) See note 2 on page 3.3.
(3) See note 3 on page 3.3.

3. Parking Location



Key

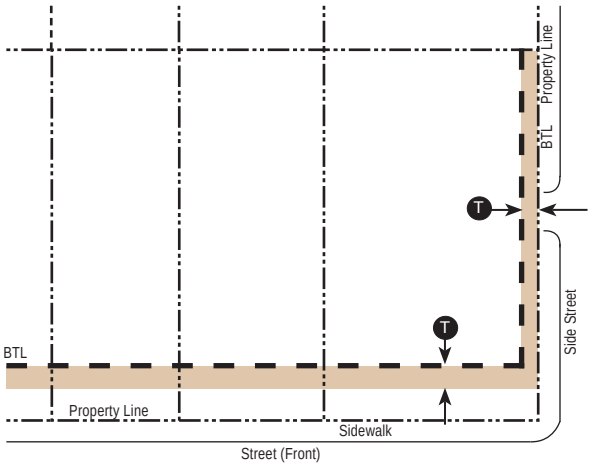
- Property Line
- Setback Line
- Parking Area

Parking Location, Table 3.5B		
Front Setback	20' min. when liner space present	M
Side Setback	20' min. when liner space present	O

a. Parking and Service may be located underground.

b. Habitable liner space of a minimum depth of 20 feet is required for at least 70% of the primary frontage on all parking floors.

4. Frontage Elements



Values to the Corresponding letters are in Table 3.5C

Key

- Property Line
- Build-to Line (BTL)
- Encroachment Area

Frontage Elements, Table 3.5C		
Frontage Elements may encroach forward of the build-to line, barring any additional restrictions by the public entity that has control over the public right of way.		
Distance	12' max. or 2 feet behind the curb, if less	T
Allowed Frontage Elements	Shopfronts, Arcade, Balcony, Gallery, Canopy, Awning	

See Section 5, Architectural Standards for further requirements of these frontage elements.

There are no restrictions for building frontage elements entirely within private property unless otherwise stated in Section 5, Architectural Standards

5. Miscellaneous

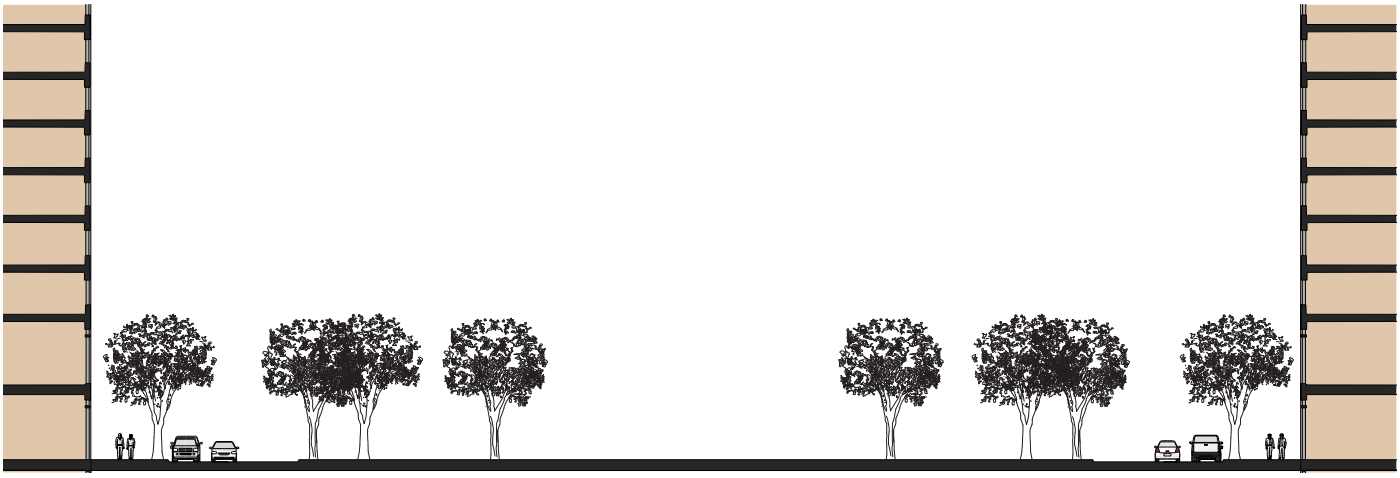
a. All buildings must have a Primary Pedestrian Entrance along the front facade.

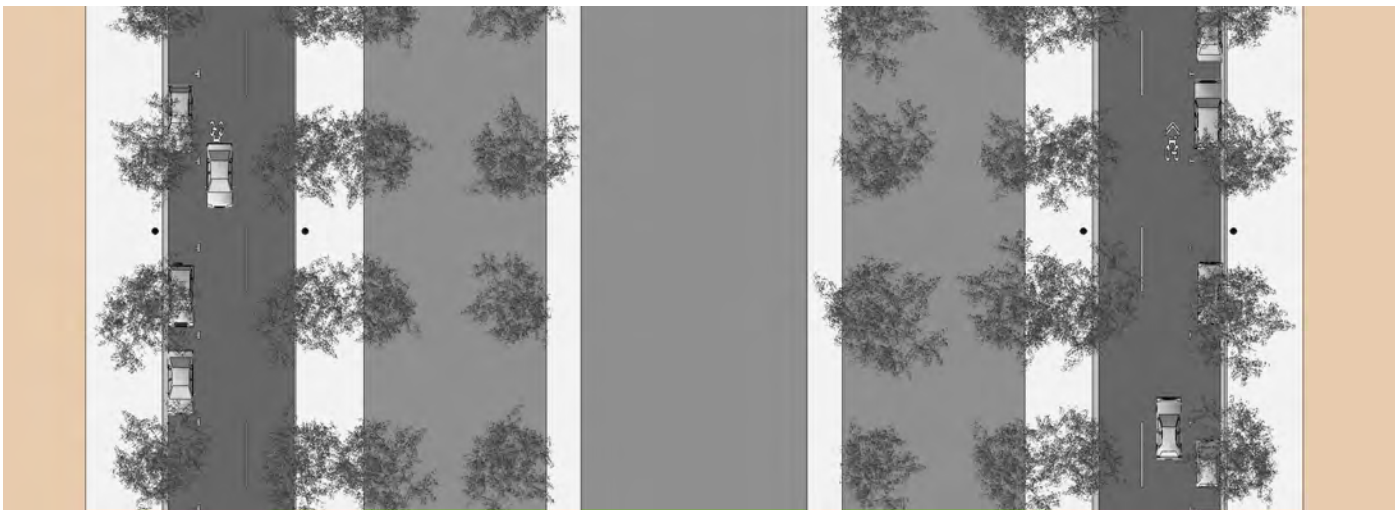
b. Loading docks, overhead roll-down doors and other service entries shall not be located on street-facing facades.

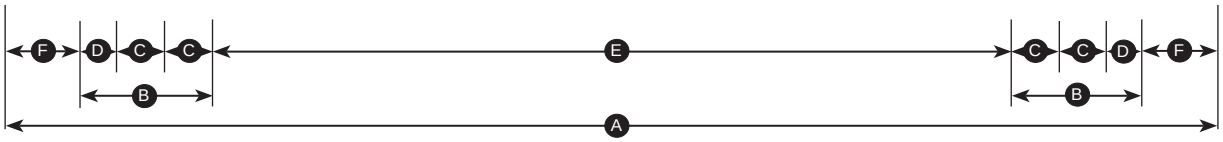
6. Street Cross Sections

Applicants may choose any of the cross sections and plans in this section if adding new thoroughfares or streetscaping existing ones.

Signature Street (Ponce de Leon at Ponce Circle)







Application	
Movement Type	Multi-modal, pedestrian oriented
Street Type	Signature Street

"Modifications to street cross sections shall be reviewed and approved by Miami-Dade County.

Lanes		
Traffic Lanes	11'	C
Bicycle Lanes	sharrows	
Parking Lanes	8'	D
Public Park	160'	E

Overall Widths		
Right-of-Way (ROW) Width	280'	A
Curb Face to Curb Face Width	30'	B

Edges		
Curb Type	6" Raised	
Planter Type	Tree Wells in sidewalk w flush grate	
Landscape Type	Medium Trees, evenly spaced @ 30' o.c. avg.	
Walkway Type	14' sidewalk	F

Signature Street (Ponce de Leon)

Application		
Movement Type	Multi-modal, pedestrian oriented	
Street Type	Signature Street	

"Modifications to street cross sections shall be reviewed and approved by Miami-Dade County.

Lanes		
Traffic Lanes	11'	C
Bicycle Lanes	sharrows	
Parking Lanes	8'	D
Medians	12'	E

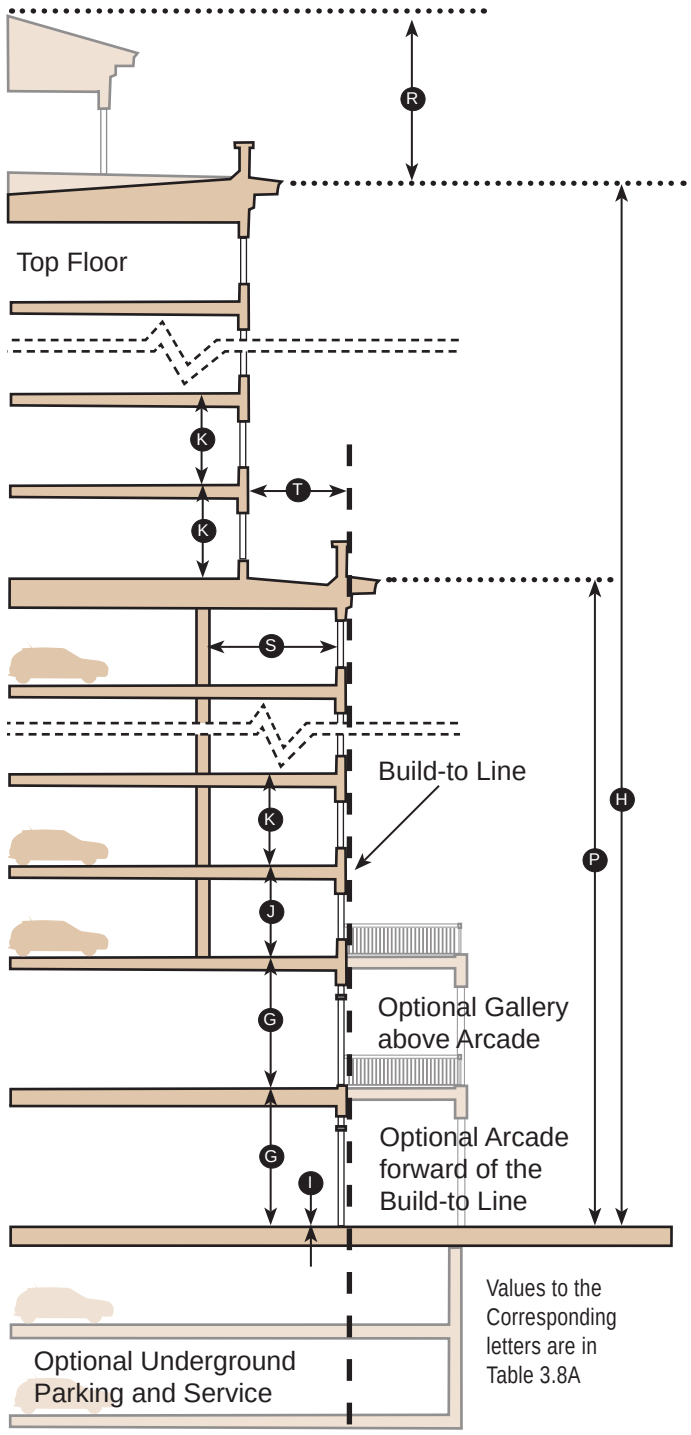
Overall Widths		
Right-of-Way (ROW) Width	100'	A
Curb Face to Curb Face Width	30'	B

Edges		
Curb Type	6" Raised	
Planter Type	Tree Wells in sidewalk w flush grate	
Landscape Type	Medium Trees, evenly spaced @ 30' o.c. avg.	
Walkway Type	14' sidewalk	F

F. Plazas

Plazas have similar parameters to Signature Street, however Plazas shape public spaces within a public right-of-way along primary thoroughfares and any privately owned open spaces shown in the Street Type Map.

1. Building Heights & Profile



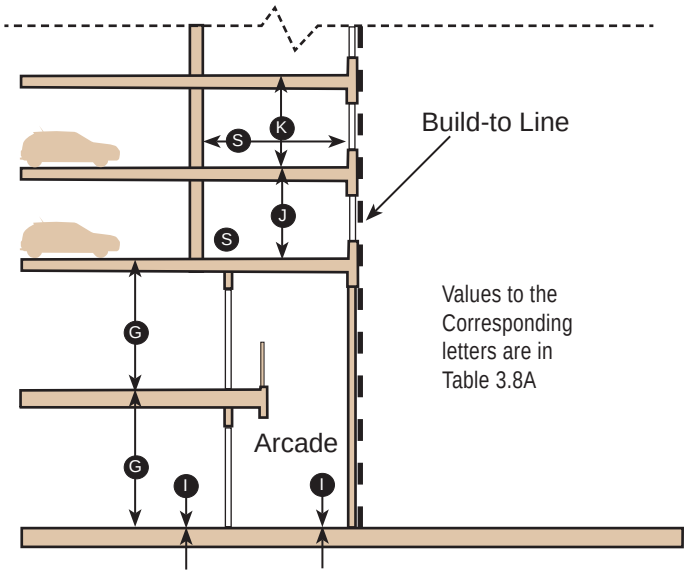
Key

Build-to Line (BTL) — Building

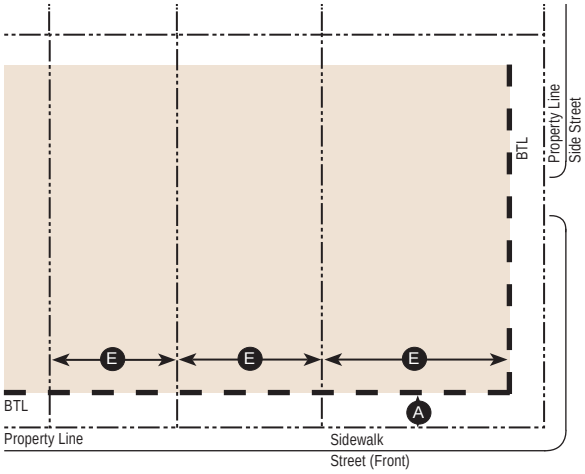
Building Heights & Profile, Table 3.8A		
Heights		
Building Height [1]	3 Floors min 190'-6" to eave max or as provided in the Comprehensive Plan	H
Rooftop Architectural Elements[3]		
Rooftop Area	3/4 max	
Height Above Rooftop	25' max	R
Floor Heights (floor to floor)		
Ground Floor & 2nd Floor	11' min 17' max	G
Third Floor	9' min 17' max	J
Upper Floors (above 3rd Floor)[5]	9' min 13'6" max	K
Ground Finished Floor above sidewalk[4]	6" max	I
Profile		
Height to Stepback	8 Floors max	P
Recommended Stepback above 8th Floor	15'	T
Building Separation above 8th Floor	60' min	
Building Floorplate above 8th Floor	25,000sf office max 20,000sf residential 215' length max	
Parking Placement	3rd - 8th Floor	
Recommended Parking Setback from Primary Street BTL	20' min	S
Parking Setback from Side Street BTL	0' min	

(1) See note 1 on page 3.2.
(3) See note 3 on page 3.2.
(4) See note 4 on page 3.2.
(5) See note 5 on page 3.2.

Alternative Profile with Arcade



2. Building Placement



Values to the Corresponding letters are in Table 3.9A

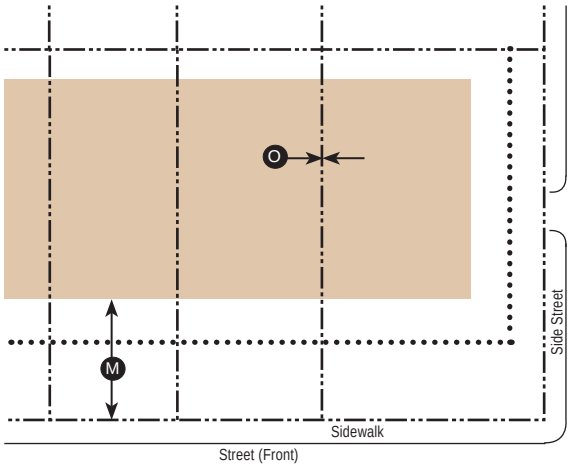
Key

- Property Line
- Build-to Line (BTL)
- Building Area

Building Placement, Table 3.9A		
Front Build-to Line[2]	0' min to 14' max.	A
Frontage Build-out[3]	100%[3]	E

(2) See note 2 on page 3.3.
(3) See note 3 on page 3.3.

3. Parking Location



Key

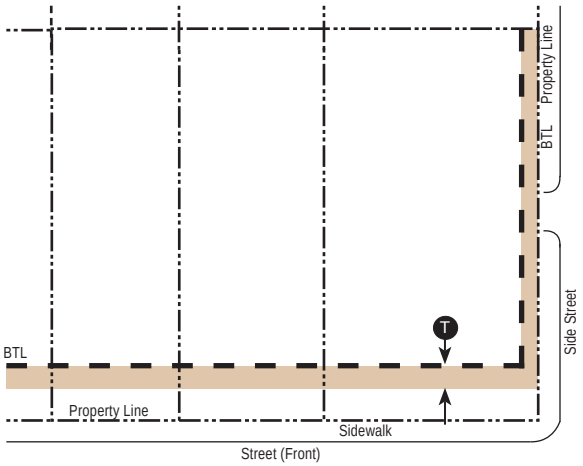
- Property Line
- Setback Line
- Parking Area

Parking Location, Table 3.9B		
Front Setback	20' min.	M
Side Setback	0' min.	O

a. Parking and Service may be located underground.

b. Habitable liner space of a minimum depth of 20 feet is required along the primary frontage on all parking floors.

4. Frontage Elements



Values to the Corresponding letters are in Table 3.9C

Key

- Property Line
- Build-to Line (BTL)
- Encroachment Area

Frontage Elements, Table 3.9C		
Frontage Elements may encroach forward of the build-to line, barring any additional restrictions by the public entity that has control over the public right of way.		
Distance	12' max. or 2 feet behind the curb, if less	T
Allowed Frontage Elements	Shopfronts, Arcade, Balcony, Gallery, Canopy, Awning	

See Section 5, Architectural Standards for further requirements of these frontage elements.

There are no restrictions for building frontage elements entirely within private property unless otherwise stated in Section 5, Architectural Standards

5. Miscellaneous

a. All buildings must have a Primary Pedestrian Entrance along the front facade.

b. Loading docks, overhead roll-down doors and other service entries shall not be located on street-facing facades.

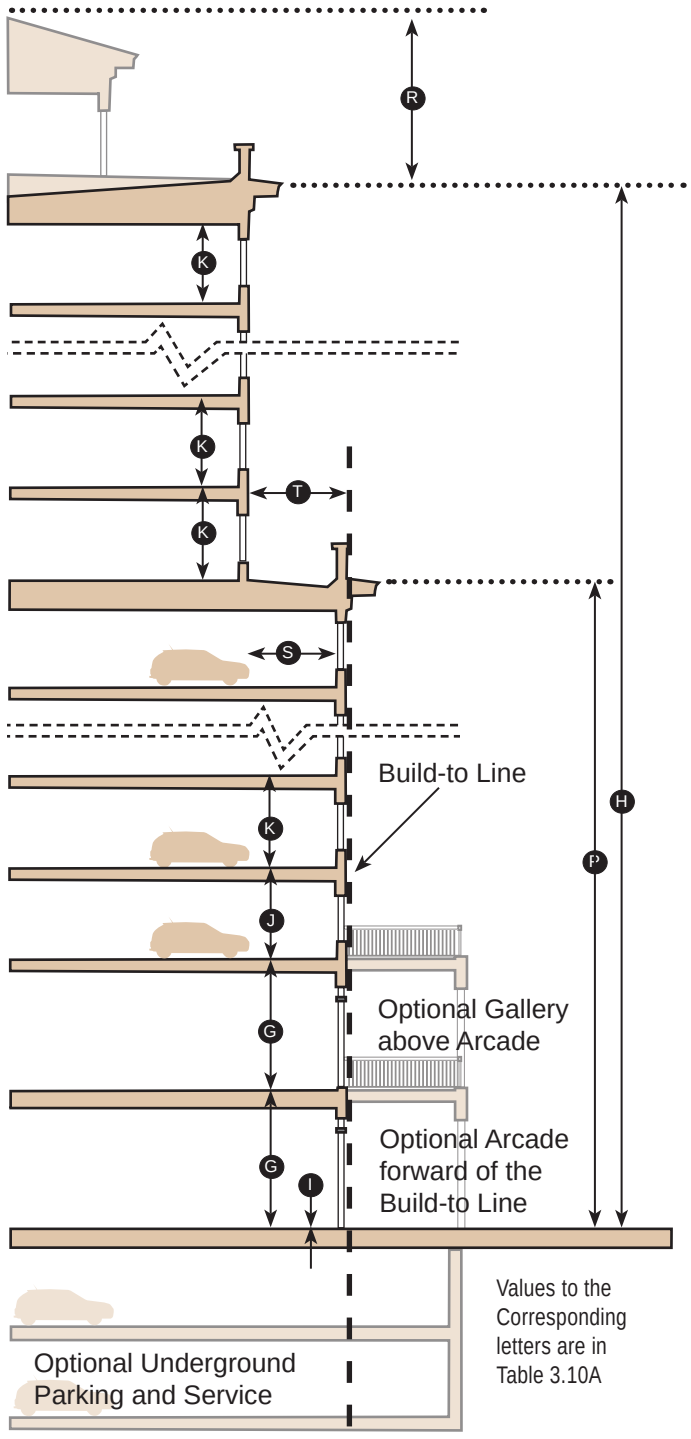
c. All areas designated as a Plaza shall be streetscaped in a cohesive design. Facades fronting a plaza shall have a consistent appearance in materials, proportions, colors, and height.

d. First and second Floors shall respect and be compatible with any historic buildings in height, scale, mass and detail.

G. Downtown Streets

Downtown Streets are typical streets within Downtown Coral Gables that could accommodate taller buildings only with respectfully stepping back at a reasonable height.

1. Building Heights & Profile



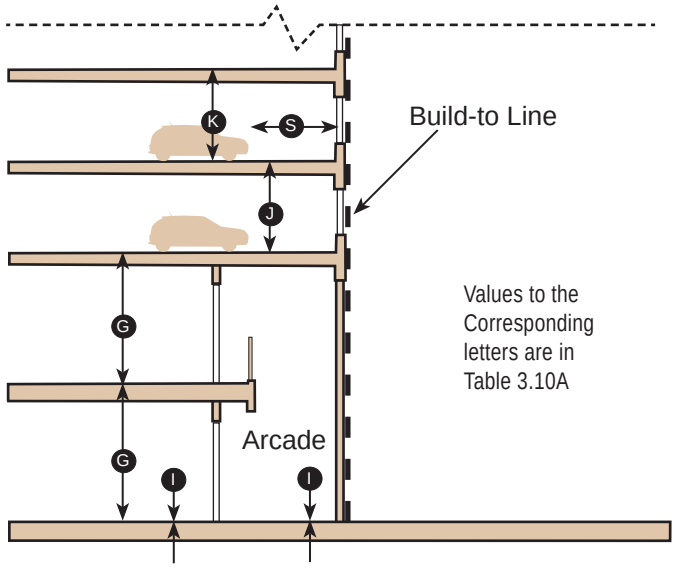
Key

Build-to Line (BTL) — Building

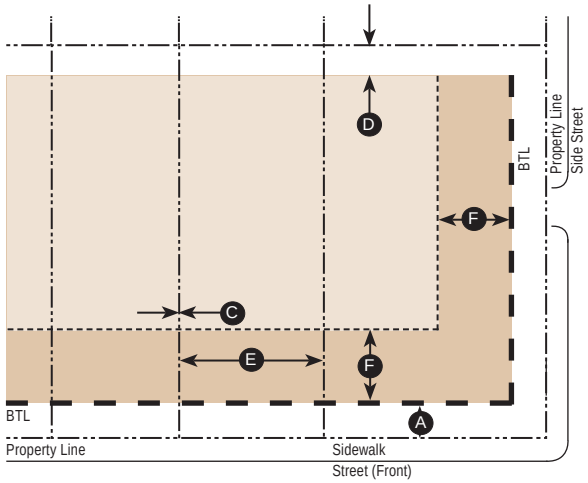
Building Heights & Profile, Table 3.10A		
Heights		
Building Height [1]	2 Floors min 190'-6" to eave max or as provided in the Comprehensive Plan	H
Rooftop Architectural Elements[3]		
Rooftop Area	1/2 max	
Height Above Rooftop	25' total height max	R
Floor Heights (floor to floor)		
Ground Floor & 2nd Floor	11' min 17' max	G
Third Floor	9' min 13'6" max	J
Upper Floors (above 3rd Floor)[5]	9' min 13'6" max	K
Ground Finished Floor above sidewalk[4]	6" max	I
Profile		
Height to Stepback	8 Floors max	P
Recommended Stepback above 8th Floor	15'	T
Building Separation above 8th Floor	60' min	
Building Floorplate above 8th Floor	25,000sf office max 18,000sf residential max 215' length max	
Parking Placement	3rd - 8th Floor	S
Parking Setback from Primary Street BTL	0'	
Parking Setback from Side Street BTL	0'	

(1) See note 1 on page 3.2.
(3) See note 3 on page 3.2.
(4) See note 4 on page 3.2.
(5) See note 5 on page 3.2.

Alternative Profile with Arcade



2. Building Placement



Values to the Corresponding letters are in Table 3.11A

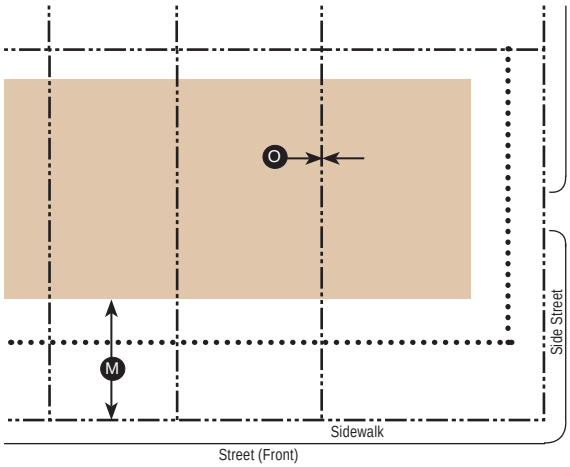
Key

- Property Line
- Build-to Line (BTL)
- Upper Floor Stepback
- Upper Floor Building Area
- Building Area

Building Placement, Table 3.11A		
Front Build-to Line[2]	0' min 14'max	A
Side Setback	0', 10' min next to residential	C
Rear Setback	10', 0' with alley	D
Frontage Build-out[3]	80% min	E
Recommended Upper level setback	15' min above the 8th Floor	F

(2) See note 2 on page 3.3.
(3) See note 3 on page 3.3.

3. Parking Location



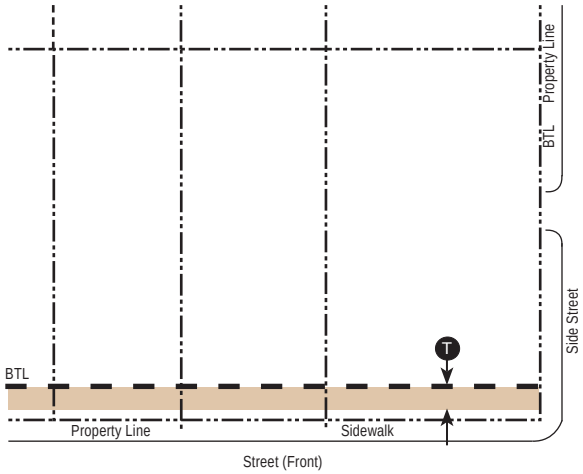
Key

- Property Line
- Parking Area
- Setback Line

Parking Location, Table 3.11B		
Front Setback	0' min.	M
Side Setback	0' min.	O

a. Parking and Service may be located underground.

4. Frontage Elements



Values to the Corresponding letters are in Table 3.11C

Key

- Property Line
- Build-to Line (BTL)
- Encroachment Area

Frontage Elements, Table 3.9C

Frontage Elements may encroach forward of the build-to line, barring any additional restrictions by the public entity that has control over the public right of way.

Distance	12' max. or 2 feet behind the curb, if less	T
Allowed Frontage Elements	Shopfronts, Arcade, Balcony, Gallery, Canopy, Awning	

See Section 5, Architectural Standards for further requirements of these frontage elements.

There are no restrictions for building frontage elements entirely within private property unless otherwise stated in Section 5, Architectural Standards

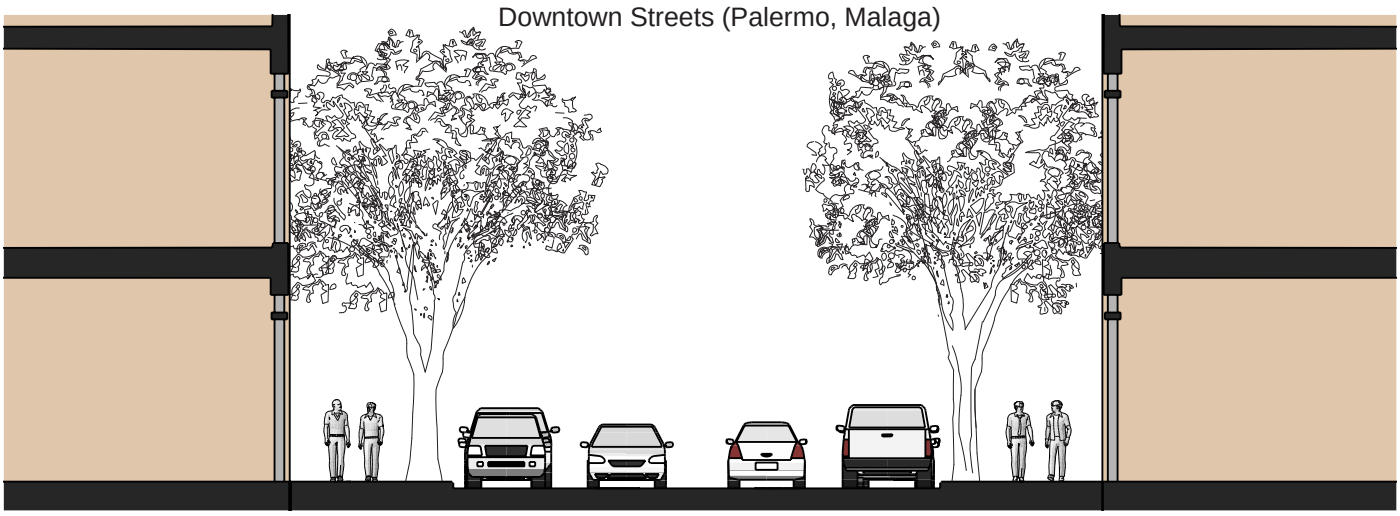
5. Miscellaneous

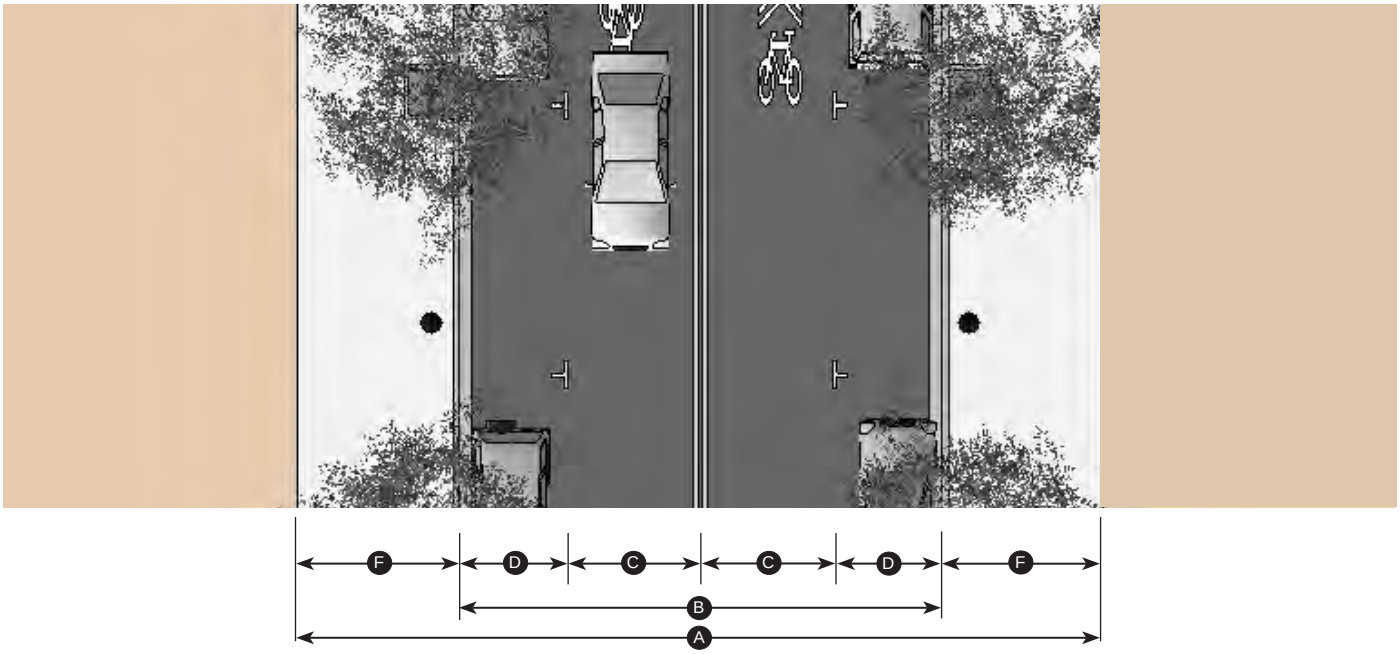
a. All buildings must have a primary pedestrian entrance along the front facade.

b. Loading docks, overhead roll-down doors and other service entries shall not be located on street-facing facades, refer to Section 3-510-5, Architectural Standards.

6. Street Cross Sections

Applicants may choose any of the cross sections and plans in this section if adding new thoroughfares or streetscaping existing ones.





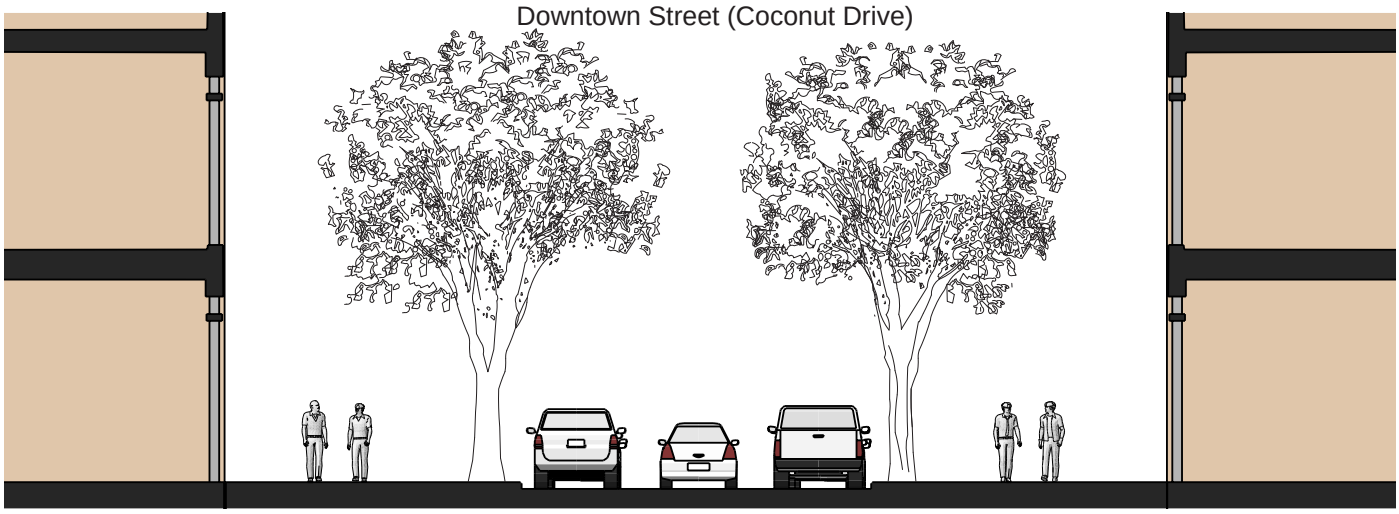
Application		
Movement Type	Multi-modal, pedestrian oriented	
Street Type	Downtown Street	

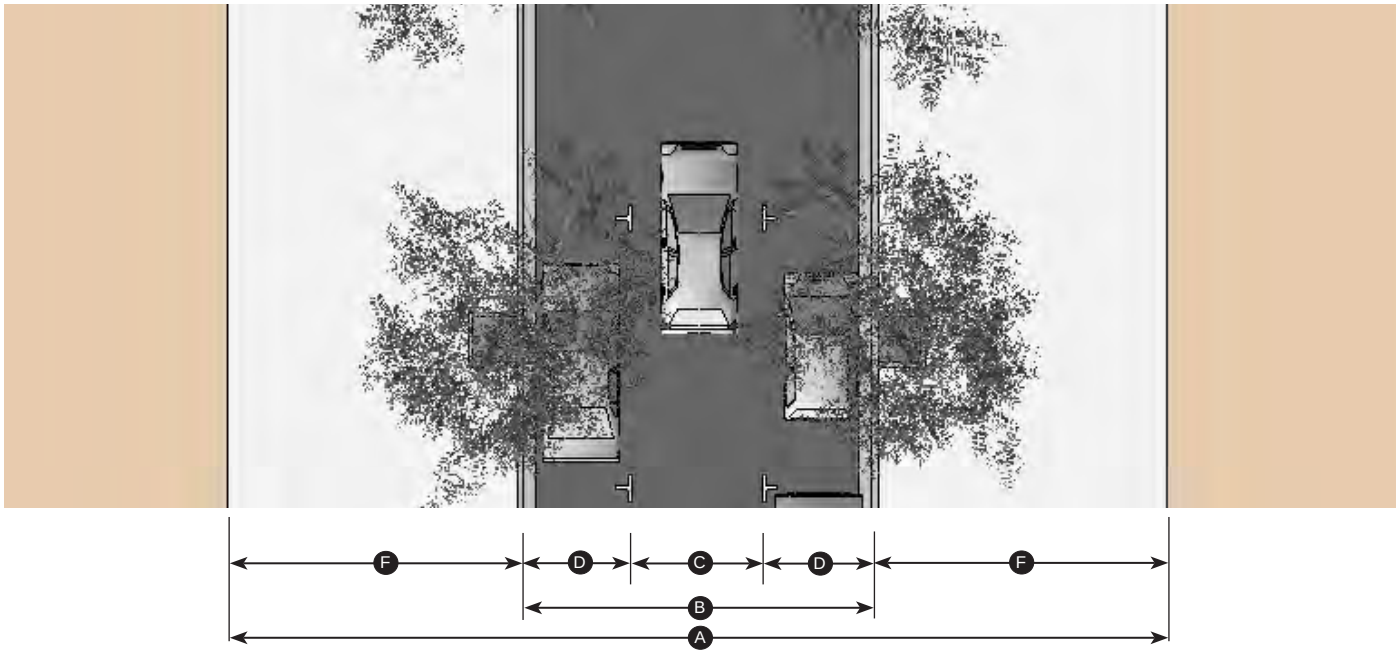
"Modifications to street cross sections shall be reviewed and approved by Miami-Dade County.

Lanes		
Traffic Lanes	10'	C
Bicycle Lanes	sharrows	
Parking Lanes	8'	D
Medians	n/a	E

Overall Widths		
Right-of-Way (ROW) Width	60'	A
Curb Face to Curb Face Width	36'	B

Edges		
Curb Type	6" Raised	
Planter Type	tree wells in sidewalk w flush grate	
Landscape Type	Medium Trees, evenly spaced @ 30' o.c. avg.	
Walkway Type	12' sidewalk	F





Application		
Movement Type	Multi-modal, pedestrian oriented	
Street Type	Downtown Street	

"Modifications to street cross sections shall be reviewed and approved by Miami-Dade County.

Lanes		
Traffic Lanes	10'	C
Bicycle Lanes	within adjacent private frontages	
Parking Lanes	8'	D
Medians	n/a	E

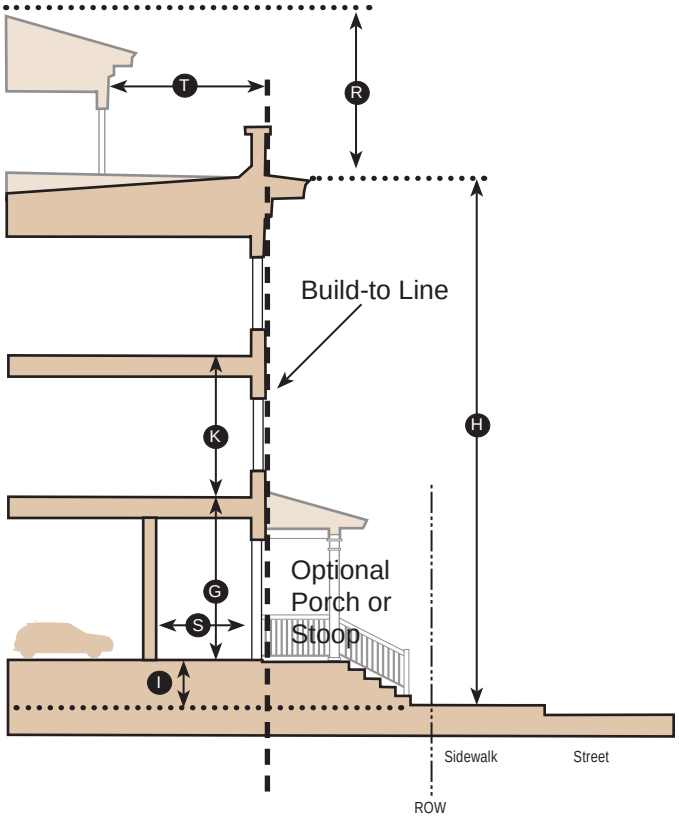
Overall Widths		
Right-of-Way (ROW) Width	70'	A
Curb Face to Curb Face Width	26'	B

Edges		
Curb Type	6" Raised	
Planter Type	tree wells in sidewalk w flush grate	
Landscape Type	Medium Trees, evenly spaced @ 30' o.c. avg.	
Walkway Type	22' sidewalk	F

H. Apartment & Townhouse Street

Apartment & Townhouse Streets are smaller streets that serve as a transition from higher intensity urban areas to low-intensity single-family neighborhoods.

1. Building Heights & Profile



Values to the Corresponding letters are in Table 3.14A

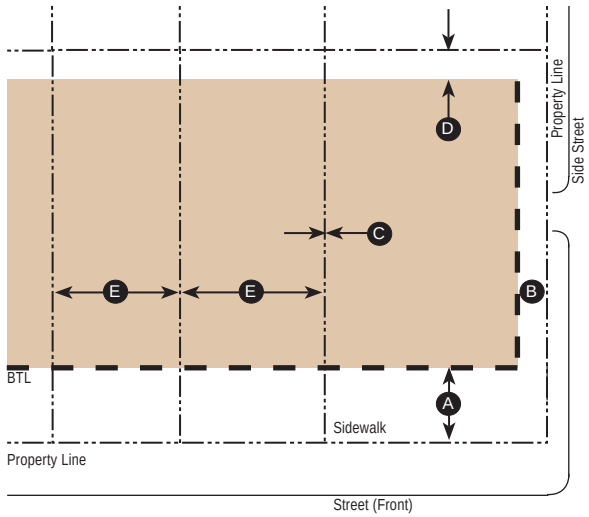
Key

Build-to Line (BTL) — Building Area

Building Heights & Profile, Table 3.14A		
Building Height [1]	1 Floor min 3 Floors max	H
Rooftop Architectural Elements[3]		
Rooftop Area	1/2 max	
Architectural Element Stepback	10' min	T
Height Above Rooftop	11' max	R
Floor Heights (floor to floor)		
Ground Floor	9' min 13'6" max	G
Upper Floors	9' min 13'6" max	K
Ground Finished Floor above sidewalk	18" min	I
Habitable Ground Floor Depth	10' min	S

(1) See note 1 on page 3.2.
(3) See note 3 on page 3.2.

2. Building Placement



Values to the Corresponding letters are in Table 3.14B

Key

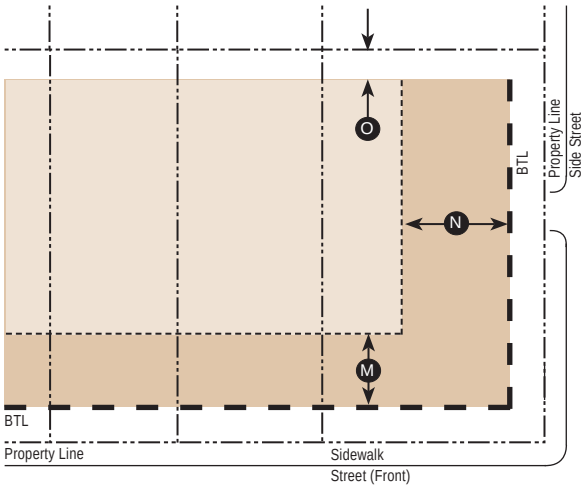
Property Line — Building Area
Build-to Line (BTL)

Building Placement, Table 3.14B		
Front Street BTL[2]	0' min 14' max.	A
Side Street Setback	0'	B
Side Setback	0' 10' min next to residential	C
Rear Setback	10' 0' with alley	D
Frontage Build-out[3]	50%	E

(2) See note 2 on page 3.3.
(3) See note 3 on page 3.3.

3. Parking Location

Parking and Service may be located underground. Driveways shall be located off of alleys. See Section 4: General Standards for additional parking requirements.



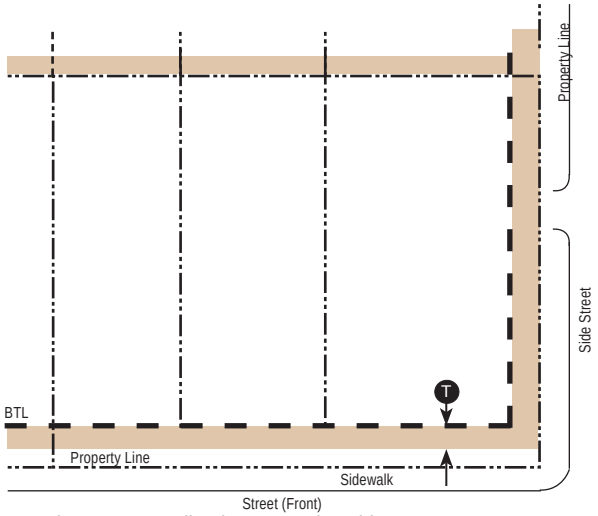
Values to the Corresponding letters are in Table 3.15A

Key

- Property Line
- Build-to Line (BTL)
- Ground Floor Parking Area
- Habitable Space

Parking Location, Table 3.15A		
Setback from Front Street BTL	10' min.	M
Setback from Side Street BTL	20' min.	N
Rear Setback	10' min 0' with an Alley	O

4. Frontage Elements



Values to the Corresponding letters are in Table 3.15B

Key

- Property Line
- Build-to Line (BTL)
- Encroachment Area

Frontage Elements, Table 3.15B		
Frontage Elements may encroach forward of the build-to line, barring any additional restrictions by the public entity that has control over the public right of way.		
Distance	12' max. or 2 feet behind the curb, if less	T
Allowed Frontage Elements	Stoop, Porch, Balcony, Canopy, Awning, Bay Windows	

See Section 5, Architectural Standards for further requirements of these frontage elements.

There are no restrictions for building frontage elements entirely within private property unless otherwise stated in Section 5, Architectural Standards

5. Miscellaneous

a. Where a building facade steps back or is absent from the BTL, the BTL line should be maintained and defined by fence, landscape wall or hedge 30"-54" high.

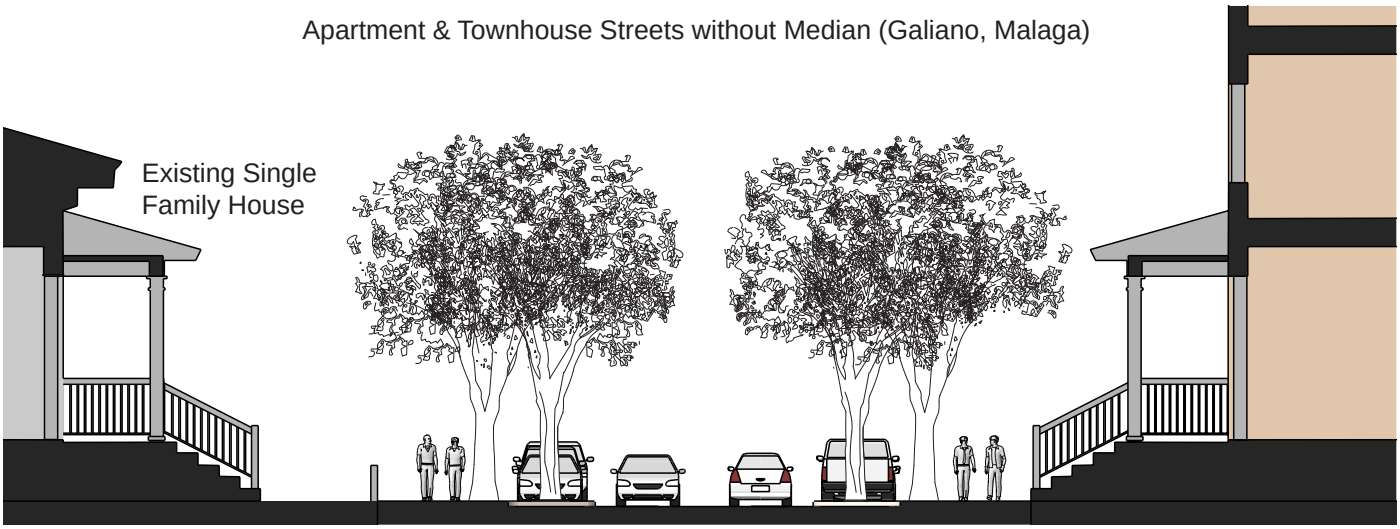
b. All buildings shall have a Primary Pedestrian Entrance, such as a Stoop or Porch, along the front street facade. All buildings fronting a corner are recommended to have a Stoop or Porch with a Primary Pedestrian Entrance at the corner.

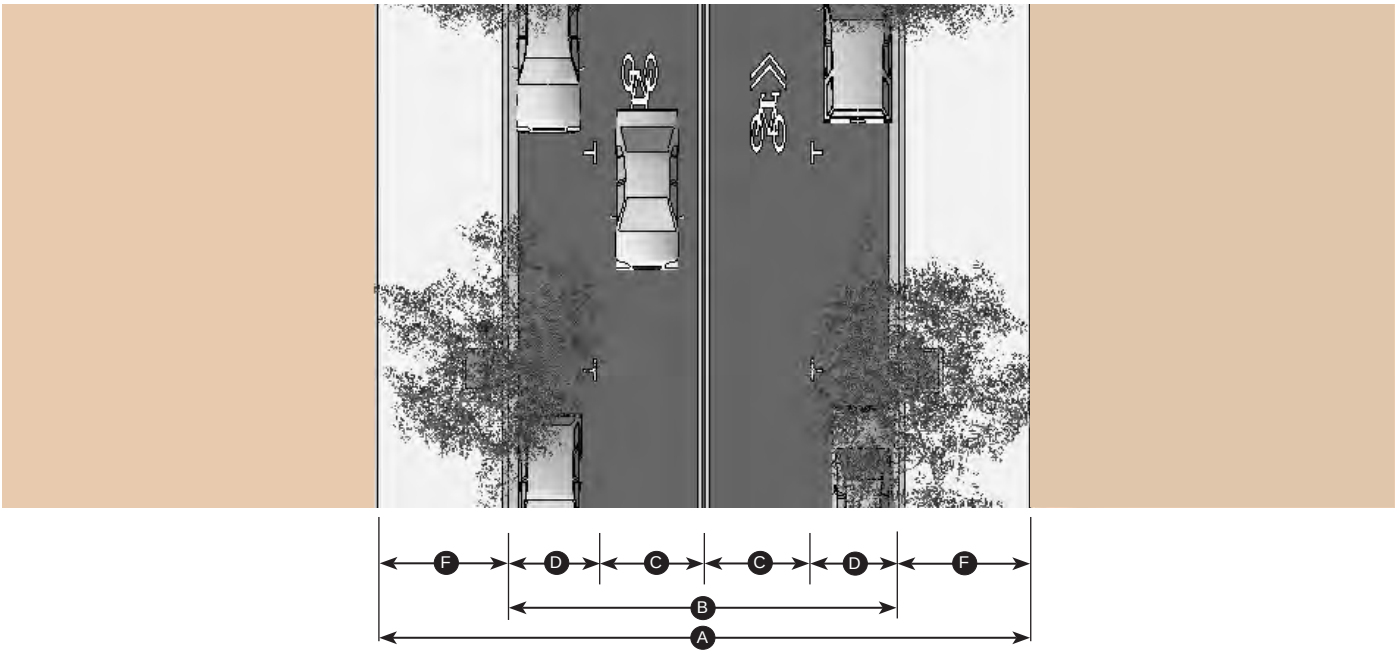
c. Driveways, garage doors, and service areas shall be accessed from an Alley and may not be visible from the Apartment & Townhouse Street.

6. Street Cross Sections

Applicants shall conform to the cross sections and plan in this section if adding new thoroughfares or streetscaping existing ones.

Apartment & Townhouse Streets without Median (Galiano, Malaga)





Application	
Movement Type	Multi-modal, pedestrian oriented
Street Type	Apartment & Townhouse Street

"Modifications to street cross sections shall be reviewed and approved by Miami-Dade County.

Lanes		
Traffic Lanes	10'	C
Bicycle Lanes	Bicycle Boulevard	
Parking Lanes	8' when present	D
Medians	5'-6' when present at intersections	

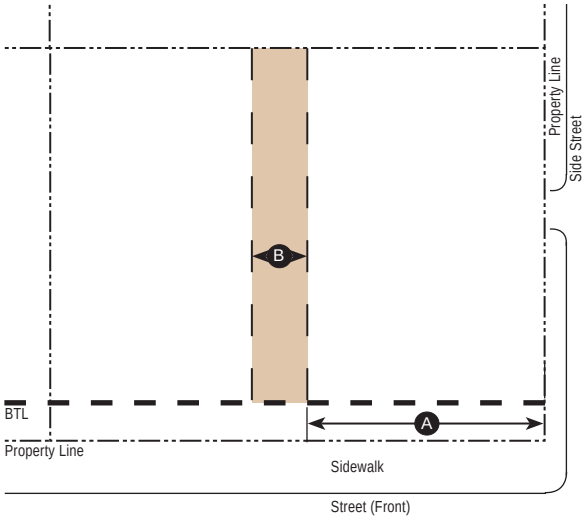
Overall Widths		
Right-of-Way (ROW) Width	60'	A
Curb Face to Curb Face Width	23' - 36'	B

Edges		
Curb Type	6" Raised	
Planter Type	tree pits in sidewalk planter areas within sidewalk	F
Landscape Type	Large Trees, evenly spaced @ 30' o.c. avg.	
Walkway Type	9' - 12' sidewalk	

I. Paseos

Paseos are mid-block pedestrian accessways that are fronted with store fronts, doors, windows, and other active elements.

1. Placement and Dimensions



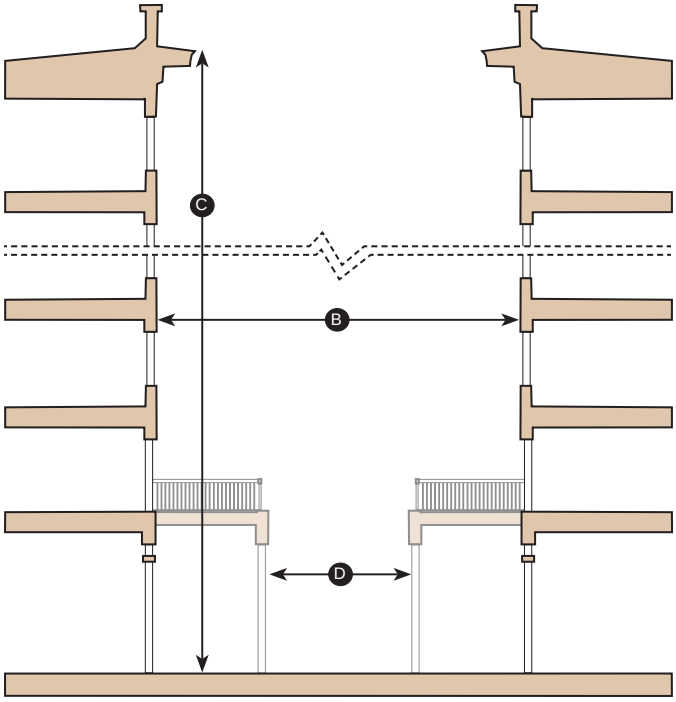
Key

- Property Line
- Build-to Line (BTL)
- Building Edge
- Paseo Area

Values to the Corresponding letters are in Table 3.17A

Paseo Placement and Dimensions, Table 3.17A		
Distance from a side street:	250' max	A
Width	10' min	B
Vertical Clearance	16' min	C
Frontage Element Encroachment	permitted 10' min clear space	D

2. Frontage Elements



Values to the Corresponding letters are in Table 3.17B

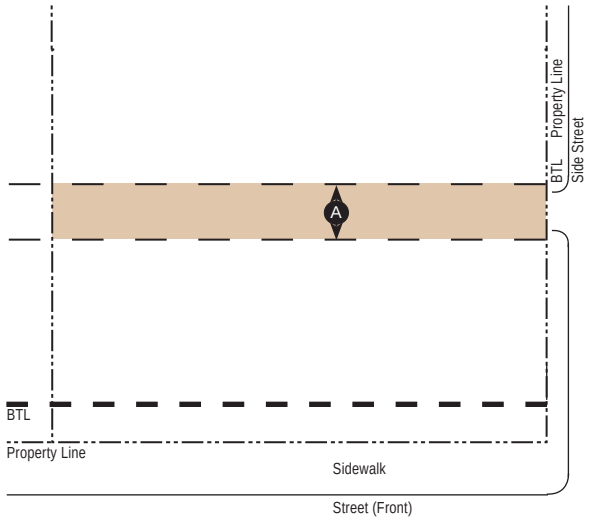
Allowed Frontage Elements, Table 3.17B	
See Section 5, Architectural Standards for additional regulations.	
■ Shopfront	■ Gallery
■ Arcade	■ Canopy
■ Awning	■ Balcony

Note: Paseos shall be open-air, non-air conditioned spaces that connect two public spaces. Dead-end paseos are prohibited. Vehicular use and service use is prohibited.

J. Alleys (Public or Private)

Alleys (public or private) are narrow accessways in the rear of the properties intended for parking access, trash pick-up and other services.

1. Placement

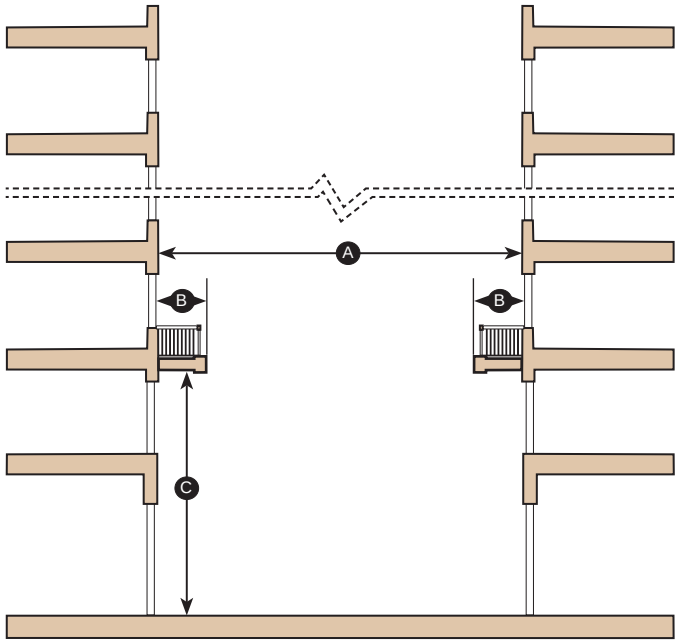


Key

- Property Line
- Build-to Line (BTL)
- Alley Edge
- Alley Area

Values to the Corresponding letters are in Table 3.18A

2. Frontage Elements



Values to the Corresponding letters are in Table 3.18A

Building and Alley Placement, Table 3.18A		
Width of Alley	20' min. 30' max	A
Frontage Element Encroachment	4' max	B
	20' min vertical clearance	C

Allowed Frontage Elements, Table 3.18B	
See Section 5, Architectural Standards for additional regulations.	
■ Balcony	■ Canopy
■ Awning	

Note:
Dead-end alleys are prohibited.

Section C-4: General Standards

A. Intent

The General Standards apply to all buildings, irrespective of the street-type designation.

B. Building Site

1. Platting and/or replatting

Nothing contained herein shall be construed as requiring the platting and/or replatting of a development site for a PAD provided, however, that the Planning and Zoning Board and City Commission may require the platting or replatting of the development site when it determines that the platting or replatting would be in the best interest of the community.

2. Easements

The City Commission may, as a condition of PAD 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, and other public purposes which may be deemed necessary by the City Commission.

3. Installation of utilities

All utilities within a PAD including but not limited to telephone, electrical systems and television cables shall be installed underground.

C. Permitted Uses

A Mediterranean Village must be mixed-use and have at least four different categories of uses, one of which must be residential. Other uses may include retail, lodging, office, entertainment, civic, and public uses. The application shall specify the permissible location of use categories by street type. Any particular use within a use category that is allowed by both the applicable land use designation and zoning district is allowed in a Mediterranean Village. Ground level mandatory shopfonts shall have retail or restaurant uses.

D. Mediterranean Bonus

A Mediterranean Village shall comply with the Non-residential use requirements of the Mediterranean Level 2 Bonus program as outlined in Section 5-604, except as modified in these Form-Based Regulations.

E. Green Building

A Mediterranean Village shall obtain Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) Certification or an equivalent nationally recognized green certification program.

F. Traffic Study

The project shall include a Traffic Impact Study for the surrounding neighborhoods that identifies traffic effects on adjacent residential streets. A traffic calming and streetscape improvement strategy for affected streets shall be incorporated into the Development Agreement, which will include contributions towards neighborhood street improvements to mitigate potential traffic impacts.

G. Transit

The project shall include a Transit Improvement Plan as part of the Development Agreement, which will include contributions to local transit systems for the purposes of expanded hours and days of service and shorter headways.

H. Pedestrian Amenities

Where noted on the Regulating Plan in Section C-2, an applicant needs to demonstrate, with a submission item called the Pedestrian Amenity Plan, all pedestrian amenities provided for the full length of the sidewalk of that required frontage. Pedestrian Amenities include, but are not limited to: shading devices such as arcades, mature shade trees, canopies, large awnings, etc.

There shall be no "gaps" between pedestrian amenities greater than 15 feet along such frontage.

The applicant may also propose covenants, including covenants in lieu of unities of title, or other mechanisms of property control that may be needed to maintain such pedestrian amenities.

I. Public Art

Public Art beyond that currently required by the Zoning Code shall be provided at focal points of the project, including but not limited to sculptures, mosaics, and other forms of art in the public realm.

J. Parking

The intent of the parking standards is to encourage a balance between pedestrian-oriented development and necessary car storage. The goal is to construct neither more nor less parking than is needed. Parking specifications, such as space dimensions and aisle width shall be used in accordance with Article 5, Division 14 of the Zoning Code.

1. On-Street Parking Counted

On-street parking spaces directly abutting a lot shall count toward the parking requirement for development of that lot, except that such spaces shall not count toward parking requirements for disabled persons.

2. Bicycle Parking

A minimum of one bicycle rack parking place shall be provided within the public or private frontage for every ten vehicular parking spaces in covered areas. Bicycle Parking shall be in accordance with the City's adopted Bicycle Master Plan. Bicycle changing facilities, including lockers and showers, shall be provided on site. Space for future bike sharing facilities shall be reserved on site

3. Valet Parking

The project must propose to provide adequately staffed valet services during the hours of operation of all uses, including appropriate time following closing to accommodate the departure of valet parked cars. Projects shall submit an operational plan for the valet services, specifying details, including but not limited to maximum wait times, distance from valet drop-off points to valet parking areas, operation modification to the functioning of any required parking areas such as stacking, and the number of operators at peak and non-peak hours. The applicant shall covenant and agree in the PAD development agreement that if the City finds that this level of staffing is inadequate following implementation of the plan, the project will adjust the number of operators accordingly to the satisfaction of the City. Parking may be proposed to be in the form of tandem parking located in areas that are only accessible to valets. If tandem parking is approved, then continued valet service for that area shall be assured by a covenant and a condition of approval of the project.

4. Electric Vehicle Charging Station

An electric vehicle charging system providing one (1) reserved vehicle charging station per 50 dwelling units or hotel units or fraction thereof and one (1) vehicle charging station for every 200 required spaces or faction thereof for all other uses. Each vehicle charging station shall count as one required parking space. The use of electric vehicle charging stations for charging shall be free for all parking users. However, fees for the use of station in areas of parking reserved for residential or hotel uses shall be controlled for the management of those uses. Such stations shall be strategically located in groups of no less than 2 stations, based on the location of garage and use access points. The applicant may propose to provide more electric vehicle charging stations than required if the City determines that the community needs and proposed uses support a greater number of charging stations.

5. Shared Parking Reduction

Reductions from the minimum required parking spaces from the Zoning Code may be approved as part of the Coral Gables Mediterranean Village. Reductions shall be calculated using an accredited system for calculating shared parking. Parking shall fulfill between ninety (90) percent and one hundred ten (110) percent of the calculated total after the shared parking reduction. Such reduction shall exclude any and all proposed and anticipated parking spaces reserved exclusively for a specific use such as residential, office, theater, etc. Dedicated valet parking spaces, however, may be part of the shared parking reduction.

The number of required spaces may be reduced by any one or more of the following methods, as may be required by the City:

- Urban Land Institute (ULI) Shared Parking Methodology
- SmartCode Shared Parking Matrix, as shown in Diagram 4.1
- Applicants may provide a parking study completed by a certified professional engineer, engineering firm or similar, justifying the proposed parking solution.

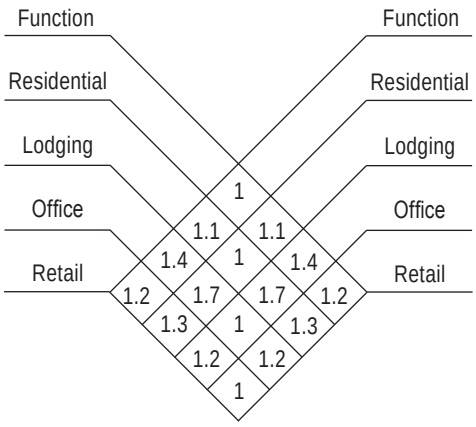
The study must be prepared using a professionally appropriate methodology that is approved by the City, detailing land uses in accordance with Institute of Transportation Engineers (ITE) parking generation categories. At a minimum, the methodology must incorporate all of the following considerations, as well as any other data or analyses that the City deems appropriate for the requested reduction.

a. Parking Characteristics of Similar Projects and Uses
The study must incorporate analyses of actual parking demand at similar uses and projects located in the City. The analyses may also reference similar uses and projects located in Miami-Dade County, or elsewhere in South Florida. These analyses must evaluate factors such as the uses, hours of operation, peak parking demands, location, amount and type of reserved parking that is proposed, proposed impact on nearby on street parking, and occupancy rates of the similar use and project in comparison to those of the proposed uses and project.

b. Operational Assessment
The study must demonstrate how the project will optimize the parking operations and traffic conditions within a quarter mile of the project boundaries, and propose and agree to provide appropriate mechanisms to protect the surrounding neighborhood, including but not limited to appropriate signage and the locations of all ingress and egress points.

c. Transit
The study must analyze the impact of nearby transit services on parking demand for the project, and must also analyze the projected use of other alternative modes of travel such as bicycle and pedestrian. The study must reference and the project must propose to contribute to the enhancement of nearby transit services through expanding routes and lengthening hours of service.

d. Valet Plan
The study must reference and the project must propose to provide adequately staffed valet services during the hours of operation of all uses, including an appropriate time following closing to accommodate the departure of valet parked cars. Projects shall submit an operational plan for the valet service, specifying details, including but not limited to maximum wait times, distance from valet drop-off points to valet parking areas, operational modifications to the functioning of any required parking areas such as stacking, and the number of operators at peak and non-peak hours.



SmartCode Shared Parking Matrix, Table 4.1

The SmartCode Shared Parking Matrix provides the method for calculating shared parking for buildings with more than one use.

The parking required for any two uses in a single project is calculated by dividing the number of spaces required by the lesser of the two uses by the appropriate factor from this Table and adding the result to the greater use parking requirement.

For instance: for a building with a residential use requiring 100 spaces and a commercial use requiring 20 spaces, the 20 spaces divided by the sharing factor of 1.2 would reduce the total requirement to 100 plus 17 spaces. For uses not indicated in this chart in a mixed use project a sharing factor of 1.1 shall be allowed.

K. Vehicular Access to Buildings

The following criteria shall be used to ensure these uses do not detract from the overall walkability of the Mediterranean Village and its pedestrian connectivity to the surrounding areas.

1. Loading and Service
Loading and service entries shall be allowed only on Downtown street types, alleys and within parking lots and structures. All turning movements of service vehicles shall be accommodated within the building.

2. Parking Garages Entry
Vehicular entry gates at garage entries shall be positioned a minimum of twenty (20) feet behind the front wall of the building. At arcaded frontages, this distance is measured from the interior/rear wall of the arcade. To increase safety during off-hours, the setback area between the entry gate and the public sidewalk may be gated at the sidewalk edge during times when the garage is closed.

Vehicular entries to garages shall be allowed only from rights-of-way and alleys. Vehicular entries to garages are prohibited on Signature street types and Apartment/ Townhouse street types. Vehicular entries on Downtown street-type frontages shall have a maximum width of 24'.

Pedestrian entries to parking garages shall be directly from the street or paseo as well as from the contiguous building. Pedestrian entries to garages shall be linked to cross-block paseos wherever possible.

L. Parking Under Public Right-of-Way

Subterranean parking may occur under the rights-of-way of Downtown Streets and Plazas when adjacent parcels share ownership and upon approval by the Public Works Director. All encroachments under the right-of-way in excess of nine inches, including landscaping, lighting and irrigation, will require Commission approval as per City Code 62-3

Tree wells shall be regularly spaced at 30' minimum on streets and given adequate depth to allow for a mature tree canopy above the underground parking deck.

Air ventilation exhausts shall not obstruct or exhaust onto public sidewalk and shall be at least 8' above ground level. These vents shall not adversely impact pedestrians or residential areas. Exhausts shall be located in rear alleys, back of house locations and upper level parking decks and shall be screened to match the character of the adjacent building(s).

M. Bridges and Roofs Over Public Right-of-Way

Upper level bridges are permitted where shown on the Regulating Plan in Section C-2, and only when both sides of a street are in common ownership or development agreement. Upper level bridges shall be long enough to cross the public right-of-way without intruding into the thoroughfare with support columns. The vertical clearance of upper level bridges shall be subject to City staff review and approval. Upper level bridges shall not exceed 10 feet in width in any one location and shall only be permitted on the second floor and perpendicular to the street. Such structures shall only occur on the Block Face in one location per street as identified in the Regulating Plan. Additional upper level bridges, and/or those that are wider than 10 feet, and/or those of multiple stories may be allowed following the approval from the Coral Gables City Commission.

Transparent or translucent structures covering over public rights of way shall only occur above permitted Upper Level Bridges with approved lighting study and security study. Plazas as designated by the Street Types Plan shall not be covered by such structures.

Bridges and roofs over the right-of-way shall remain accessible for cleaning and maintenance by the owners. The applicant must agree that at any time, the public entity that controls that public right-of-way retains the right to demand the removal of such structures for any reason at the owners' expense without challenge or compensation.

All encroachments over the right-of-way in excess of nine inches, including landscaping, lighting and irrigation, will require Commission approval as per City Code 62-3

N. Activated Rooftops

Green living roofs are required on all commercial flat roofs over 1000 square feet in area. At least 5% of total roof area shall be publicly accessible. Using open terraces, parks and outdoor dining and lounge areas, publicly accessible roofs shall be landscaped and garden-like in its appearance. At least one of the publicly accessible roofs shall incorporate at least one public use such as dining, entertainment, or membership club with operating hours for public accessibility as specified by the City.

Activated rooftops within 100' of right-of-way adjacent to single-family residences shall comply with all City lighting, noise, and nighttime use requirements.

O. Floor Area Ratio

The maximum combined Floor Area Ratio of all buildings within the Mediterranean Village Form-Based Planned Area Development shall be 4.0.

P. Landscape

Landscape open space requirements are subject to the requirements in Article 5, Division 11 in the Zoning Code, except where noted in this section.

For calculating the requirements, the total lot area shall be based upon the survey submitted with the application. The required amount of landscaped area can be provided at street level, within the public right-of-way, in elevated areas, in roof top gardens or terraces, in planter boxes, or at grade in yards or planting beds.

All landscaped areas of plazas and required setbacks shall be continuously maintained in a good, healthy condition, and sprinkler systems of sufficient size and spacing shall be installed to serve all required landscaped areas. Irrigation shall supply a minimum of the equivalent 1½ inch rainfall per week. Rain sensors shall be installed in all systems.

To ensure quality and longevity, the following additional conditions for tree planting in streets, medians and plazas shall apply:

- All trees shall be Florida Grade #1 or better.
- A signed and sealed "Professional Preparer's Statement of Compliance" shall be submitted by the Project Landscape Architect at time of submission for approval.
- A signed and sealed "Professional Preparer's Certification at time of Final Inspection" shall be submitted by the project Landscape Architect before a Certificate of Occupancy may be issued.
- A minimum of 30 percent of the total of all trees or palms planted shall be of a native species.
- A minimum 6 by 6 foot opening and 10 cubic feet of soil, clear of utilities, shall be provided for all trees located above underground structures.
- Root barriers shall be provided for all tree plantings.
- Tree grates or other approved devices shall be provided around all trees in hard surfaced areas to ensure adequate water and air penetration.

Landscape, Table 4.2	
Landscape Open Space	
Townhouse/Apt Street Type	30% min.
All other Street Types	20% min.
Plazas, courtyards, arcades, loggias, paseos open to the sky and roof top gardens may be considered open space and counted as such toward the open space requirement.	
Percentage based upon total lot area.	
Landscape area can be provided at street level, within the public right-of-way, elevated areas, planter boxes, planters, etc.	

Street Trees	
Average Spacing	30' max.
Caliper	6 inches min.
Clear Trunk Height	8' min.
Height	16' min.
Street trees shall be placed along Signature, Downtown, and Apartment & Townhouse Streets.	
Palms shall not be used as street trees.	
Street trees are not required when arcades or galleries are provided in the ROW.	

Median Trees	
Caliper	6 inches min.
Clear Trunk Height	8' min.
Height	16' min.
Canopy Coverage	100% within 2 years of installation
Spread	10' min.
Median trees may be a maximum of 20% flowering trees or palms.	
Palm or medium shade tree (14 feet in height with 4 inches caliper) may be utilized to satisfy the above large shade tree requirements at a 3:1 ratio.	

Plaza Trees	
Caliper	6 inches min.
Clear Trunk Height	8' min.
Canopy Coverage	100% within 3 years of installation
Palms	10% max.
Height	16' min.
Palms may be of: phoenix canariensis (Canary Island Date Palm); phoenix dactylifera (North African Date Palm); 'Medjool'(Date Palm); and 'Zahidi' (Date Palm); phoenix sylvestris (Wild Date Palm); roystonea elata (Florida Royal Palm) and regia (Cuban Royal Palm).	

Section C-5: Architectural Standards

A. Intent

The Architectural Standards are intended to implement a cohesive character for redevelopment within the Mediterranean Village. These Standards address many components of architectural detailing and building design that relate to the public realm between buildings and the street.

All buildings proposed as part of the Coral Gables Mediterranean Village shall meet the minimum requirements of the Mediterranean Level 2 Bonus program in Section 5-604 of the City Code. In addition, all buildings proposed as part of the Coral Gables Mediterranean Village shall comply with the Architectural Standards that follow. Where there are conflicts, the Mediterranean Village Form-Based PAD Architectural Standards shall supersede.

At the discretion of the City, a third party design review may be requested to allow the preliminary schematic design of the project to be reviewed by an architect trained in traditional architecture, in order to ensure consistency with the principles of Mediterranean Architecture as outlined in these Standards.

If these standards conflict with ADA standards or the current building construction & life-safety codes used by the City and the State of Florida, those codes will supersede.

The requirements of the Architectural Standards are organized by topic or architectural detail. All buildings are required to use the Architectural Standards for all schematic designs and architectural elements, such as Frontage Elements listed in Section 3-510-3, Building Form Standards, according to Street Type and Regulating Plan.

These standards are subdivided into the following sections:

B. Mediterranean Architecture

1. Classical Proportion
2. Massing
3. Vertical Hierarchy
4. Emphasis
5. Fenestration
6. Windows and Doors
7. Garage Openings
8. Awnings, Canopies, and Balconies
9. Columns and Piers
10. Arches
11. Intercolumniation
12. Arcades and Loggias
13. Roofs
14. Rooftop Architectural Elements
15. Shopfronts and Signage
16. Porches, Stoops and Garden Walls
17. Cornice and Expression Lines
18. Materials

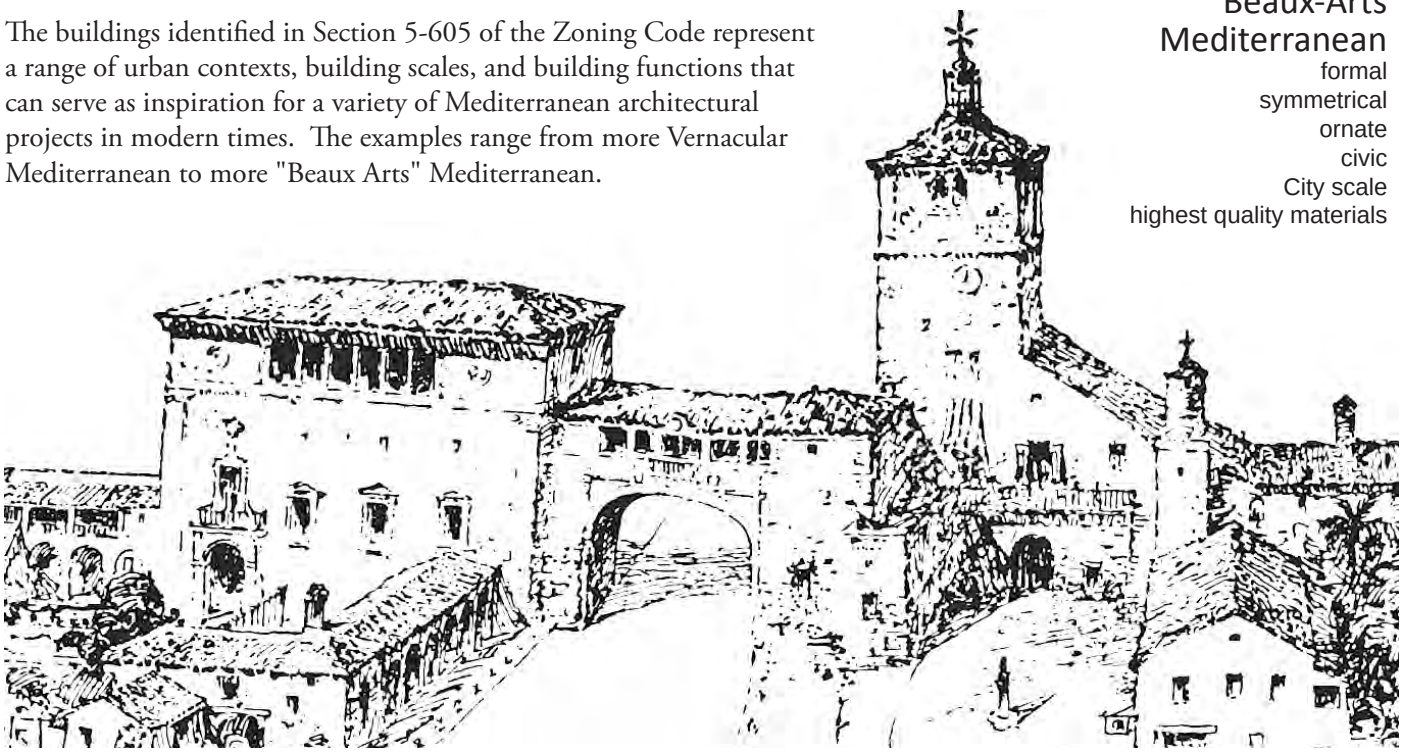
The building examples contained in this section showcase design elements and architectural styles that are mandatory as part of Section 5-605 of the Zoning Code. The examples are intended to demonstrate character and configuration, and are for illustrative purposes. The accompanying text and dimensional requirements are the rules that govern permitted development.

B. Mediterranean Architecture

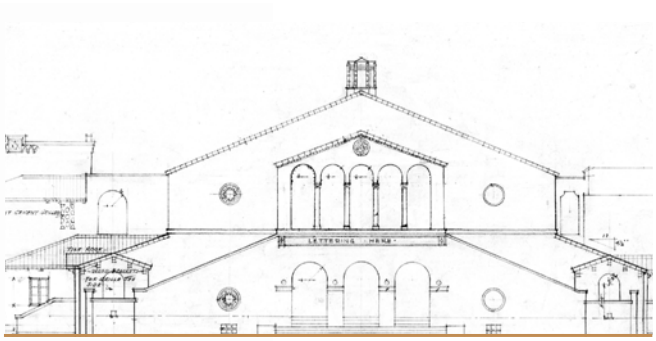
The buildings identified in Section 5-605 of the Zoning Code represent a range of urban contexts, building scales, and building functions that can serve as inspiration for a variety of Mediterranean architectural projects in modern times. The examples range from more Vernacular Mediterranean to more "Beaux Arts" Mediterranean.

Beaux-Arts Mediterranean

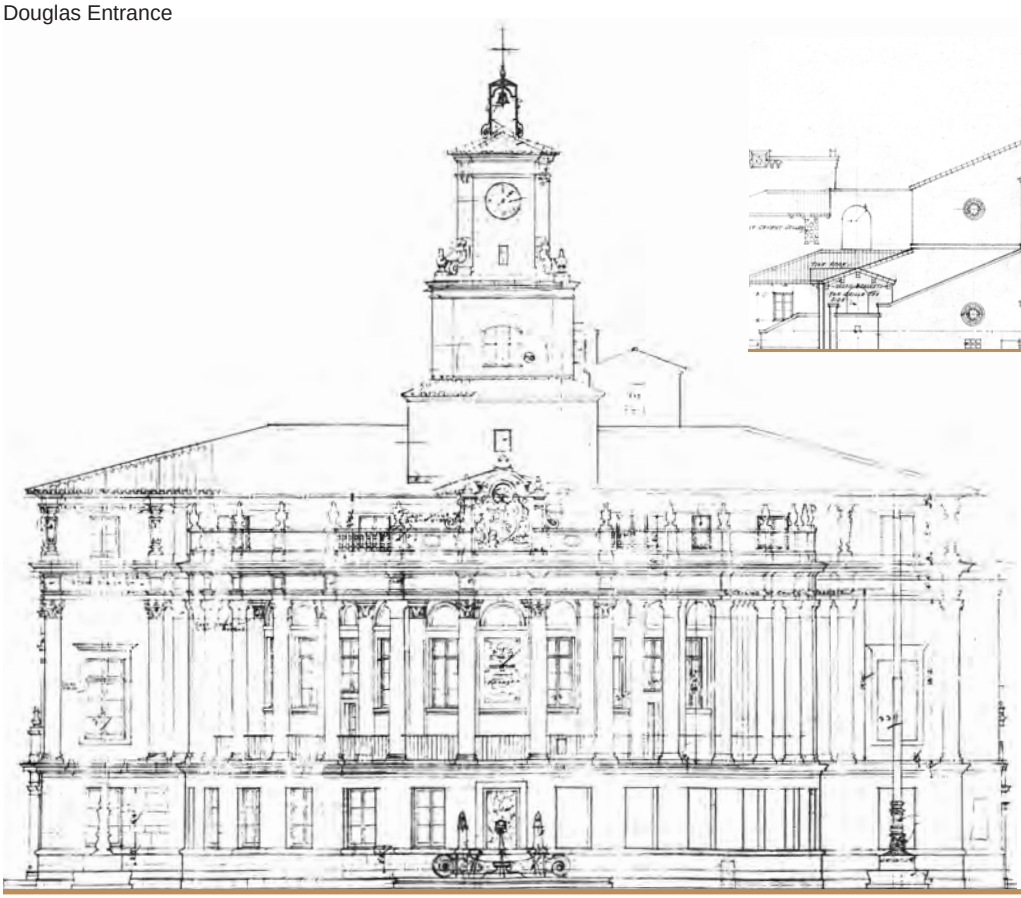
formal
symmetrical
ornate
civic
City scale
highest quality materials



Douglas Entrance



Coral Gables Elementary School

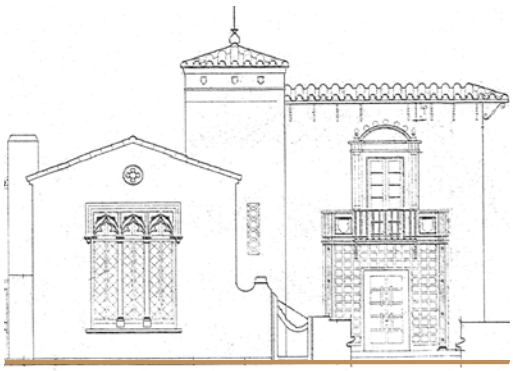


Coral Gables City Hall

Vernacular Mediterranean

informal
asymmetrical (but balanced)
simple
residential
domestic scale
everyday materials

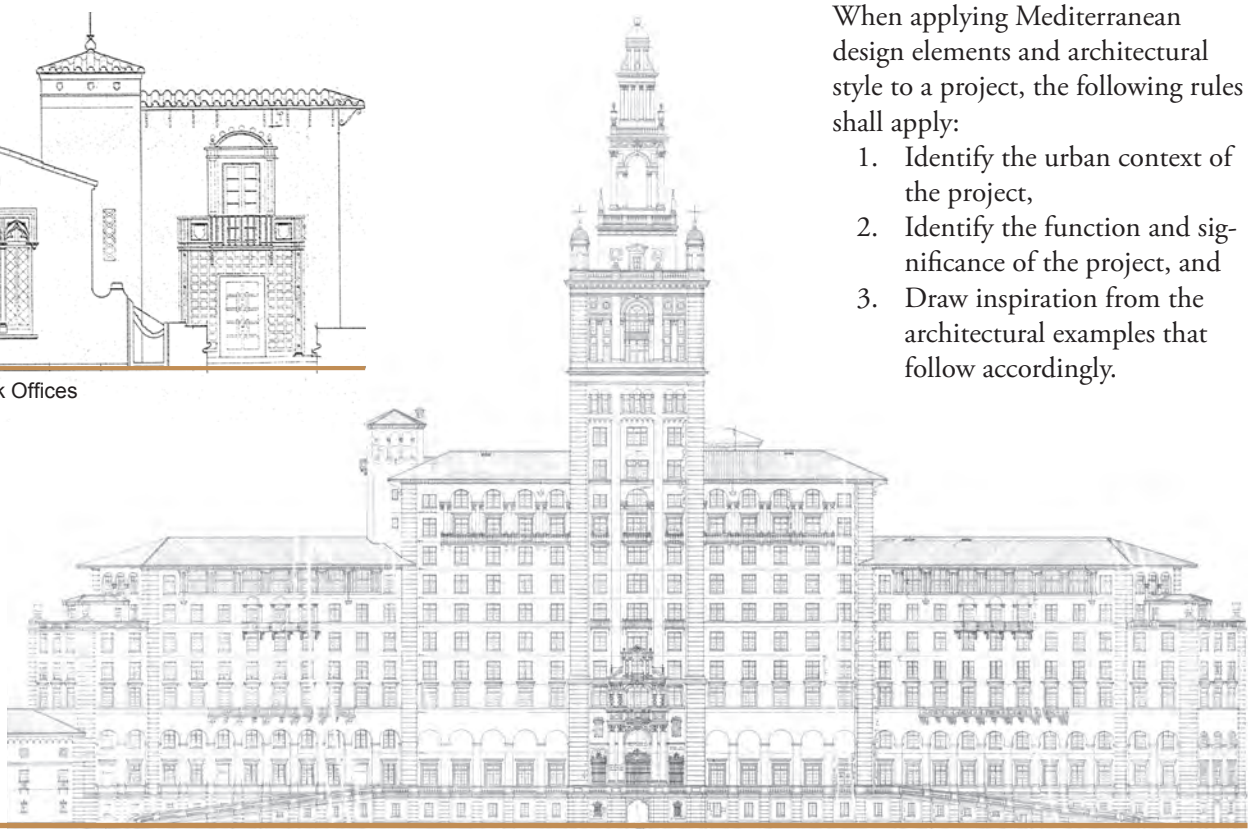
San Sebastian Apartments



H. George Fink Offices

When applying Mediterranean design elements and architectural style to a project, the following rules shall apply:

1. Identify the urban context of the project,
2. Identify the function and significance of the project, and
3. Draw inspiration from the architectural examples that follow accordingly.

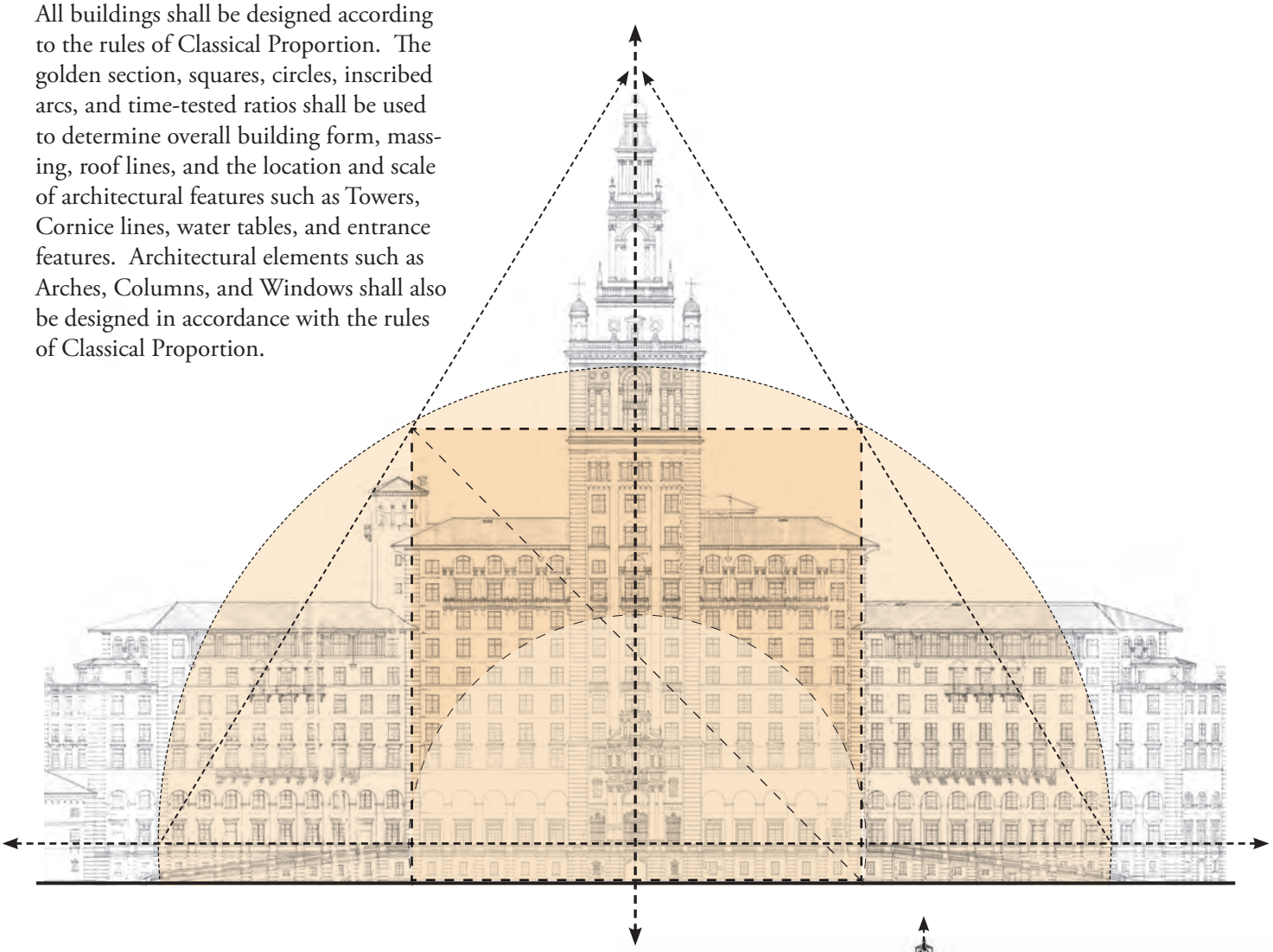


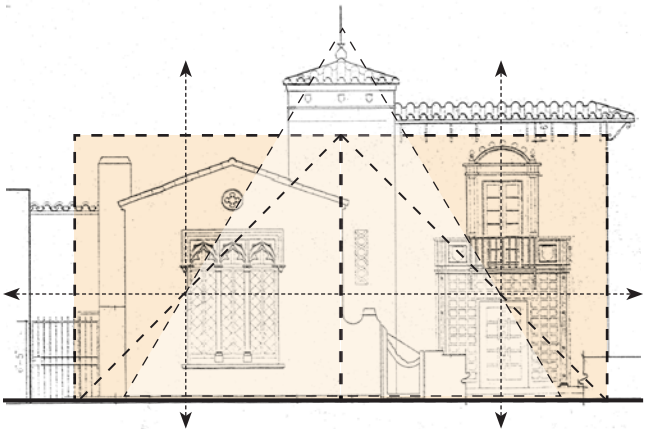
Biltmore Hotel

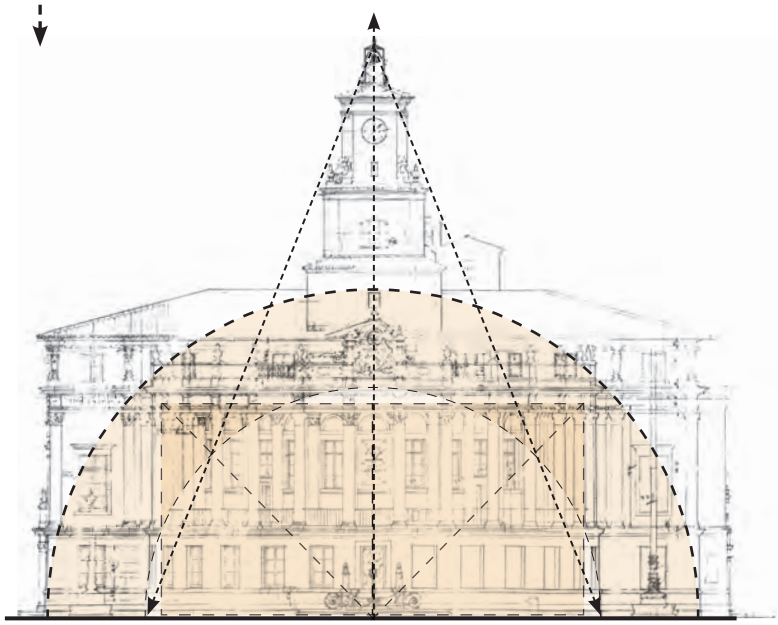
The Colonnade Building

1. Classical Proportion

All buildings shall be designed according to the rules of Classical Proportion. The golden section, squares, circles, inscribed arcs, and time-tested ratios shall be used to determine overall building form, massing, roof lines, and the location and scale of architectural features such as Towers, Cornice lines, water tables, and entrance features. Architectural elements such as Arches, Columns, and Windows shall also be designed in accordance with the rules of Classical Proportion.



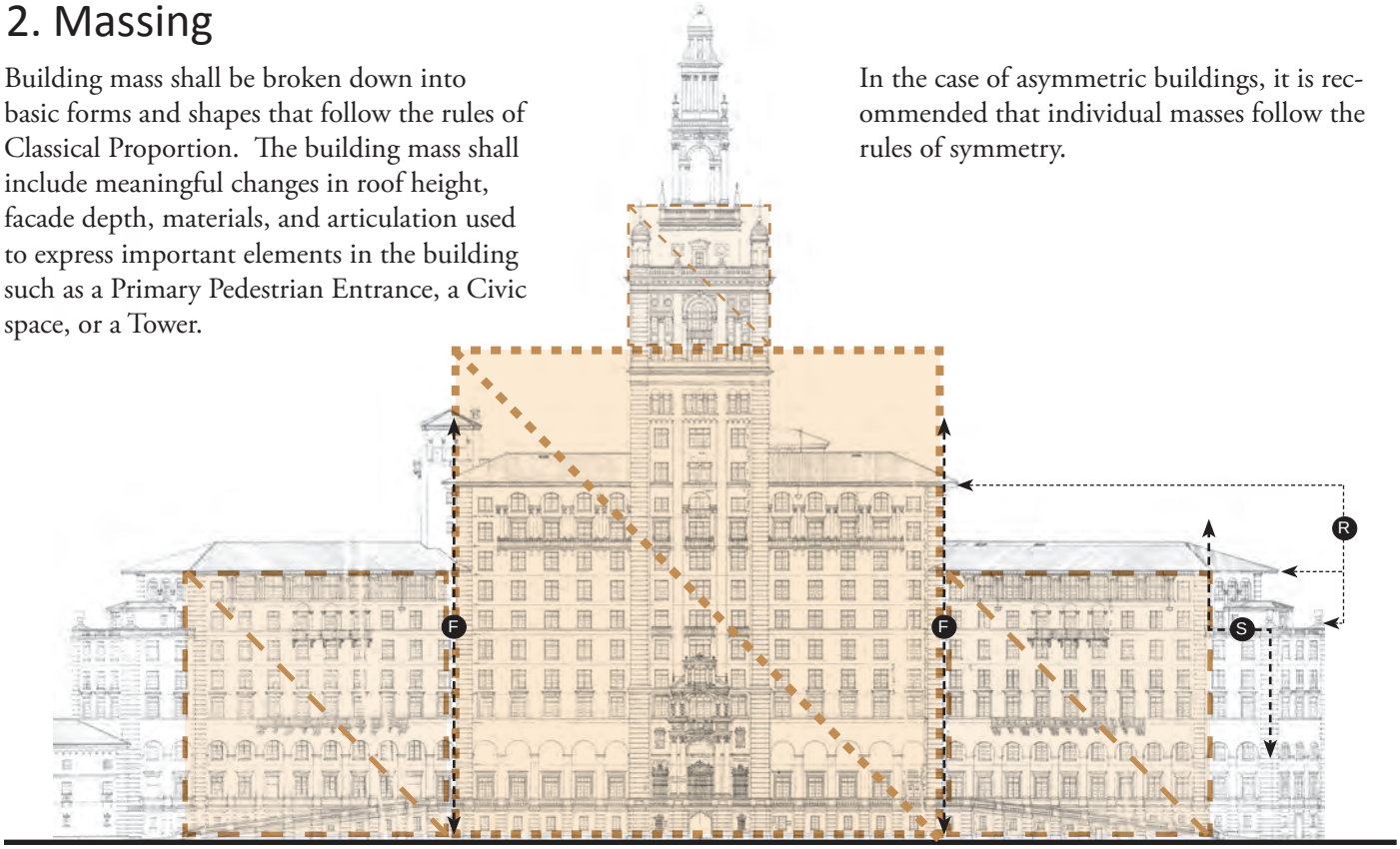


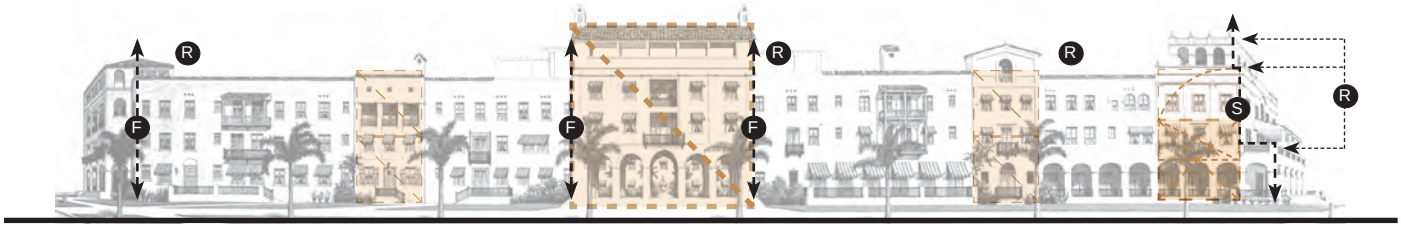


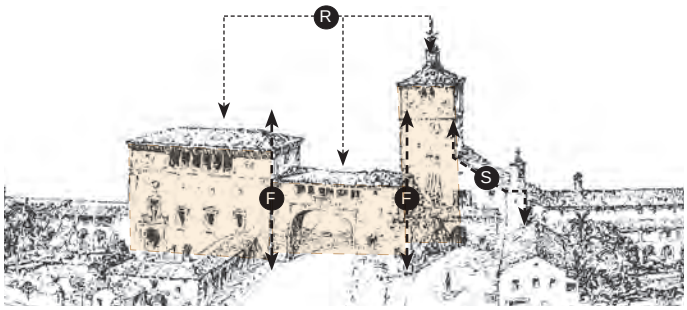
2. Massing

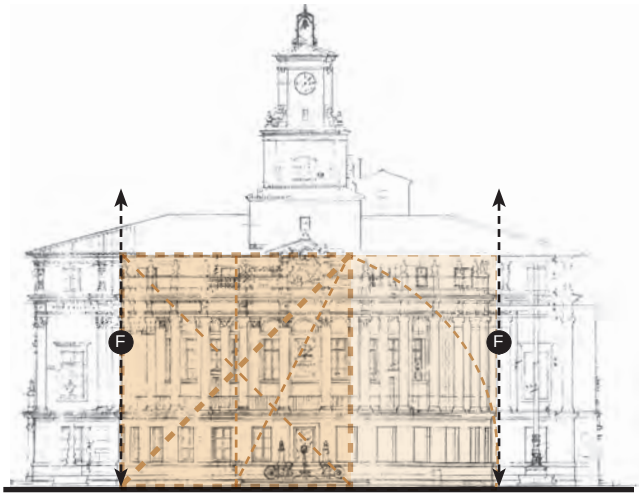
Building mass shall be broken down into basic forms and shapes that follow the rules of Classical Proportion. The building mass shall include meaningful changes in roof height, facade depth, materials, and articulation used to express important elements in the building such as a Primary Pedestrian Entrance, a Civic space, or a Tower.

In the case of asymmetric buildings, it is recommended that individual masses follow the rules of symmetry.





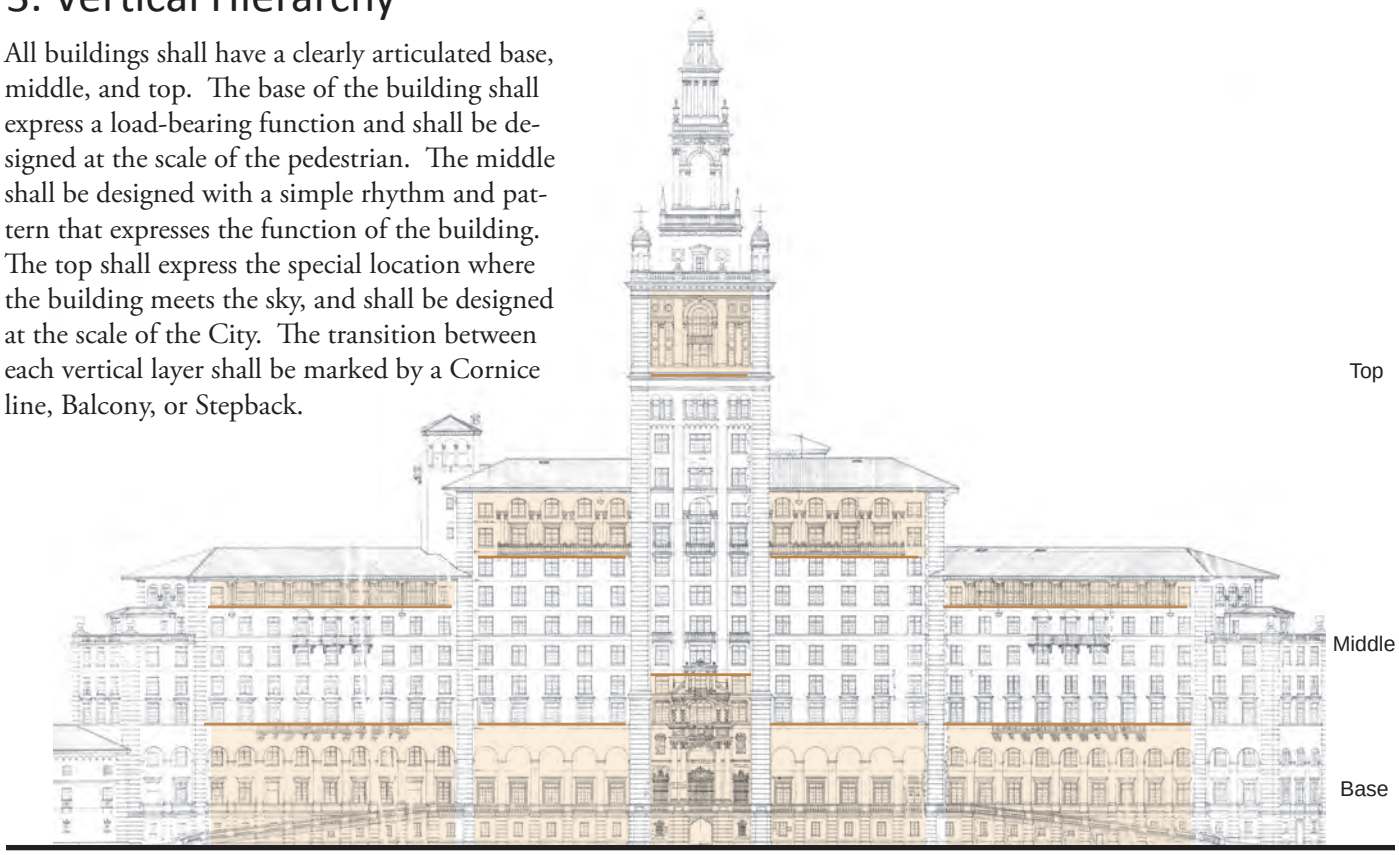




Massing, Table 5.5		
Stepbacks	Used to emphasize Primary Building Mass and Vertical Hierarchy	S
Roofline Height Change	Used to emphasize Primary Building Mass 3' min	R
Facade Depth Change	Used to emphasize Primary Building Mass 1' min	F

3. Vertical Hierarchy

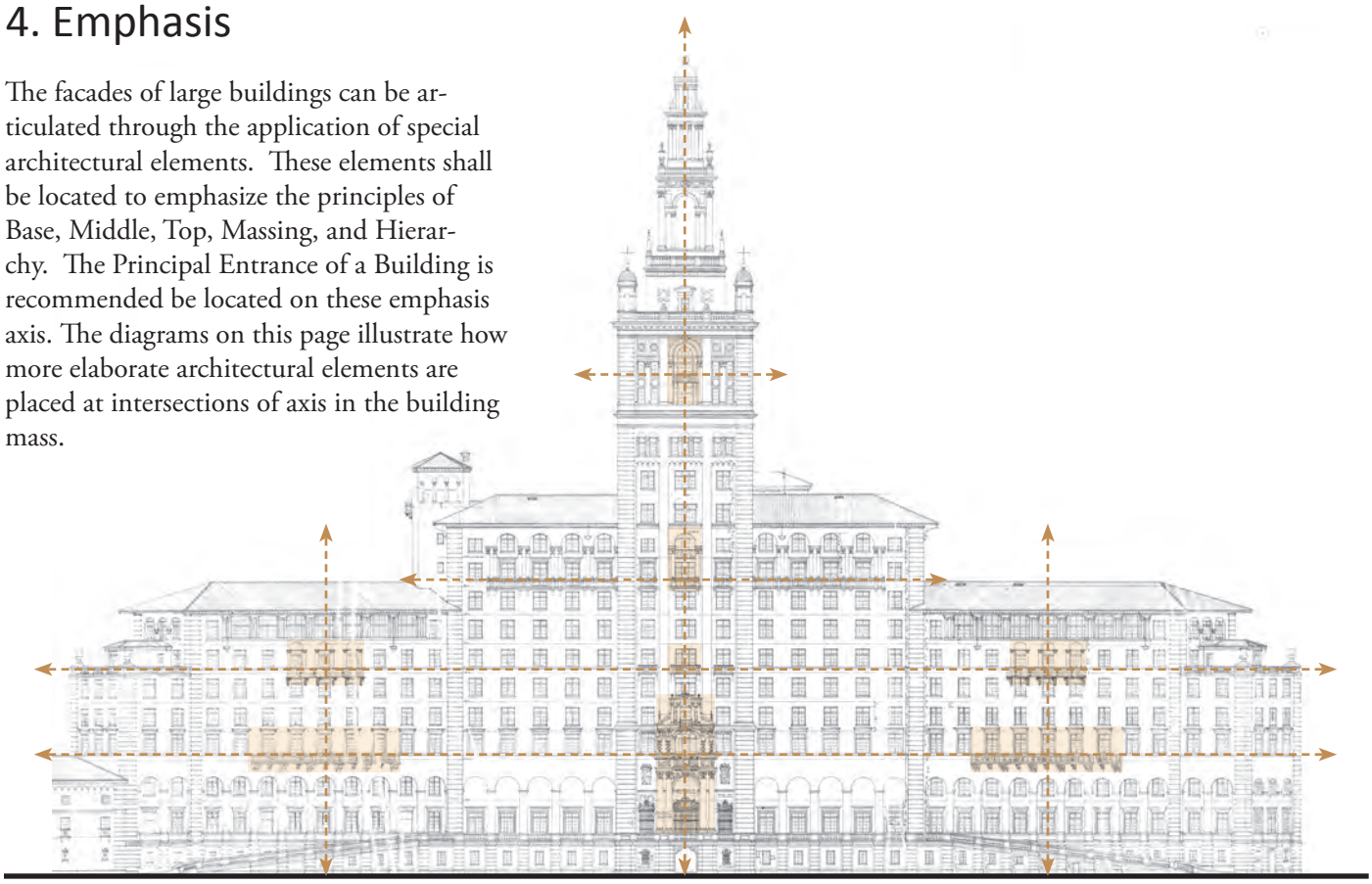
All buildings shall have a clearly articulated base, middle, and top. The base of the building shall express a load-bearing function and shall be designed at the scale of the pedestrian. The middle shall be designed with a simple rhythm and pattern that expresses the function of the building. The top shall express the special location where the building meets the sky, and shall be designed at the scale of the City. The transition between each vertical layer shall be marked by a Cornice line, Balcony, or Stepback.

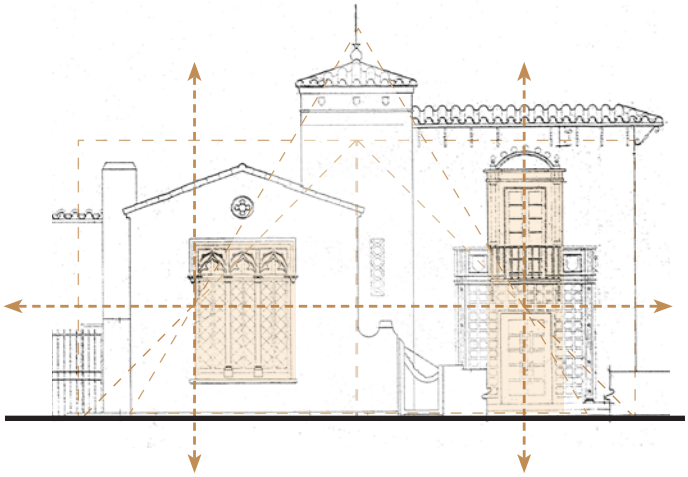


Vertical Hierarchy, Table 5.6	
Top Architectural Elements	
■ Ornate Columns	■ Arches
■ Ornate Windows	■ Cornice Line
■ City Scale Design	■ Window Surround
Middle Architectural Elements	
■ Repetitive Bays	■ Simple, Single Fenestration
■ Ornate Architectural Elements at focal points (see Emphasis, 5.7)	
Base Architectural Elements	
■ Single, Heavy Columns	■ Arches
■ Window Surround	■ Rustication
■ Pedestrian Scale Design	■ Water Table
■ Shopfront	■ Cornice Line

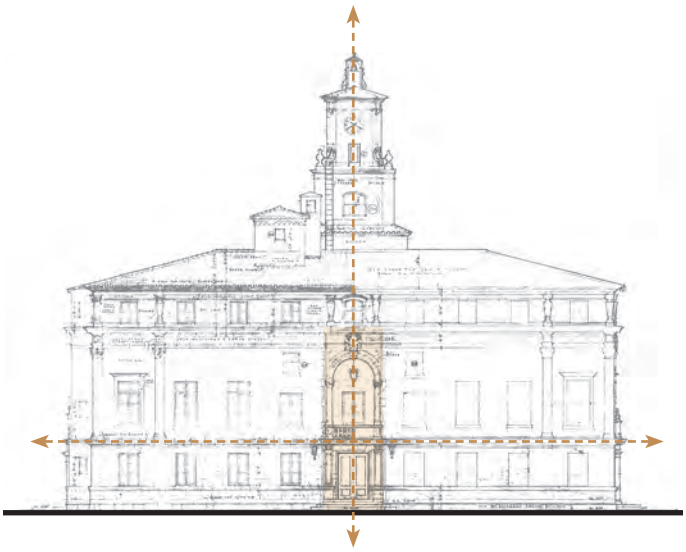
4. Emphasis

The facades of large buildings can be articulated through the application of special architectural elements. These elements shall be located to emphasize the principles of Base, Middle, Top, Massing, and Hierarchy. The Principal Entrance of a Building is recommended be located on these emphasis axis. The diagrams on this page illustrate how more elaborate architectural elements are placed at intersections of axis in the building mass.





Emphasis, Table 5.7	
Architectural Elements	Arches, Columns, Balconies, Awnings, Canopies, Ornate Windows
Location on Building	Primary Pedestrian Entrances Towers Building Base Building Top Intersection of Axis in Building Mass

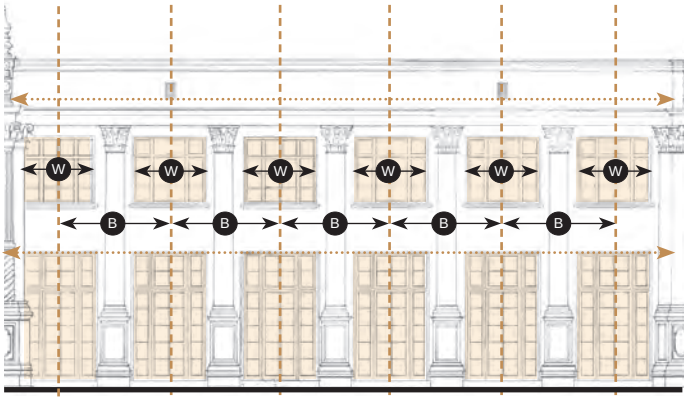


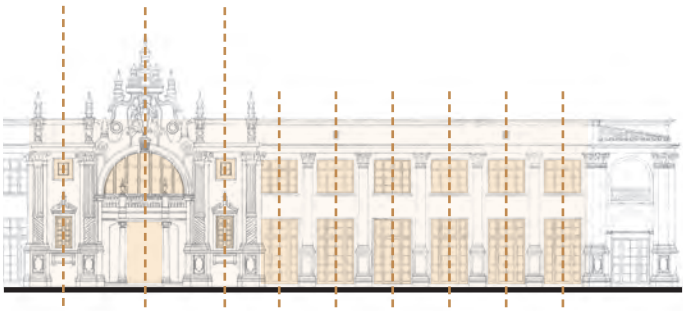
5. Fenestration

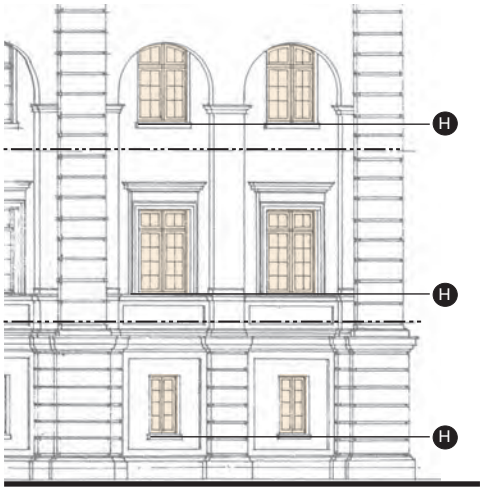
The rhythm and spacing of openings in the building facade, and the Proportion of opening to wall shall relate to the overall Proportion, Massing, style, formality, and function of the building itself. Fenestration includes Windows, Doors, and Garage Openings. Fenestration shall express each Floor of the Building.

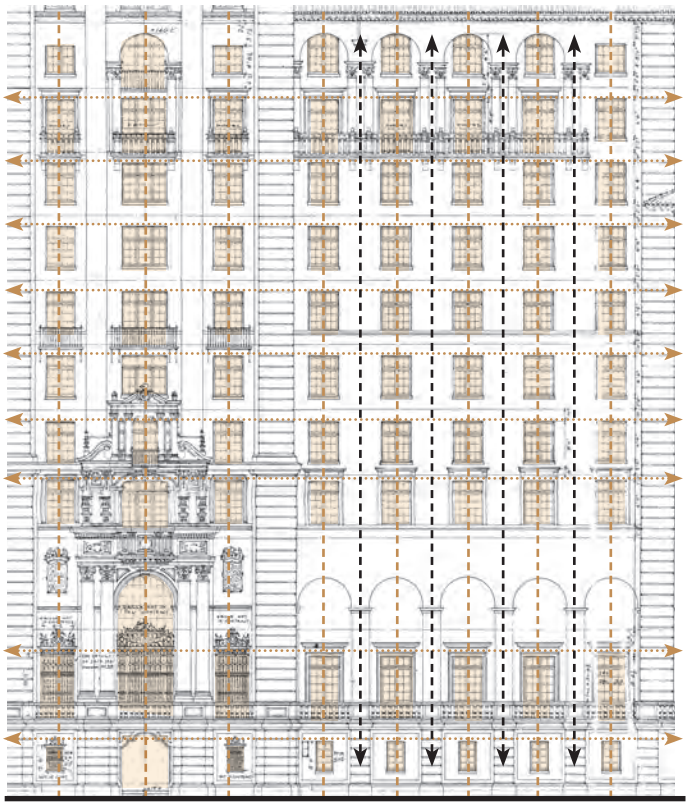
The centerline of opening bays may differ depending on the mass hierarchy. To create an emphasis on a Building Mass, such as a principal entrance or tower, an odd number of opening bays is recommended. To de-emphasize a Building Mass, such as in a secondary mass or linking multiple primary masses, an even number of opening bays is recommended.

Similar to the alignment of openings, the visual weight of the building shall align from roof to base.







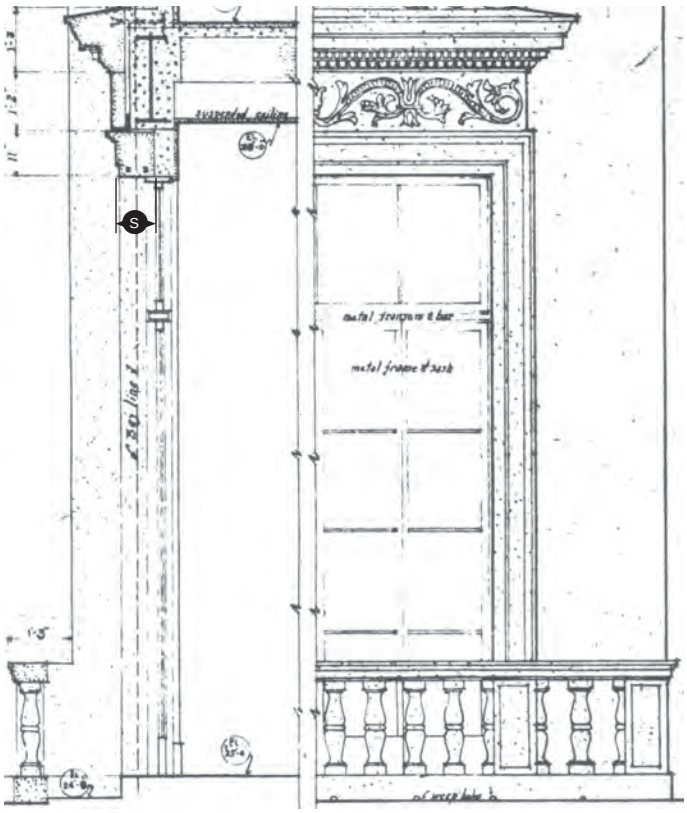


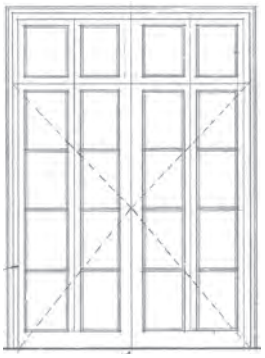
Facade Transparency, Table 5.8A		
Opening to Wall Ratio* (measured for each Floor)	1/5 min 1/3 max	
Floor Line		- — - -
Opening Sill Height above Floor Line	2'-6" max	H
* Exceptions to the maximum Opening to Wall Ratio may be granted for the Top of a Building.		

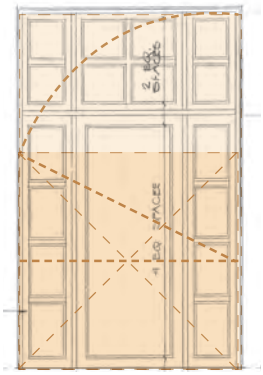
Fenestration Rhythm and Proportioning, Table 5.8B		
Opening Width	See Table 5.9 and Table 5.10	W
Bay Width	1.5x Opening Width min 3x Opening Width max	B
Opening Centerline	Aligns Vertically	- - - - -
Opening Head Height	Aligns Horizontally	⟷

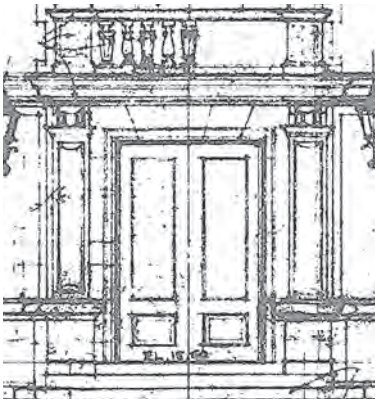
6. Windows and Doors

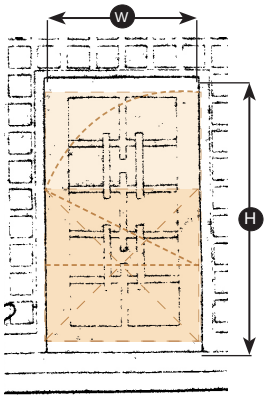
Windows and Doors are important character-defining features of a building. Proportions, materials, and style shall reflect Mediterranean Architectural precedent.

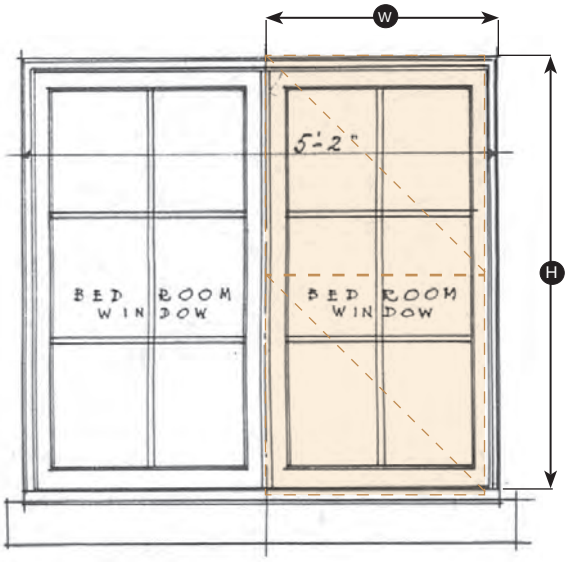








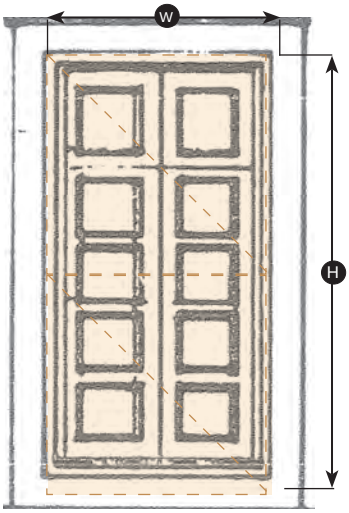




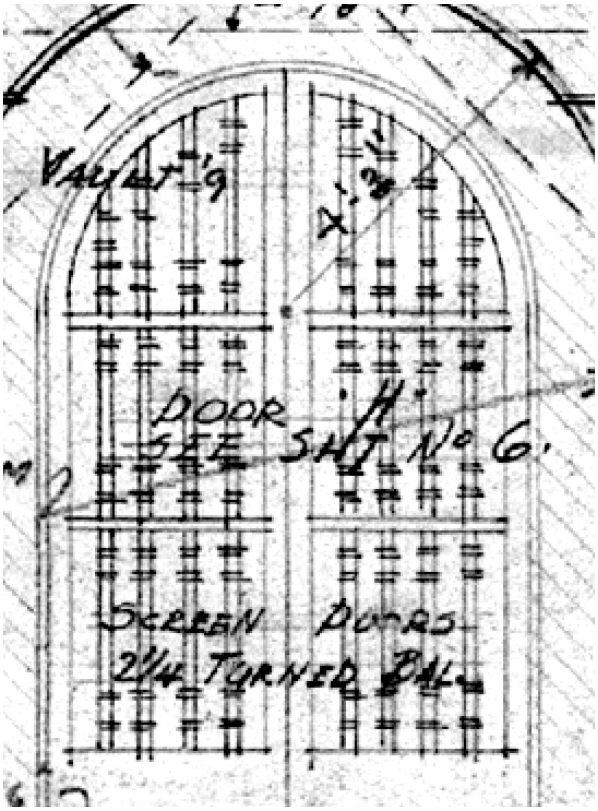
Windows and Doors, Table 5.9		
Height:Width Ratio	Classical Proportion Height > Width	H W
Material	Solid Wood, Wood Veneer, Painted, Stained Anodized Metal	
Door Color	varies	
Window Frame Color	Black, Bronze, White	
Shopfront Frame Color	Bronze	
Glass Color	Clear, non-reflective	
Permitted Window Types	Sash, Casement, Fixed, Transom	
Permitted Door Types	Solid, French Doors	
Window Grouping	Paired Windows, Horizontal bands of vertically-proportioned Windows	
Lights	Divided Lights with Vertical Proportion	
Frame Setback from Facade	4" min	S

7. Garage Openings

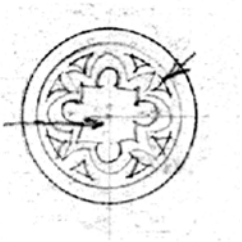
Parking garage facades shall be designed according to the rules of Fenestration, page 5.8. Garage Openings shall be designed to be compatible with the overall Mediterranean Architectural style and Window design of the building, but with a simplified treatment that expresses the utilitarian parking use. Garage Openings shall be screened to hide the garage structure, garage lighting, and vehicle headlights from view. Architectural screening treatment shall derive from Mediterranean Architectural precedent in Coral Gables, as shown in the examples on this page. Ramping shall be internalized wherever possible.

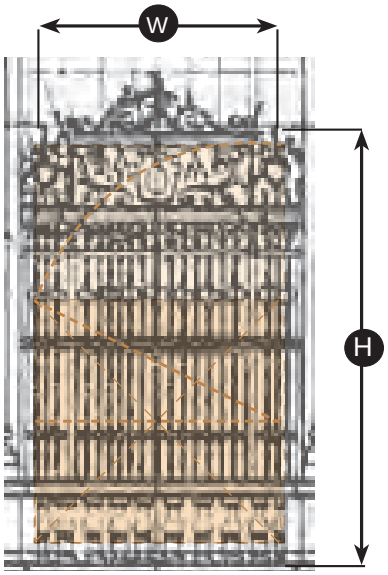


Cast Cement Grille



Wooden Spindles


Cast Cement Grille

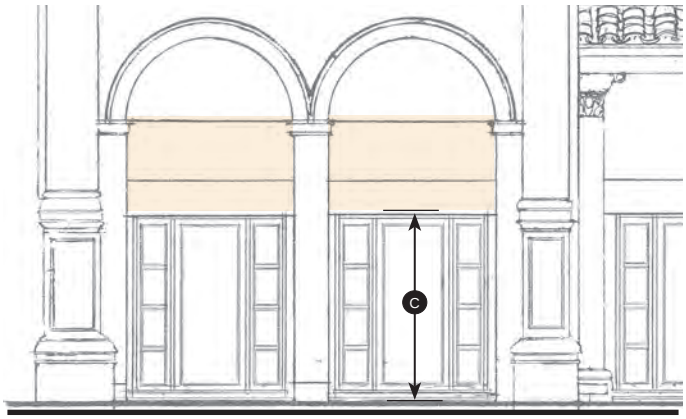


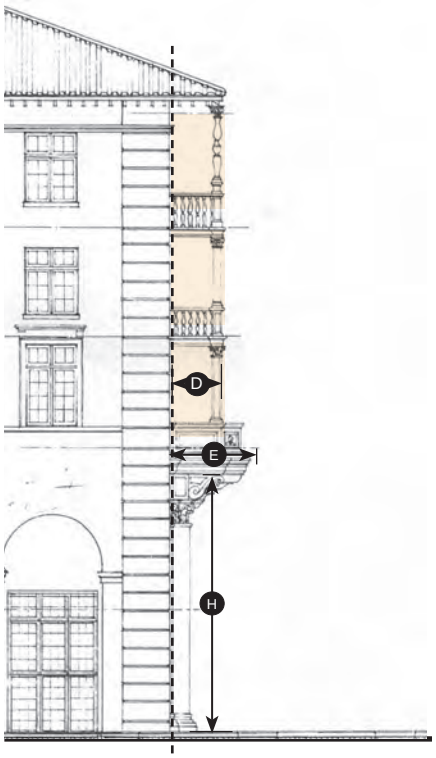
Ornamental Wrought Iron Grille

Garage Openings, Table 5.10		
Opening Height:Width Ratio	Classical Proportion Height > Width	H W
Architectural Screening Setback from Facade	4" min	
Garage screening materials may include wood, wrought iron, cast cement, terra cotta, or architectural quality pre-cast glass fiber reinforced concrete panels.		

8. Awnings, Canopies, and Balconies

Awnings, Canopies, and Balconies provide Emphasis to the Facade, and have the utility of providing shade and rain protection. Awnings and Canopies enhance the Fenestration of the Building. The shape shall relate to the window or door opening. Barrel shaped Awnings should be used to complement arched windows and square Awnings on rectangular windows. When placed above ground level Shopfronts, Awnings and Canopies are permitted to encroach across the sidewalk in order to provide generous protection for pedestrians.



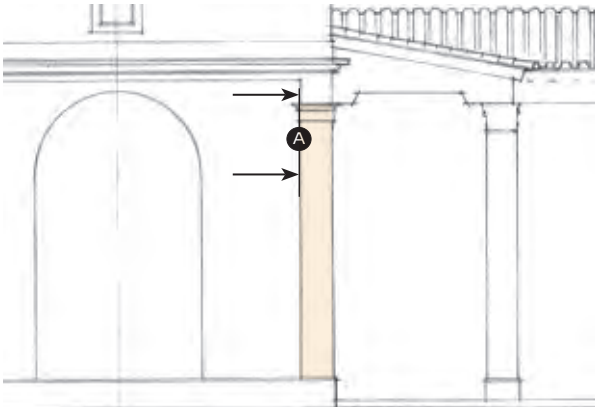


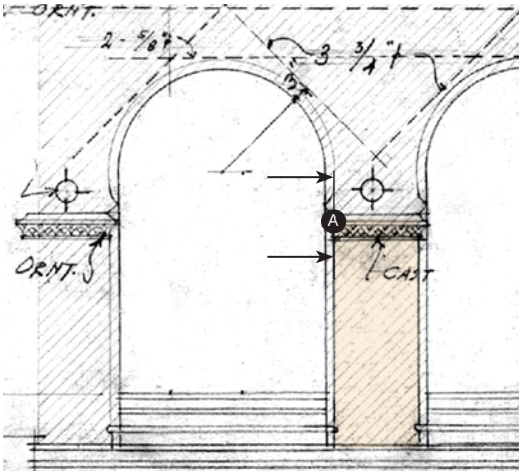
Awnings and Canopies, Table 5.11A		
Awning and Canopy Depth	2' min Residential 6' min Ground Floor Retail	
Ground Floor Encroachment into ROW	up to 18" from edge of curb	
Upper Floor Encroachment into ROW	6' max	
Ground Floor Clearance from Sidewalk	7.5' min for structure 6.5' min for loose fabric	C
Awning Percent Slope	100% min Residential 40% max Ground Floor Retail	
The design of Awnings and Canopies shall relate to the size, shape, materials, and style of the Opening.		
Awnings shall be constructed with a metal frame and cloth or canvas covering. Cloth in an awning shall be or look like natural fabric and be limited to two (2) colors.		
Canopies shall be either supported from below by brackets, or from above by suspension cables or chains.		

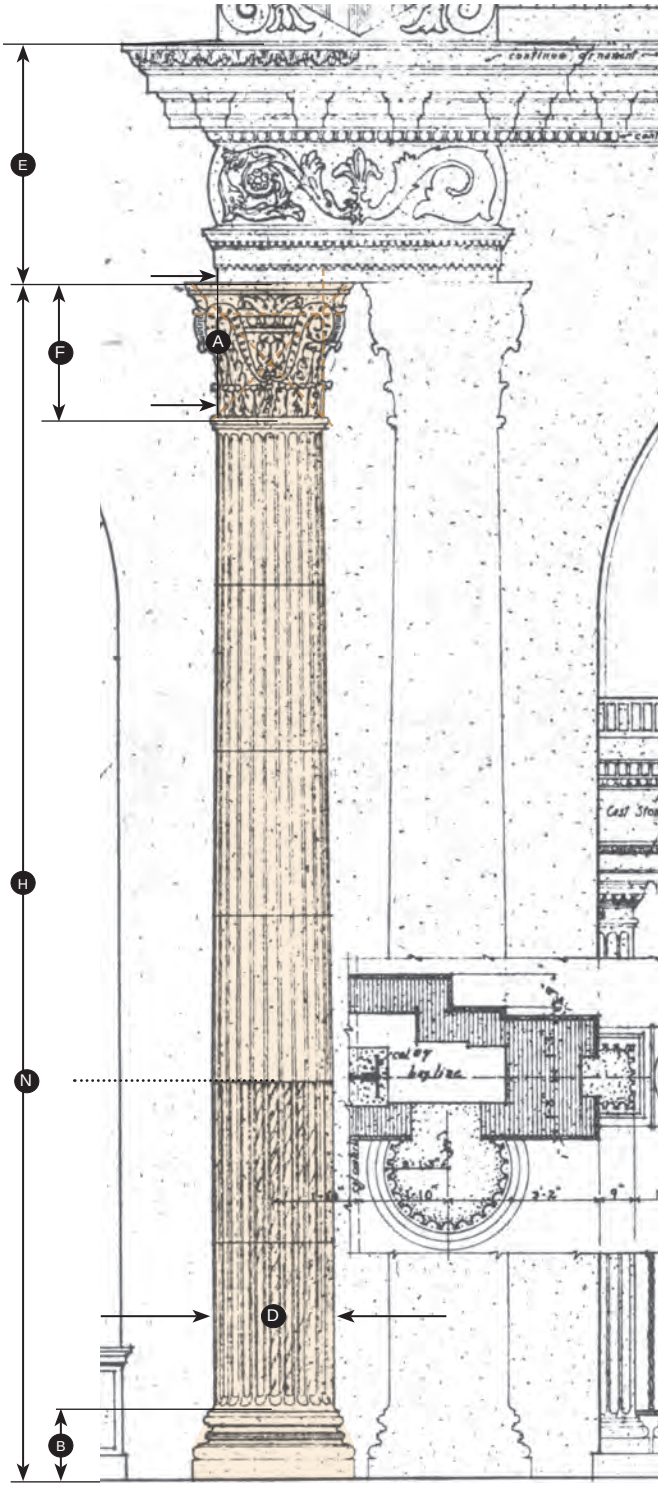
Balconies, Table 5.11B		
Build-to Line		- - -
Balcony Depth	2' min	D
Balcony Underside Clearance from Sidewalk	10' min	H
Balcony Encroachment into ROW	6' max	E
Balconies may occur forward of the Build-To-Line, Setback, and/or Build-To-Zone.		
Balconies shall be designed with visible support such as brackets.		
A line of Balconies is recommended to be used with Expression Lines to mark the transition between the Base, Middle and Top of the Building.		
Railings shall be compatible with other trim elements, such as door/window frames.		

9. Columns and Piers

The design of Columns and Piers shall relate to the overall design of the building, including scale, proportion, function, formality, and materials. All Columns and Piers shall be designed to appear to be load bearing according to the rules of tectonics. Columns and Piers shall have an expressed Base, Middle (Shaft), and Top (Capital). When using Columns from a Classical Order, the correct elements and proportions of that Order shall be used.





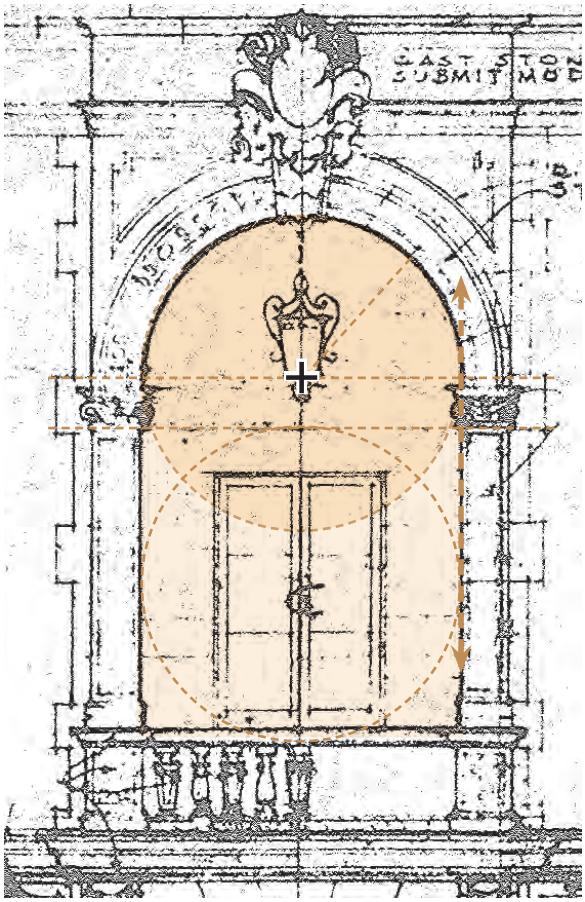


Columns and Piers, Table 5.12		
The Neck of the Column or Pier aligns with the Architrave (Outside edge of Beam or Arch).		A
Column or Pier Diameter	Varies	D
Column Height*	10x the Column Diameter	C
Entablature Height*	2x the Column Diameter	E
Base Height*	1/2 the Column Diameter	B
Capital Height*	7/6 the Column Diameter	F
Entasis	1/3 of Column Height above Base	N

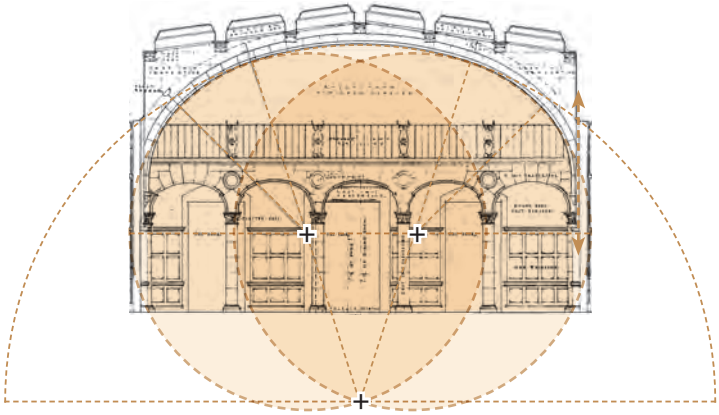
*Composite Order Rules outlined in this Table. Classical Column Orders shall meet the correct proportion of the chosen order, including the Tuscan, Doric, Ionic, Corinthian and/or Composite order.

10. Arches

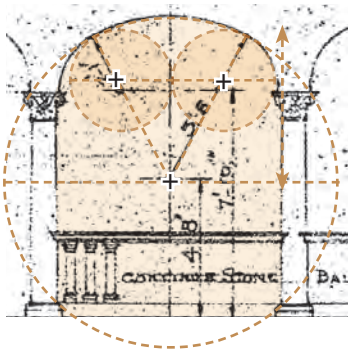
Arches shall be used sparingly to emphasize important elements on a building, such as Primary Pedestrian Entrances and Terminated Vistas that can be seen from a distance, and Civic spaces. Arches shall be designed with Classical Proportion and according to the common sense rules of tectonics. All elements of the Arch shall align to a center point and the springing of the Arch shall align with its means of support, as shown in the illustrations on this page.



Semi-Circular Arch

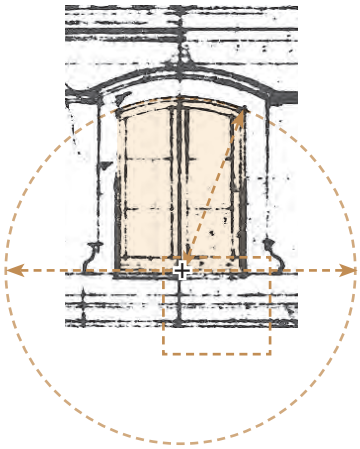


Elliptical Arch

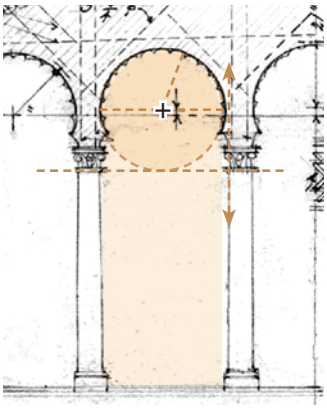


Elliptical Arch

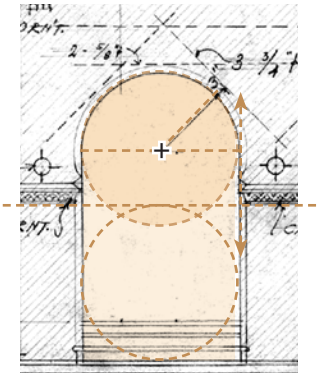
Elliptical Arch



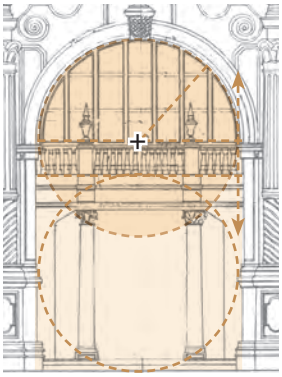
Segmental Arch



Horseshoe Arch



Semi-Circular Arch



Semi-Circular Arch

Arches, Table 5.13		
Arch Center point	Elements of Arch point towards Center	+
Arch Springing	Aligns with Support Column or Pier	←--→

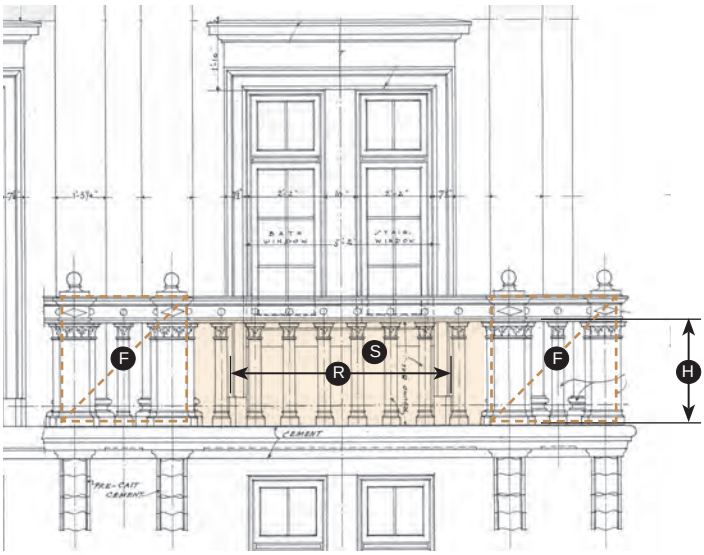
A stilt, no shorter than the width of the window casement, shall be added to the Arch to insure true half circle transom windows

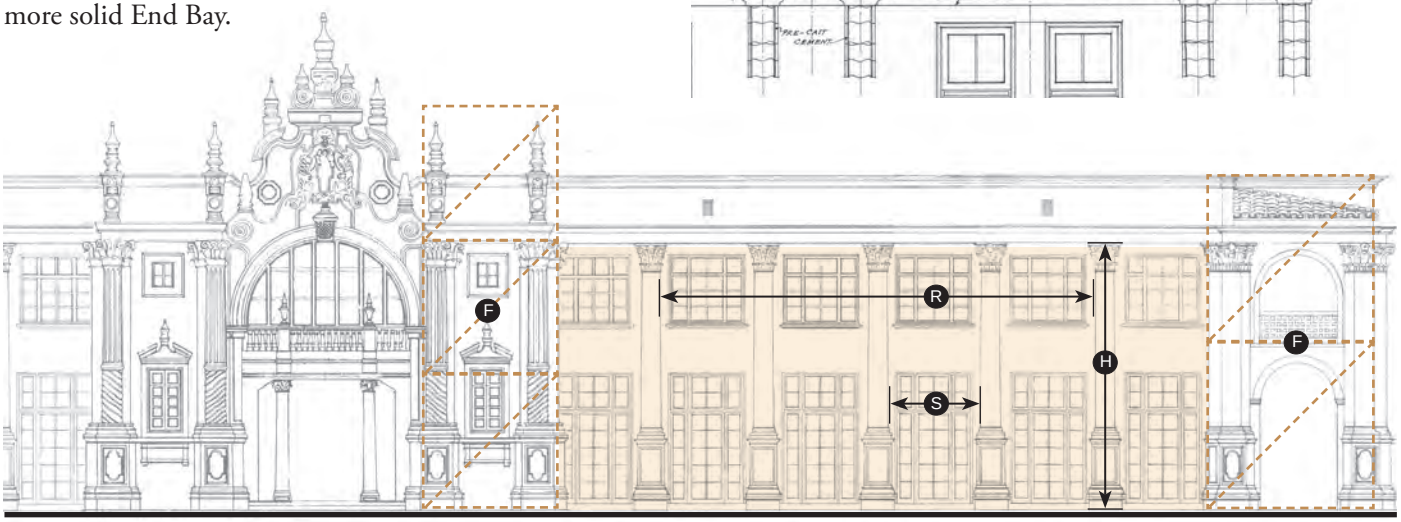
11. Intercolumniation

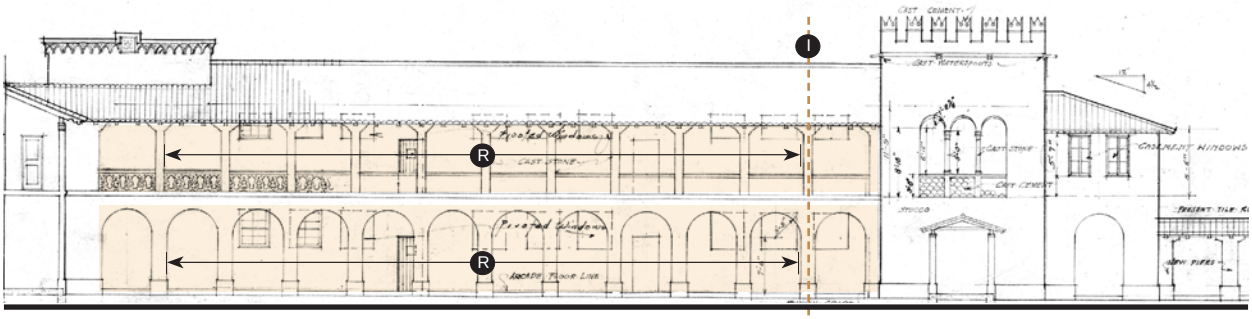
Columns or Piers that are regularly spaced along a line create a Colonnade. The spacing between each Column (Intercolumniation), shall relate to the overall proportion of the individual Column. The space between Columns shall be vertical in proportion to express a load-bearing function.

A series of Arches aligned as an Arcade shall be designed with Rhythm, as shown in Table 5.14.

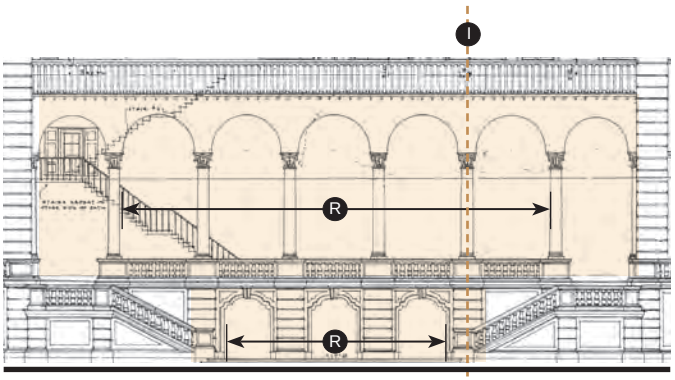
Colonnades and Arcades are often framed by a more solid End Bay.





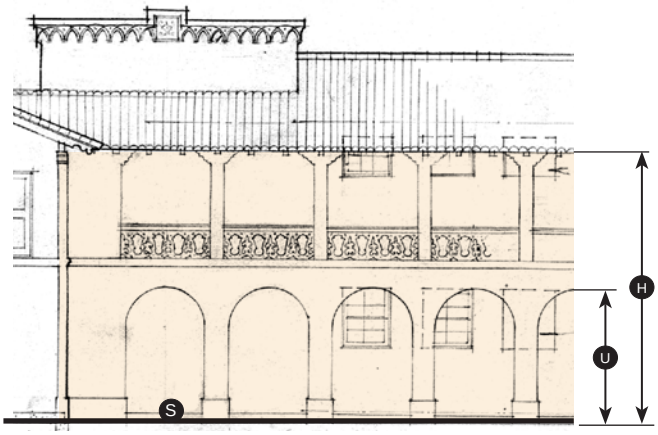


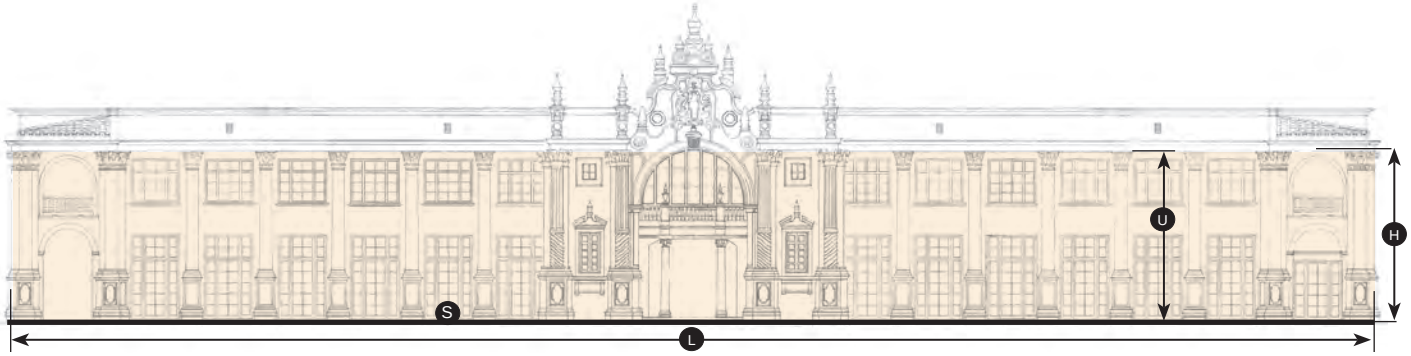
Intercolumniation, Table 5.14		
Column Height	See Table 5.9	H
Column Spacing	4/5-1/5 the Column Height	S
Rhythm	Equal Spacing of Columns and/or Arches	R
End Bay	Optional; heavier Piers, Columns, or solid wall caps the end of a Colonnade or Arcade. Follows rules of Classical Proportion	F
Superimposition (One Colonnade or Arcade on top of another)	The bottom Colonnade or Arcade shall be heavier and express a load-bearing function. Columns shall align one on top of another along a center line.	I



12. Arcades and Loggias

Arcades and Loggias shall be open-air spaces that connect the ground floor of the street-facing facade of a building to the right-of-way, providing a publicly accessible, comfortable pedestrian space along the ground floor of the building. Arcades shall be designed to be consistent with the proportion, scale, architectural style, and materials of the main building. Each bay of the Arcade shall be vertically proportioned in order to allow sufficient light and visibility to the Ground Floor facade of the building.



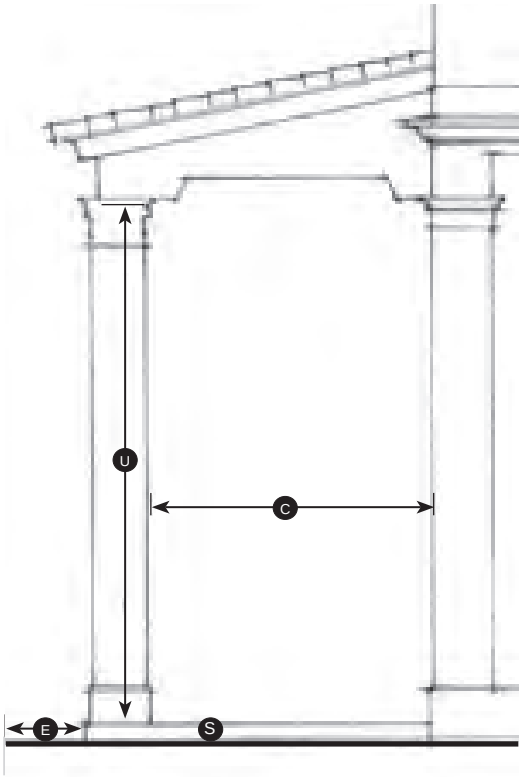


Arcades and Loggias, Table 5.15		
Height	1 or 2 Floors; Optional Upper Level Walkway	H
Clearance	10' min	C
Underside Clearance at Sidewalk	1.6 x Depth min	U
Length of Facade	80% min	L
Distance from Edge of Curb	18" min	E
Ground Floor height above sidewalk	6" max	S

A continuous Pedestrian Zone shall be maintained within the Arcade or Loggia along the Building Face, and shall not be obstructed by protruding Storefronts, Stairs, Escalators, Elevators and other building elements.

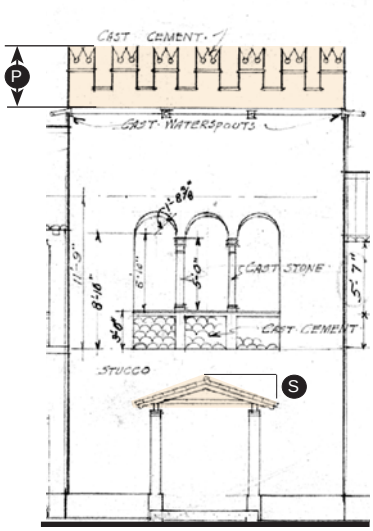
Arcades and Loggias may occur forward of BTL and/or setback, and may encroach within the sidewalk upon City approval.

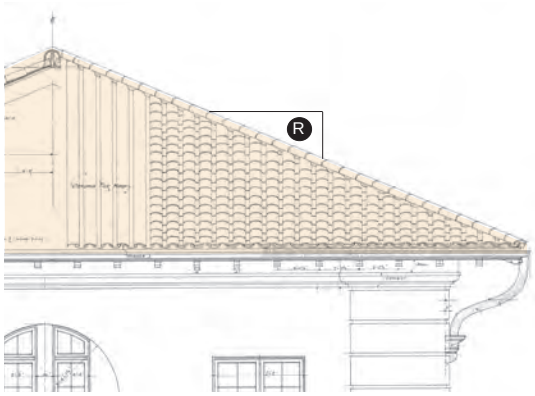
Habitable Space, walkways and/or Terraces above Arcades and Loggias may occur forward of BTL upon City approval.

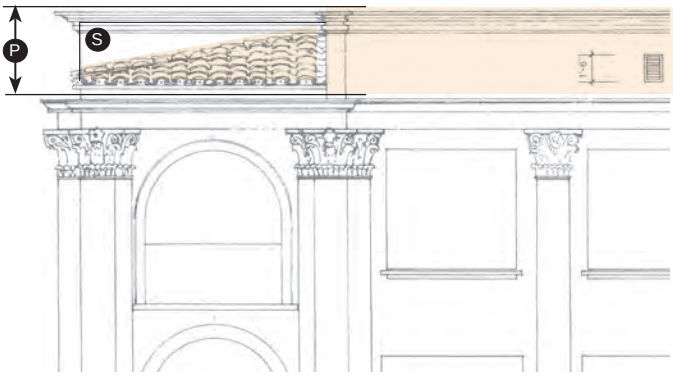


13. Roofs

Roofs are an important character-defining feature, marking the moment where the building meets the sky. Roof shapes shall be simple and shall relate to the Massing of the building. Mediterranean Village Roofs shall be Gable, Hip, or Parapet, in keeping with the Mediterranean Architectural precedents. Shed roofs may be used sparingly. The scale and slope of the Roof and the elements of the Roof (Eave overhang, bracket size, Parapet detailing) shall relate to the height of the Building and the visibility of the Roof from the sidewalk.





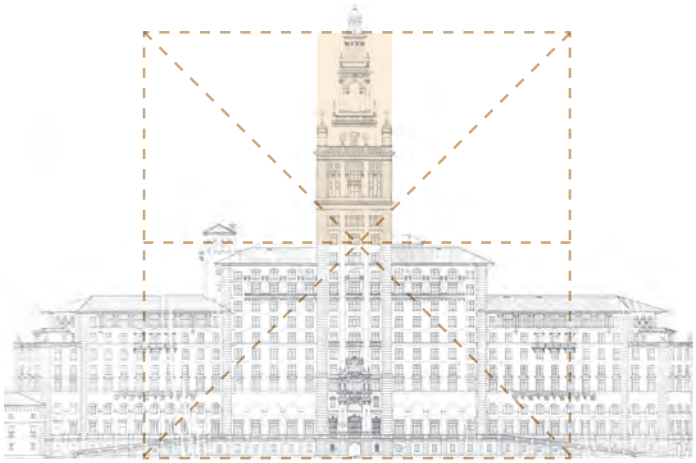


Sloped Roofs, Table 5.16A		
Main Building Roof Slope	5:12 Slope min	R
Arcade, Loggia, Porch, Stoop Slope	2:12 Slope min	S
Roofs shall be symmetrically sloped where visible from streets and public spaces.		
Roof materials on pitched roofs shall be terra-cotta color barrel tile, of clay, cement, or concrete material.		

Parapets, Table 5.16B		
Parapet Height	3' 6" min	P
Parapet Wall Thickness	8" min	
Parapets may have decorative detailing with an irregular silhouette, may have Classical detailing with an applied Cornice Line, or may be a simple extension of the wall.		
Parapets shall be designed with visible means of water runoff, and these functions shall be incorporated as decorative elements.		

14. Rooftop Architectural Elements

Rooftop Architectural Elements are non-air conditioned features located above the primary mass of the building. Rooftop Architectural Elements are excluded from the Building Height calculation. Rooftop Architectural Elements shall relate to the overall proportion and design of the building, and shall be used to emphasize Building Massing. The scale of the Rooftop Architectural Element shall relate to its Height on the Building and its visibility from the Sidewalk level.



Rooftop Architectural Elements, Table 5.17	
Elements Excluded From Building Height Calculation	Lanterns, Cupolas, Parapets, Chimneys, Towers, Rooftop Loggias, Belvederes, Screened Mechanical Areas
Roofing Materials	Terracotta-color Barrel Tile or Copper
Refer to Section C-3 Building Form Standards for provisions of Rooftop Architectural Elements based on Street Types.	

15. Shopfronts and Signage

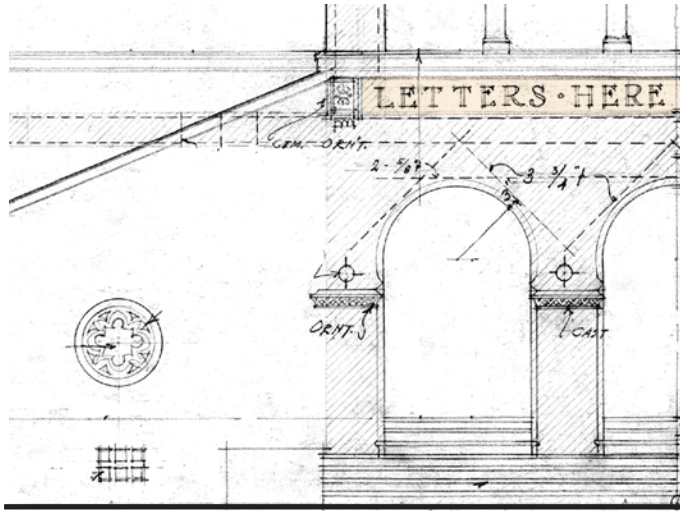
Shopfronts are a mandatory Frontage on Signature Streets and Plazas. In a mixed-use building, the Ground Floor Shopfront shall be distinguished from the rest of the building, placing emphasis on the display windows. At least 60 percent of the ground floor Shopfront shall be glass.

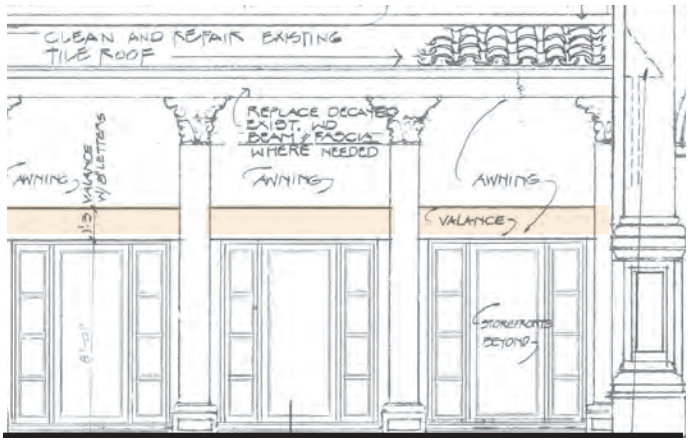
Shopfronts, Table 5.18		
Shopfront Ratio of Opening to Wall	2/3 min	
Shopfront Windowsill Height above Ground Line	18" min 36" max	S
Bulkhead Surface	Tile (3x3 or 4x4) Wood Recessed Panels	B
Shopfront Windows	Clear Glass (88% light transmission)	W
Kickplate shall be of durable material (wood, masonry, stone)		K
Permanent, fixed security grates or grilles in front of windows are prohibited.		
The Expression Line shall be placed above the Sign Panel and provide a strong definition to the top of the Shopfront.		

Signs shall enhance the Mediterranean character of the building, and shall be designed as part of a uniform Signage Plan approved by the City. Outdoor advertising signs, automatic electric changing signs, and entrance features are not permitted as part of a Mediterranean Village. All signs shall not obstruct sight visibility triangles at street intersections.

All signage for applications under this section shall conform to Section 5 Division 19, Signs, of the Zoning Code and shall be reviewed by the Board of Architects.

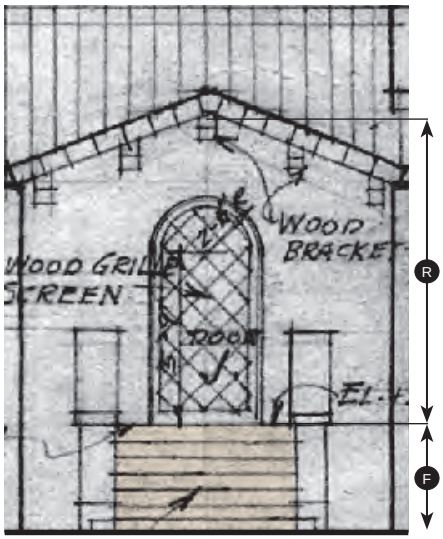
Wayfinding Signage shall:
Provide directional and information signs that are attractive, clear and consistent in theme, location and design.
Identify key civic areas, or public destinations and facilities, e.g. public parking structures, shopping facilities, transit routes and stops, etc.
Be coordinated with other streetscape furniture (e.g., light posts, transit/trolley shelters) where possible to reduce visual clutter in the public realm.

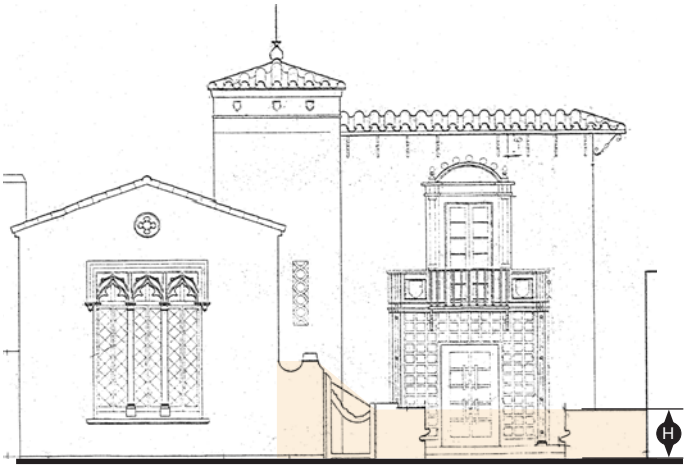




16. Porches, Stoops and Garden Walls

Porches, Stoops, and Garden Walls are recommended Frontages for small apartment buildings and townhouses. These Frontages shall be designed with the proportions, materials, and architectural style of the main building, and shall be Mediterranean in character.





Porches and Stoops, Table 5.19A		
Porch Depth	8' min	
Stoop Depth	3' min	
Roof Underside Clearance	8' min	R
Finished Floor Height	18" min above sidewalk	F
Porches and Stoops may occur forward of the build-to-line, setback, and/or build-to-zone, but shall not cross into public right-of-way.		
Porches and Stoops shall be covered, either with a roof, or area inset into the main body of the building.		
Stoop stairs may run to the front or to the side.		
Railings shall be compatible with other trim elements, such as door/window frames.		

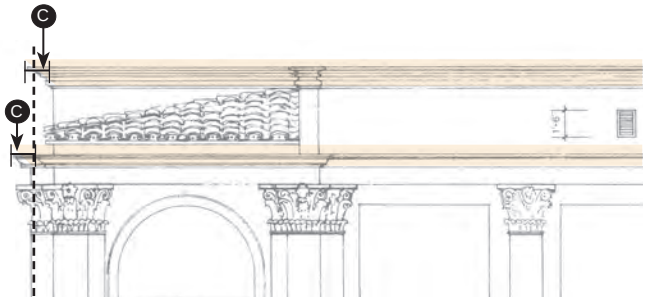
Garden Walls, Table 5.19B		
Garden Wall Height	2' min 4' max	H
Interior/Rear Garden Wall	8' max	
Materials	Constructed of Masonry; Stucco finish	
Where Garden Walls and Fences occur along street frontages, they shall be located parallel to adjacent sidewalks, and typically within 2 feet of the property line.		
Garden Walls may also act as low retaining walls along a property's edge.		

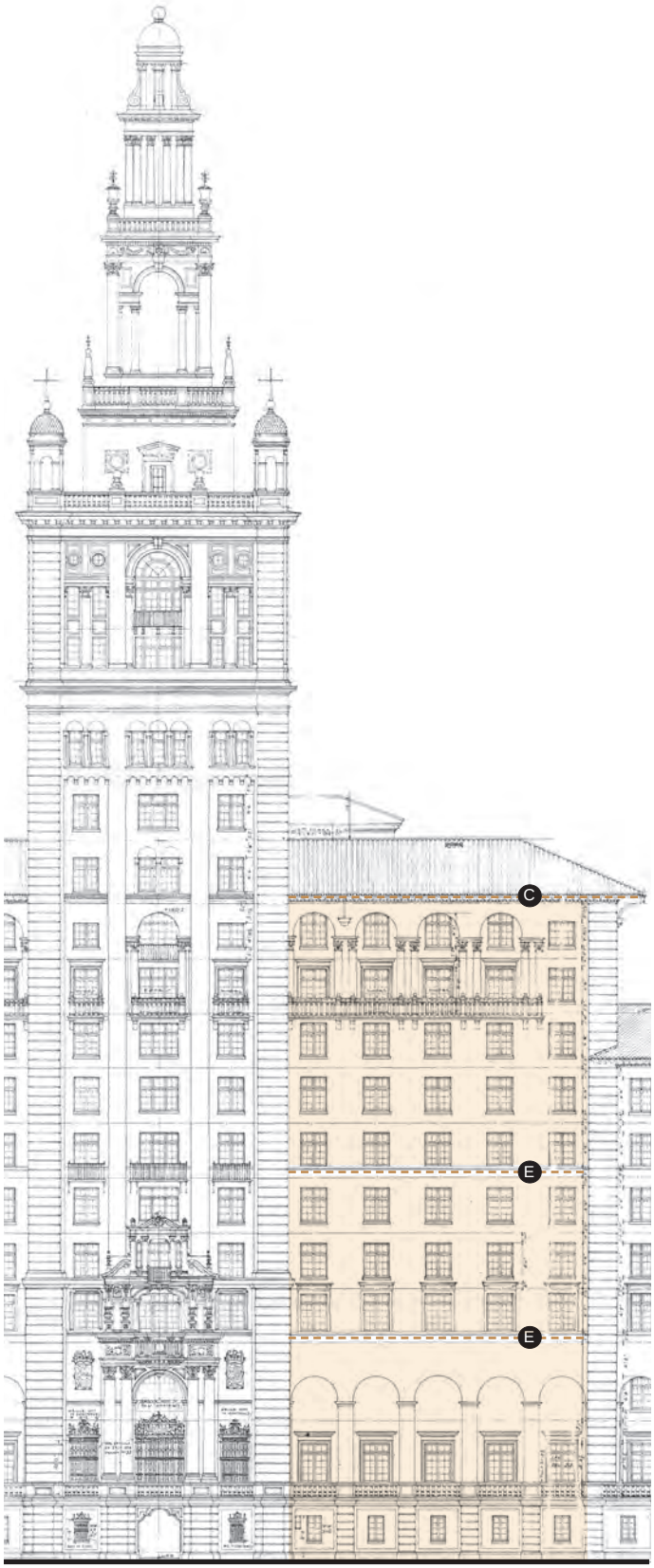
17. Cornice and Expression Lines

Cornice Lines and Expression Lines can be used to mark the transition between the Base, Middle, and Top of the Building. The single mass of a building may be divided by means of mouldings, or Expression Lines. In each Base, Middle, or Top subdivision, windows of different sizes and shapes, and in different numbers, shall be grouped together. Horizontal subdivision shall be achieved in two ways:

1. Offset the plane of the facade by stepping back, permitted only on elements such as towers.
2. Lines upon the facade created via shadows from moldings.

The size and proportion of height to width of a building are primary aspects of its character. A building facade's perceived scale combines with that of adjacent buildings and those across the street to provide a sense of shape, enclosure, and proportion of the street or public space.

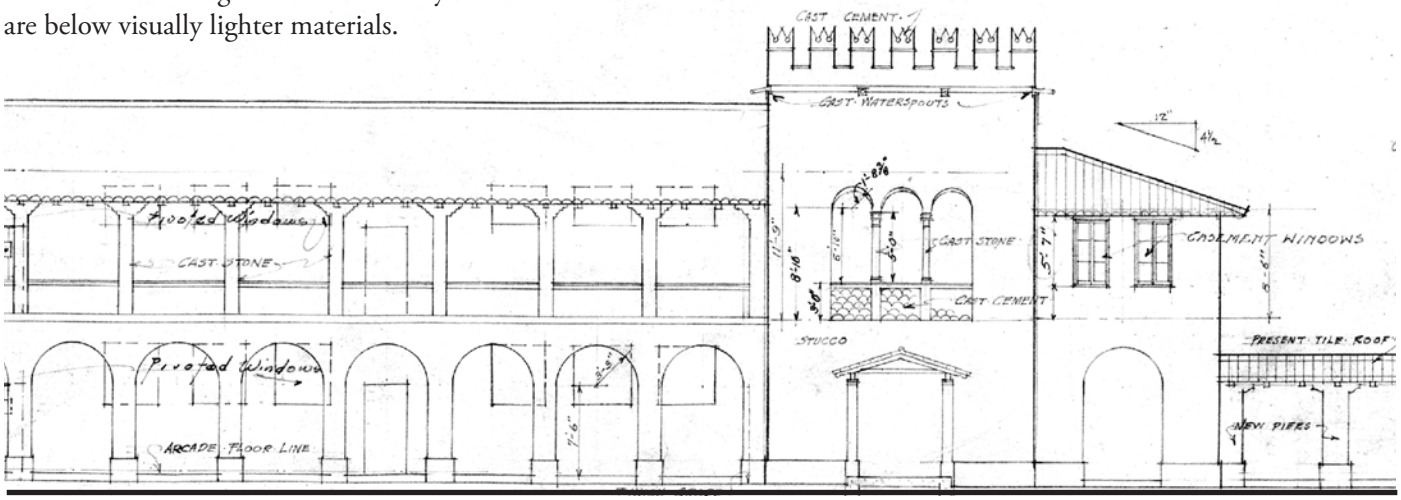


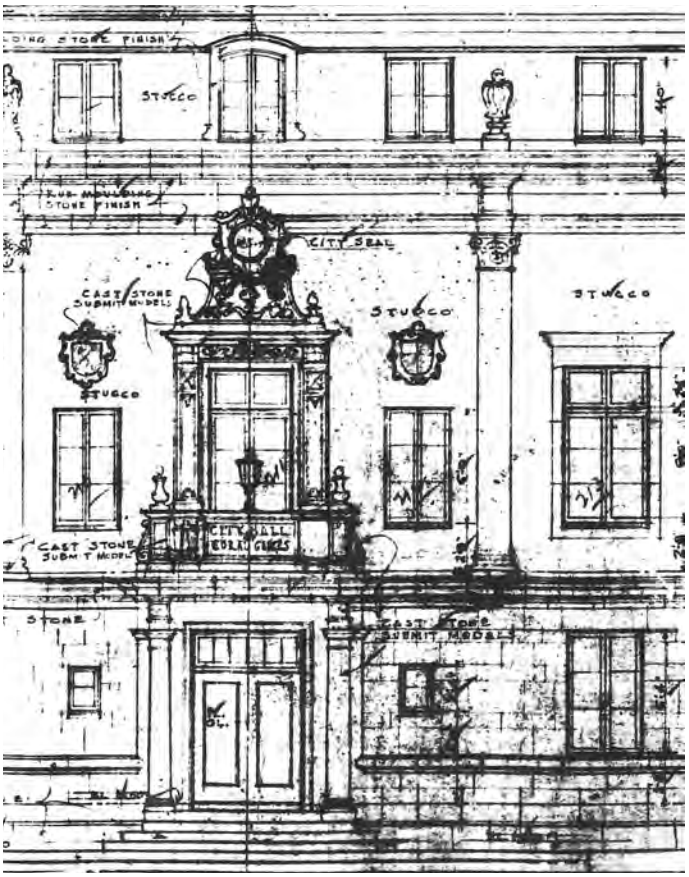


Cornices and Expression Lines, Table 5.20		
Build-to Line		- - -
Cornice Extension	6" min	C
Expression Line Extension	12" max	E
A Cornice is recommended to crown the Top of a Building or Masses of a Buildling.		
An Expression Line is recommended to mark the transition between the Base, Middle and Top of the Building.		
An Expression Line shall not protrude further than the Cornice extension.		
Cornice Lines shall follow the Building Mass and not columns or other architectural elements.		
The scale of the Cornice shall relate to its Height on the Building and its visibility from the Sidewalk.		

18. Materials

All exterior walls of all buildings shall exceed the requirements of Section 5-606, "Exterior Wall - Material and Color" and shall incorporate superior quality materials designed to be compatible with the Mediterranean Architectural examples. Building wall materials on each facade shall be designed so that visually heavier materials are below visually lighter materials.





Materials, Table 5.21	
Stucco Finish over CMU	
Smooth or hand trowelled in texture and painted.	
Masonry - Load-bearing or Veneer	
Permitted Masonry: Brick, coral rock, keystone, granite, marble, travertine, limestone, manufactured or cultured stone, cast stone, decorative CMU, or products of similar quality of manufacture.	
Masonry Veneer depth	4" min
Porcelain - Decorative Tile or Enamel Panels	
Prohibited Materials	
Sprayed-on stucco finishes, stucco panels, Exterior Insulation Finishing Systems (E.I.F.S.) similar to Dryvit, cementitious siding, metal panels, and glass block.	

19. References

The following list of reference books is recommended as supplemental information with Section C-5, Architectural Standards. Mediterranean architecture is dependant on historical precedents to guide and inspire designers. Wisdom and guidance are found in these precendents and references.

Alberti, Leon Battista. On the Art of Building in Ten Books.

Cook, S.F. "Jerry"and Skinner, Tina. Architectural Details: Spain and the Mediterranean. Atglen: Schiffer Publishing Ltd., 2005.

Cusato, Marianne. Get Your House Right. New York: Sterling Publishing Co, 2007

Gromort, Georges. The Elements of Classical Architecture. New York: W.W. Norton, 2001

Les Concours Publics d' Architecture. V.1 - V.15. Paris, 1898

Robinson, John Beverley. Architectural Composition. New York: D. Van Nostrand Company, 1908

Smith, Thomas Gordon. Vitruvius on Architecture. New York: The Monacelli Press, 2003

Snyder, Frank M. Building Details. New York: WW Norton, 2008

Stratton, Arthur. Elements of Form & Design in Classic Architecture. London: BT Batsford Limited, 1925

Vignola, Giacomo Barozzi. Canon of the Five Orders of Achitecture. New York: Acanthus Press, 1999

Vitruvius Pollio, Marcus. Ten Books on Architecture.

Section C-6: Definitions

Anchor Retail: A larger store, usually a department store or major retail chain, ranging 30,000 square feet to 45,000 square feet.

Apartment & Townhouse Streets: Smaller-scale, residential streets that are lined with low-scale multifamily buildings

Arcade Frontage: A covered pedestrian space along the street level of a building, as described in Section 3-510-5, Architectural Standards.

Arch: A curved part of a structure that is over an opening and that supports a wall or other weight above the opening.

Balcony: An open habitable portion of an upper floor extending beyond a building's exterior wall that is not supported from below by vertical columns or piers but is instead supported by either a cantilever or brackets.

Block Face: The aggregate of all the building Facades on one side of a Block. The Block Face provides the context for establishing architectural harmony.

Building Frontage: The side of a building which faces the frontage street. The required building frontage per lot type is the percentage of lot width over which the Principal Facade extends.

Cornice: Projecting horizontal decorative molding along the top or horizontal facade breaks of a wall or building

Cupolas: A domelike structure surmounting a roof, often used as a lookout or to admit light and air.

Downtown Streets: Typical streets within Downtown Coral Gables that accommodate taller buildings that respectfully step back at a reasonable height

Encroachment: Any structural element such as Galleries, Garden Walls, Porches, Stoops, Balconies, or Awnings that break the plane of a vertical or horizontal regulatory limit extending into a Setback or forward of the Build-to Line.

Floor: A Habitable level within a building.

Front Facade: The Facade designated to bear the address and Principal Entrance to the building.

Historic/Civic Building: Buildings that have significance due to their special use, architectural design, or history. These buildings are given priority in site plan design and are made a focal point of public spaces. Frontages of surrounding buildings shall be harmonious with and subservient to Historic/Civic Buildings identified on the Regulating Plan. In addition, Historic Buildings are subject to all applicable standards in the Coral Gables Zoning Code for historic structures.

Paseo: A public area, sidewalk, pedestrian pass-through and/or passageway that is commonly shared or used for pedestrian circulation. Paseos are open-air, non-air conditioned spaces that are open to the public.

Primary Pedestrian Entrance: A grade level entrance from the public right-of-way for pedestrians that are easily accessible and are designed to minimize walking distances.

Principal Facade (For purposes of placing buildings along build-to lines or build-to zones): the front plane of a building not including Encroachments.

Regulating Plan: A plan or map of the Mediterranean Village designating the locations of physical features that shall be included in any subsequent building.

Rooftop Architectural Element: Architectural features not used for human occupancy, consisting of spires, belfries, or Cupolas; Parapet walls, and Cornices without windows; chimneys, ventilators, skylights, and antennas.

Shared Parking: An accounting for parking spaces that are available to more than one function. The requirement is reduced by a factor, shown as a calculation. The Shared Parking ratio varies according to multiple functions to close proximity, which are unlikely to require the spaces at the same time.

Shopfront Frontage: A ground floor lined with storefronts made with a combination of opaque and transparent materials. The uses behind shopfronts shall be commercial uses allowed by this section. Shops and restaurants shall have operable doors along their front facades spaced at an average of 60 feet on center. A shopfront may occur at the street-facing edge of the building or it may be set back under or inside an arcade. See Section 3-310-5, Architectural Standards, for specific requirements regarding storefronts.

Signature Streets: Primary thoroughfares with wide rights of way that accommodate taller buildings

Signature Terminated Vista: An architectural feature on a building that may include additional floors and height in recognition of its location fronting a Signature Street and its unique site and visibility.

Stepback: Locations where upper floors of tall buildings set back from the Build-To Line in order to respectfully shape public space and allow additional light and air at street level.

Stoop: A small staircase ending in a platform and leading to the entrance of an apartment building or townhouse.

Street Type: Classification of public space based on its existing or desired physical form. Street Type classification is used to regulate Building Form.

Street Type Plan: A map depicting a system of categories based on form and character from which the regulations for buildings, and the interface between the building and the street, are based.

Terminated Vista: An architectural treatment or expression on the facade of a building that is visible from long distances due to its siting within its urban context. It may include a combination of any of the following: a noticeable change in materials, a change in proportion of the massing of the building, a change in window sizes and/or spacing, or a tower with or without an architectural appurtenance above it.

Upper Level Bridge: Upper level bridges are optional at the approximate locations shown on the Regulating Plan only. See Section 3-510-4, General Standards for additional requirements pertaining to upper level bridges.

City of Coral Gables Zoning Code Supplement Table

Insert this supplement in the rear of the Zoning Code

October 31, 2016

#	Date of distribution	Ordinance Number	Code Update Title	City Commission approval date	Article/ Section	Remove old pages	Insert new pages
1.	01.09.07	O-2007-01	Zoning Code Rewrite	01.09.07	All	All	All
2.	04.24.07	O-2007-18	Minimum site area for a mixed use building	04.24.07	Section 4-201(D)	4-23 - 4-24	4-23 - 4-24
3.	10.09.07	O-2007-32	Scrivener's errors	10.09.07	All	All	All
4.	12.11.07	O-2007-37	Art in public places	12.11.07	Article 3, Division 20	3-93	3-93 - 3-99
5.	01.08.08	O-2008-01	Planned Area Development	01.08.08	Section 3-502(C-D)	3-23 - 3-93	3-23 - 3-93
6.	01.08.08	N/A	Scrivener's error	N/A	Section 5-604(B)(3)	5-25 - 5-44	5-25 - 5-44
7.	03.25.08	O-2008-06	Concurrency Review	03.25.08	Article 3, Division 13	3-71 - 3-76	3-71 - 3-76
8.	05.13.08	O-2008-11	David Williams - Site Specific	05.13.08	Section A-12(F)	A-5 - A-54	A-5 - A-54
9.	06.03.08	N/A	Scrivener's error - clarified Appeals flow chart	N/A	Article 3, Division 6	3-34	3-34
10.	06.26.08	O-2008-15	Transitional Rules	06.26.08	Section 1-108(A)	1-1 - 1-5	1-1 - 1-6
11.	09.09.08	O-2008-19	Parking Lifts	09.09.08	Section 5-1410 and Article 8	5-61 - 5-134 & 8-36 - 8-37	5-61 - 5-134 & 8-36 - 8-37
12.	01.27.09	O-2009-06	Townhouse height - Site Specific	01.27.09	Section A-3-1 and Section A-12(B)(7)	A-1 - A-54	A-1 - A-55
13.	01.27.09	O-2009-07	Metal roofs	01.27.09	Article 5, Division 16 and Article 8	5-69 - 5-74 & 8-7 - 8-8	5-69 - 5-74 & 8-7 - 8-8
14.	01.27.09	O-2009-08	Administrative Decision Makers	01.27.09	Section 2-702	2-9 - 2-12	2-9 - 2-12
15.	01.27.09	O-2009-09	Family Definition	01.27.09	Article 8	8-9 - 8-37	8-9 - 8-38
16.	01.27.09	O-2009-10	Historic Preservation Board composition	01.27.09	Section 2-502	2-7 - 2-8	2-7 - 2-8
17.	01.27.09	O-2009-11	Davits	01.27.09	Section 5-805(D)	5-37 - 5-44	5-37 - 5-44
18.	03.19.09	O-2009-14	Visibility Triangles	02.24.09	Section 5-1406	5-55 - 5-58	5-55 - 5-58
19.	03.19.09	O-2009-15	Zoning Official	02.24.09	Section 2-709	2-11 - 2-12	2-11 - 2-12
20.	03.19.09	O-2009-16	Screening - MXD Rooftop Screening	02.24.09	Section 4-201(F)(17)	4-27 -4-63	4-27 - 4-64
21.	03.19.09	O-2009-17	Screening - Mech-anical Equipment	02.24.09	Section 5-603(H)(6)	5-21 - 5-22	5-21 - 5-22
22.	03.19.09	O-2009-18	Screening - Mech-anical Equipment	02.24.09	Section 5-603(H)(7)	See above	See above
23.	03.19.09	O-2009-19	Screening - Solar Water Heaters	02.24.09	Section 5-1801(D)	5-73 - 5-80	5-73 - 5-80
24.	03.19.09	O-2009-20	Screening - Rooftop Equipment	02.24.09	Section 5-1802	See above	See above
25.	03.19.09	O-2009-21	Screening - Air-conditioning	02.24.09	Section 5-1804	See above	See above
26.	03.19.09	O-2009-22	Campaign Signs	03.10.09	Section 5-1909 and Article 8	5-91 - 5-134 & 8-3 - 8-38	5-91 - 5-136 & 8-3 - 8-38
27.	05.11.09	O-2009-06	Site Specific – Scrivener's Error	01.27.09	Section A-3-1 and Section A-12(B)(7)	A-1 - A-55	A-1 - A-55

#	Date of distribution	Ordinance Number	Code Update Title	City Commission approval date	Article/ Section	Remove old pages	Insert new pages
28.	06.09.09	O-2009-28	Country club	06.02.09	Section 4-204 and Article 8	4-45 - 4-48 & 8-7 - 8-39	4-45 - 4-48 & 8-7 - 8-40
29.	07.30.09	O-2009-36	Historic Preservation Board – Quorum	07.29.09	Section 2-503(B)	8-7 - 8-8	8-7 - 8-8
30.	08.28.09	O-2009-38	Amateur radio antennas	08.25.09	Section 5-2011	5-113 - 5-136	5-113 - 5-138
31.	12.17.09	O-2009-55	Nightclubs	12.15.09	Section 4-401 and Article 8	4-59 - 4-64 & 8-1 - 8-40	4-59 - 4-64 & 8-1 - 8-41
32.	12.17.09	O-2009-56	Amateur radio antennas	12.15.09	Article 5, Division 20 and Article 8	5-99 - 5-138 & 8-1 - 8-40	5-99 - 5-138 & 8-1 - 8-41
33.	12.17.09	O-2009-57	Flat roofs	12.15.09	Article 5, Division 16	5-69 - 5-80	5-69 - 5-80
34.	02.25.10	O-2010-01	Art in Public Places	02.10.10	Article 3, Division 20	3-93 - 3-99	3-93 - 3-99
35.	02.25.10	O-2010-02	Monument signs	02.23.10	Section 5-1905 and Article 8	5-87 - 5-138 & 8-17 - 8-41	5-87 - 5-138 & 8-17 - 8-41
36.	06.14.10	O-2010-10	City Architect Determinations; PAD Time Limit on Approvals; and, Trellises	06.01.10	Section 3-303; Article 3, Division 5; Article 4; Section 5-113; and, Article 8	3-1 - 3-99; 4-1 - 4-64; 5-5 - 5-30; & 8-37 - 8-41	3-1 - 3-98; 4-1 - 4-64; 5-5 - 5-30; & 8-37 - 8-41
37.	09.22.10	O-2010-18	Permitted uses within a botanical garden	09.14.10	Section 4-204	4-45 - 4-64	4-45 - 4-64
38.	09.28.10	O-2010-30	Development agreements	09.28.10	Section 3-1907(A)	3-91 - 3-92	3-91 - 3-92
39.	10.12.10	O-2010-34	University Campus District	10.12.10	Section 4-202 and Article 8	1-3 - 1-4, 3-5 - 3-6, 3-29 - 3-30, 4-1 - 4-64, 5-39 - 5-46 & 8-1 - 8-41	1-3 - 1-4, 3-5 - 3-6, 3-29 - 3-30, 4-1 - 4-62, 5-39 - 5-46 & 8-1 - 8-42
40.	12.14.10	O-2010-39	Parking surfaces	12.14.10	Section 5-1404(C)	5-55 - 5-56	5-55 - 5-56
41.	03.11.11	O-2011-05	Transitional Rules	03.08.11	Section 1-108	1-1 - 1-6	1-1 - 1-5
42.	03.11.11	O-2011-05	Decision Making and Administrative Bodies	03.08.11	Section 2-101 and 2-201	2-1 - 2-12	2-1 - 2-13
43.	03.11.11	O-2011-05	Public Hearing Notice Procedures	03.08.11	Section 3-302	3-13 - 3-36	3-13 - 3-36
44.	03.11.11	O-2011-05	Procedures for appeals	03.08.11	Section 3-606	3-37 - 3-98	3-37 - 3-101
45.	03.11.11	O-2011-05	Mixed Use District	03.08.11	Section 4-201	4-25 - 4-34	4-25 - 4-34
46.	03.11.11	O-2011-05	Boats and boat trailers	03.08.11	Section 4-413	4-61 - 4-62	4-61 - 4-62
47.	03.11.11	O-2011-05	ATM signage	03.08.11	Section 5-115	5-7 - 5-8	5-7 - 5-8
48.	03.11.11	O-2011-05	Mediterranean Style Design Standards	03.08.11	Section 5-604	5-23 - 5-32	5-23 - 5-32
49.	03.11.11	O-2011-05	Exterior walls - facing materials	03.08.11	Section 5-607	5-33 - 5-80	5-33 - 5-80
50.	03.11.11	O-2011-05	Cocoplum Section Two Site Specifics	03.08.11	Section A-23	A-11 - A-12	A-11 - A-12
51.	03.24.11	O-2011-06	Gulliver Site Specific change	03.22.11	Section A-6	A-5 - A-6	A-5 - A-6

#	Date of distribution	Ordinance Number	Code Update Title	City Commission approval date	Article/ Section	Remove old pages	Insert new pages
52.	12.15.11	O-2011-14	Museum	12.13.11	Sections 4-204, 4-301, 4-302 and 4-303; and, Article 8	4-23 - 4-62	4-23 - 4-62
53.	12.15.11	O-2011-15	Transfer of Development Rights	12.13.11	Article 3, Division 10	3-49 - 3-101	3-49 - 3-102
54.	12.15.11	O-2011-16	Art in Public Places	12.13.11	Article 5, Division 19 and Article 8	5-95 - 5-138 & 8-9 - 8-42	5-95 - 5-140 & 8-9 - 8-43
55.	12.15.11	O-2011-20	Mixed-Use District Ground Floor Uses	12.13.11	Section 4-201	4-23 - 4-62	4-23 - 4-62
56.	12.15.11	O-2011-19	Mixed-Use District Density	12.13.11	Section 4-201	4-23 - 4-62	4-23 - 4-62
57.	03.13.12	O-2012-03	Awnings and canopies	03.13.12	Section 4-204; Article 5, Division 3; and, Article 8	4-43 - 4-44, 5-13 - 5-140, & 8-1 - 8-43	4-43 - 4-44, 5-13 - 5-141, & 8-1 - 8-43
58.	03.13.12	O-2012-04	Non-voting ex-officio positions	03.13.12	Section 2-202 and Section 2-402	2-1 - 2-13	2-1 - 2-13
59.	11.21.12	N/A	Pickup trucks	N/A	Section 4-411 and Article 8	4-61 – 4-62 8-41 – 8-43	4-61 – 4-63 8-41 – 8-43
60.	03.27.13	O-2013-03	Snapper Creek Marina Facility	02.05.13	Appendix A	A-52 - 55	A-52 - 57
61.	03.27.13	O-2013-06	Clarification of lot and building facing requirements	03.26.13	Sections 3-901-905; Sections 4-101-103; and, Appendix A	All of Articles 3 and 4 & Appendix A	All of Articles 3 and 4 & Appendix A
62.	03.27.13	O-2013-06	Remove $500 building permit threshold	03.26.13	Section 3-207	All of Article 3	All of Article 3
63.	03.27.13	O-2013-06	Revision to historic provisions	03.26.13	Section 3-1107	All of Article 3	All of Article 3
64.	03.27.13	O-2013-06	Clarification of undue economic hardship claims for Historic Preservation Special Certificates of Appropriateness	03.26.13	Section 3-1115	All of Article 3	All of Article 3
65.	03.27.13	O-2013-06	Amendment to Historic Preservation Board variances	03.26.13	Section 3-1113	All of Article 3	All of Article 3
66.	03.27.13	O-2013-06	Reduce MF2 setback requirements	03.26.13	Section 4-103	All of Article 4	All of Article 4
67.	03.27.13	O-2013-06	Exclude basement from floor area calculation for SFR	03.26.13	Section 4-101	All of Article 4	All of Article 4
68.	03.27.13	O-2013-06	Clarify MXOD max. allowable height	03.26.13	Section 4-201	All of Article 4	All of Article 4
69.	03.27.13	O-2013-06	Requires historic designation for Coral Gables Cottage	03.26.13	Section 5-502	All of Article 5	All of Article 5
70.	03.27.13	O-2013-06	Removes breezeway from min. residential parking requirements	03.26.13	Sections 5-503 and 5-1409	All of Article 5	All of Article 5
71.	03.27.13	O-2013-06	Clarify permitted landscape materials	03.26.13	Section 5-1105	All of Article 5	All of Article 5

#	Date of distribution	Ordinance Number	Code Update Title	City Commission approval date	Article/ Section	Remove old pages	Insert new pages
72.	03.27.13	O-2013-06	Provide porte-cochere min. dimensions and clarify garage min. clearance requirements	03.26.13	Section 5-1402	All of Article 5	All of Article 5
73.	03.27.13	O-2013-06	Clarify heights for fence/wall elements	03.26.13	Section 5-2403	All of Article 5	All of Article 5
74.	03.27.13	O-2013-06	Remove classification of generators as auxiliary/accessory use	03.26.13	Section 5-2801	All of Article 5	All of Article 5
75.	03.27.13	O-2013-06	Clarify installation requirements for fountains, planters and flagpoles	03.26.13	Sections 5-101, 5-120, 5-121, and 5-122	All of Article 5	All of Article 5
76.	03.27.13	O-2013-06	Creates Zoning Code Accessory Use Category Table	03.26.13	Sections 4-101-104, 4-201, 4-204, and 4-301-303	All of Article 4	All of Article 4
77.	03.27.13	O-2013-06	Update Use Category Table	03.26.13	Article 4	All of Article 4	All of Article 4
78.	03.27.13	O-2013-06	Revised definitions	03.26.13	Article 8	8-3 – 8-4 & 8-13 – 8-16	8-3 – 8-4 & 8-13 – 8-16
79.	06.12.13	O-2013-08	Postponement of appeals	06.11.13	Section 3-608	3-37 – 3-40	3-37 – 3-40
80.	09.13.13	O-2013-11	Revised UCD Frontage definitions	09.12.13	Article 8	8-41 – 8-43	8-41 – 8-43
81.	02.27.14	O-2014-03	Art in Public Places	02.25.14	Article 3, Division 20	3-99 – 3-104	3-99 – 3-105
82.	02.27.14	O-2014-02	Sign encroachments	02.25.14	Section 5-1911	5-93 – 5-142	5-93 – 5-142
83.	05.15.14	O-2014-08	Zoning relief procedure	04.22.14	Article 3, Division 17	3-91 – 3-105	3-91 – 3-108
84.	05.15.14	O-2014-10	UCD Frontage C	05.13.14	Section 4-202	4-39 – 4-40	4-39 – 4-40
85.	07.29.14	N/A	Scrivener's error	N/A	Section 3-1805	3-97 - 3-98	3-97 - 3-98
86.	07.29.14	O-2014-15	Cartee Homestead site specifics	07.22.14	Section A-17.1	All of Appendix A	All of Appendix A
87.	10.17.14	O-2014-20	Remote Off-Street Parking	08.26.14	Article 5, Division 14	5-59 – 5-142	5-59 – 5-146
88.	10.17.14	O-2014-26	Development Review Committee	09.23.14	Article 2, Division 8 and Section 3-204	2-13 – 2-13 & All of Art. 3	2-13 – 2-15 & All of Art. 3
89.	10.17.14	O-2014-27	Transfer of Development Rights	09.23.14	Article 3, Division 10	All of Article 3	All of Article 3
90.	10.17.14	O-2014-31	Riviera-Maggiore site specifics	10.14.14	Section A-77.1	A-45 – A-57	A-45 – A-57
91.	03.31.15	O-2014-36	Medicinal Marijuana	11.18.14	Sections 4-302, 4-417, 5-1409 and Article 8	4-1 - 4-4, 4-53 - 4-62, 5-65 - 5-72 & All of Art. 8	4-1 - 4-4, 4-53 - 4-64, 5-65 - 5-72 & All of Art. 8
92.	03.31.15	O-2015-04	Gables Harbor condo finger piers	03.25.15	Section A-95	A-55 - A-57	A-55 - A-57
93.	06.01.16	O-2015-07	North Industrial MXOD Height	05.26.15	Section 4-201	All of Article 4	All of Article 4
94.	06.01.16	O-2015-12	Mediterranean Village	06.10.15	Section 3-510, Section A-36 & Appendix C	All of Article 3 & Appendix A	All of Art. 3, Appendix A & Appendix C
95.	06.01.16	O-2015-33	Sign Code	12.08.15	Section 4-411; Article 5, Division 19; and, Article 8	All of Articles 4, 5 & 8	All of Articles 4, 5 & 8

#	Date of distribution	Ordinance Number	Code Update Title	City Commission approval date	Article/ Section	Remove old pages	Insert new pages
96.	06.01.16	O-2015-37	Paseo de la Riviera	12.08.15	Section A-83	All of Appendix A	All of Appendix A
97.	06.01.16	O-2016-16	311 and 315 Santander Avenue	03.15.16	Section A-36	All of Appendix A	All of Appendix A
98.	06.01.16	O-2016-22	Board of Architects	03.29.16	Article 2, Division 3; Section 3-303; and, Section 3-606	All of Article 2 & 3	All of Article 2 & 3
99.	06.01.16	O-2016-23	Shared Parking	03.29.16	Section 5-1410	All of Article 5	All of Article 5
100.	06.01.16	O-2016-24	MXD Design and Parking Regulations	03.29.16	Section 4-201	All of Article 4	All of Article 4
101.	06.01.16	O-2016-26	Building Site Determination	04.12.16	Section 3-206 and Article 8	All of Articles 3 & 8	All of Articles 3 & 8
102.	06.01.16	O-2016-28	Various Zoning Code Text Amendments	04.12.16	Articles 2, 4, 5 and 8	All of Articles 2, 4, 5 & 8	All of Articles 2, 4, 5 & 8
103.	06.01.16	O-2016-29	Green Building Standards	04.26.16	Section 5-1302	All of Article 5	All of Article 5
104.	10.31.16	N/A	Temporary Tents (CAO 2016-076)	N/A	Section 5-2109	5-134 - 5-150	5-134 - 5-150
105.	10.31.16	O-2016-36	FVP Red Road Site Specifics	06.14.16	Section A-38	A-19 - A-57	A-19 - A-57
106.	10.31.16	O-2016-44	Notice of Public Hearing	08.23.16	Article 3, Division 3 and Article 8	3-13 - 3-24 & 8-1 - 8-2	3-13 - 3-24 & 8-1 - 8-2
107.	10.31.16	O-2016-48	Historic Preservation	09.28.16	Article 3, Division 11; Article 5, Division 24; and, Article 8	3-57 - 3-76, 5-133 - 5-150 & 8-15 - 8-43	3-57 - 3-76, 5-133 - 5-150 & 8-15 - 8-43
108.	10.31.16	O-2016-49	Bed and Breakfast	10.11.16	Section 5-2601	5-133 - 5-150	5-133 - 5-150
109.	10.31.16	TBD	Parks as Permitted Principal Use	10.25.16	Article 4	All of Article 4	All of Article 4
110.	10.31.16	TBD	Public Hearing Notification	10.25.16	Section 3-302	3-13 - 3-24	3-13 - 3-24

This Zoning Code supplement table will be updated and included with each Zoning Code update approved by the City Commission.