

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA PROVIDING FOR TEXT AMENDMENTS TO THE CITY OF CORAL GABLES OFFICIAL ZONING CODE, ARTICLE 4, "ZONING DISTRICTS", DIVISION 1, "RESIDENTIAL DISTRICTS", SECTION 4-102, "MULTI-FAMILY 1 DUPLEX (MF1) DISTRICT" BY ADDING TOWNHOUSES/ROW HOUSES AS A CONDITIONAL USE WITHIN THE MF1 ZONING DISTRICT, ESTABLISHING DEVELOPMENT STANDARDS FOR SUCH MF1 USES, AND REQUIRING ALL SUCH MF1 USES TO BE CONSTRUCTED IN ACCORDANCE WITH THE REQUIREMENTS AND PERFORMANCE STANDARDS FOR TOWNHOUSE/ROW HOUSE DEVELOPMENT SPECIFIED IN SECTION 4-104, MULTI-FAMILY SPECIAL AREA (MFSA) DISTRICT; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, City Staff is requesting a Zoning Code text amendment to permit the townhouse/row house building typology within the Multi-Family 1 Duplex (MF1) Zoning District as a conditional use, with development standards derived from the relevant regulations for townhouse/row house buildings in the Multi-Family Special Area (MFSA) Zoning District; and,

WHEREAS, the proposed changes also include additional performance standards necessary to ensure the compatibility of such development in the MF1 zoning district; and,

WHEREAS, after notice duly published, a public hearing was held before the Planning and Zoning Board on April 9, 2014, at which hearing all interested parties were afforded the opportunity to be heard; and,

WHEREAS, the Board was presented with the text amendments to the Official Zoning Code, and after due consideration, recommended (approval/denial) (vote: _-_) of the text amendments; and,

WHEREAS, after notice duly published, a public hearing for First Reading was held before the City Commission on _____, 2014, at which hearing all interested parties were afforded the opportunity to be heard; and

WHEREAS, the City Commission was presented with a text amendment to the Zoning Code, and after due consideration and discussion, (approved/denied) the amendment on First Reading (vote: __-__).

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE

CITY OF CORAL GABLES, FLORIDA:

SECTION 1. The foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. The Official Zoning Code of the City of Coral Gables is hereby amended as follows (changes in ~~strike-through~~ / underline format):

ARTICLE 4. Zoning Districts

Division 1. Residential Districts

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 and townhouses/row houses 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. *Single-family dwellings that conform to the standards for single-family residences in an SFR District.*
 5. *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.*
 2. *Townhouse/row house dwellings. For purposes of this Section, Townhouse/rowhouse means an attached dwelling unit with primary access at grade, that is a series of at least three (3) 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.



D. Performance standards. The following performance standards shall govern the general development of structures in the District, other than townhouse/row house buildings and related structures, which are governed by Subsection E. below. 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.*

E. Performance standards for townhouse/row house buildings and structures. The following performance standards shall govern the general development of townhouse/row house buildings and related 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. Each townhouse/row house unit shall be at least twenty-two (22) feet wide. The building site shall have a minimum street frontage of one hundred (100) feet, and a minimum depth of one hundred (100) feet, or such other depth that the Development Services Director deems adequate. A minimum of three (3) townhouse/row house units shall be required for each building site.

2. Density. Maximum eighteen (18) units per acre. [NOTE: Requires a comprehensive plan amendment; currently 9 units to the acre.]

3. Facing of lots and buildings. Every townhouse/row house 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 the townhouse/row house 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. Townhouse/row house units 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.

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.

a. Front setback. The front setback shall be ten (10) feet, which shall also be a build-to line for the ground level of any building.

b. Side and rear setbacks.

i. Interior property line and abutting alley setback. None.

ii. Abutting a public street or property line. Ten (10) feet.

c. 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. Height. No taller than three (3) floors and thirty five (35) feet.

6. Streetscape standards. The developer, successors and assigns of all new residential buildings shall be responsible for the improvement of the area between the front setback and edge of pavement as an urban or suburban streetscape in accordance with Section 4-104.D.9.b.-h. Based on its location, the Development Services Director shall specify whether the project shall follow the standards for an urban streetscape or for a suburban streetscape, as established by Section 4-104.D.9.b.-h. of the Zoning Code. Any improvements constructed within the public right-of-way shall be dedicated to and maintained by the City. The maintenance of any landscaping within the right-of-way is subject to Chapter 2, Article IV of the City Code. All parking spaces shall be ground level.

7. FAR. Maximum floor area ratio of 2.0.

8. 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 building's floor area ratio in this District shall include the following:

a. Unenclosed private balconies.

b. Off-street parking garages.

c. Open stairwells.

9. Coral Gables Mediterranean Style Design. The project shall comply with Numbers 5 and 6 of Table 2 of Article 5, Division 6, is not required to comply with Table 1, and shall comply with the remainder of Article 5, Division 6.

10. Additional design requirements. Required Coral Gables Mediterranean Architecture design elements and style shall include:

a. Building façades. All building façades (front, rear and side) shall be fully finished, and shall be proportioned and composed with Mediterranean Architecture design elements in a form and style that enhance the appearance of the building and its vicinity, and the overall aesthetic quality of the City. Design elements such as recessed windows with articulated sills and lintels; piers and arches; moldings and cornices; pilasters, engaged columns and columns; texture and color of materials, shall be used in ways consistent with the high standards of architecture established by historical building precedents of Coral Gables Mediterranean Architecture.

b. Building materials. High quality natural and energy efficient materials and architectural embellishments such as ceramic tile, decorative planters, and stonework shall be used throughout the building. Special care shall be taken to contribute to the overall design, scale and quality of the pedestrian public space of the City.

c. Building massing. The mass of a building shall rely upon proportions accentuating vertical elements, decorative use of roofline, and variation in roof heights. Structures shall be designed at the scale of the pedestrian. Roof top decorative structures and features shall be proportioned and detailed to enhance the City.

d. Building details. Building details shall include the use of functional balconies with brackets, decorative railings, balustrades and related relief elements; pedestrian area detailing for private courtyards, paseos and arcades; proportioned and quality materials for fenestration; wall articulation and texture; and other three dimensional aesthetic features that enhance the appearance of the building. Only details characteristic of Coral Gables Mediterranean Architecture shall be used, which range from the classical orders of City Hall and the Biltmore to the vernacular features of Douglas Entrance, and provide an ample and cohesive palette of architectural expression. Proportions, finishes and scale shall be reviewed for appropriateness and correctness. All visible exterior surfaces, including floors, walls and ceilings, shall be detailed in ways consistent with the Coral Gables Mediterranean Architecture design elements and style.

11. Alley and other common areas.

a. Alley. A private alley shall be constructed along the rear property line, if none exists, as a common area or with cross access agreements, as the exclusive means of vehicular access to the townhouse/row house units. The design of the alley shall comply with the following:

i. Width. The right-of-way width of the alley shall be not less than twenty (20) feet, and shall provide adequate turning areas at changes in angles.

ii. Buffering. Enhanced landscaping and buffering shall be provided along the rear property line, on the far side of the alley, to assure compatibility with abutting residential development, recognizing that the side yards of such development may face the alley.

Property owners who seek approval of a townhouse/row house pattern of development must agree to provide a cross access agreement to allow the continuation of this pattern of development, and a continuous and functional rear alley, on an abutting property if proposed in the future.

b. Maintenance and control of alley and any other common areas. Land utilized for the private alley, and any other proposed 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 Section 5-2303. Such instrument shall be recorded in the Public Records of Miami-Dade County and shall be binding upon the developer, property owners association, successors, and assigns and shall constitute a covenant running with the land assuring continued function and private maintenance and control of the alley and any other common areas.

c. Expansion of existing or approved townhouse/row house pattern of development. If an abutting property proposes to continue an existing or approved townhouse/row house pattern of development, the owner of the abutting property shall obtain from and provide to the owner of the existing or approved development cross access easements so that the private rear alley can be continuous. These cross access easements shall be recorded, and a copy submitted to the City as part of the approval of the continuation of the townhouse/row house development pattern on the abutting property.

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

SECTION 4. If any section, part of section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of Ordinance No. 2007-01 as amended and known as the “Zoning Code” of the City of Coral Gables, Florida, which provisions may be renumbered or re-lettered and the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

SECTION 6. If the Official Zoning Code of the City of Coral Gables Tables of Contents or other reference portions is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective _____, 2014.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2014.

APPROVED:

JIM CASON
MAYOR

ATTEST:

WALTER FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRAIG E. LEEN
CITY ATTORNEY