



# City of Coral Gables Planning and Zoning Staff Report

**Applicant:** City of Coral Gables  
**Application:** Zoning Code Text Amendment - Major Developments as Conditional Uses  
**Public Hearing:** Planning and Zoning Board  
**Date & Time:** **October 19, 2016; 6:00 – 9:00 p.m.**  
**Location:** City Commission Chambers, City Hall,  
405 Biltmore Way, Coral Gables, Florida 33134

## 1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

*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 4-103, "Multi-Family 2 District," Section 4-104, "Multi-Family Special Area District;" Division 3, "Nonresidential Districts," Section 4-301, "Commercial Limited District," Section 4-302, "Commercial District," and Section 4-303, "Industrial District" requiring buildings containing a certain amount of floor area to be approved as a conditional use; providing for repealer provision, severability clause, codification, and providing for an effective date.*

## 2. BACKGROUND INFORMATION

City Staff has prepared a Zoning Code text amendment requiring all major developments that contain fifty-thousand (50,000) square feet or more floor area to be approved as a conditional use.

The City Commission has concerns regarding built projects that did not receive reviews in a public hearing setting and were not subject to input from the public yet have a major impact on the City of Coral Gables. The proposed amendment will allow for the opportunity for the City Commission to review projects of a significant size that warrant increased reviews.

### 3. PROPOSED ZONING CODE TEXT AMENDMENT

The proposed Zoning Code text amendment is provided below in ~~striketrough~~/underline format.

#### Article 4 - Zoning Districts

##### Division 1. Residential Districts

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

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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.
4. Buildings containing fifty-thousand (50,000) square feet or more of floor area.

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

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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.
4. Buildings containing fifty-thousand (50,000) square feet or more of floor area.

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**Division 3. Nonresidential Districts****\*\*\*****Section 4-301. Commercial Limited (CL) District.****\*\*\***

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 (ALF).
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.
12. Buildings containing fifty-thousand (50,000) square feet or more of floor area.

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

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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:

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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.
10. Buildings containing fifty-thousand (50,000) square feet or more of floor area.

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

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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).
5. Buildings containing fifty-thousand (50,000) square feet or more of floor area.

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**4. FINDINGS OF FACT**

In accordance with Section 3-1405 of the Zoning Code, the Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to the Zoning Code unless the text amendment:

- 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.

Staff finds that all five of these criteria are satisfied.

**5. COMPREHENSIVE PLAN CONSISTENCY**

In accordance with Section 3-1407 of the Zoning Code, the Planning and Zoning Board shall determine whether the Zoning Code text amendment is consistent with the Comprehensive Plan. Staff finds that the proposed text amendment is consistent with the Comprehensive Plan.

**6. PUBLIC NOTIFICATION**

The following has been completed to provide notice of the request:

Type	Date
Legal advertisement	10.07.16
Posted agenda on City web page/City Hall	10.14.16
Posted Staff report on City web page	10.14.16

**7. STAFF RECOMMENDATION**

The Planning and Zoning Division recommends approval.

**8. ATTACHMENTS**

A. 10.07.16 Legal advertisement published.

Please visit the City’s webpage at [www.coralgables.com](http://www.coralgables.com) to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,



Ramon Trias  
 Director of Planning and Zoning  
 City of Coral Gables, Florida

**MIAMI DAILY BUSINESS REVIEW**

Published Daily except Saturday, Sunday and  
Legal Holidays  
Miami, Miami-Dade County, Florida

STATE OF FLORIDA  
COUNTY OF MIAMI-DADE:

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

NOTICE OF PUBLIC HEARING  
CITY OF CORAL GABLES - OCT. 19, 2016

in the XXXX Court,  
was published in said newspaper in the issues of

10/07/2016

Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami, in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this  
7 day of OCTOBER, A.D. 2016

(SEAL)  
MARIA MESA personally known to me



**CITY OF CORAL GABLES, FLORIDA  
NOTICE OF PUBLIC HEARING**

City Public Hearing Local Planning Agency / Planning and Zoning Board  
Dates/Times Wednesday, October 19, 2016, 6:00 - 9:00 p.m.

Location City Commission Chambers, City Hall, 405 Biltmore  
Way, Coral Gables, Florida, 33134

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

Items 1 through 3 are related.

1. An Ordinance of the City Commission of Coral Gables, Florida requesting an amendment to the Future Land Use Map of the City of Coral Gables Comprehensive Plan pursuant to Zoning Code Article 3, "Development Review", Division 15, "Comprehensive Plan Text and Map Amendments", and Small Scale amendment procedures (ss. 163.3187, Florida Statutes), from "Residential Multi-Family Medium Density" to "Commercial Mid-Rise Intensity" for the property legally described as all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; and, providing for severability, repealer and an effective date. (LPA Review)
2. An Ordinance of the City Commission of Coral Gables, Florida requesting a change of zoning pursuant to Zoning Code Article 3, "Development Review", Division 14, "Zoning Code Text and Map Amendments", from Multi-Family 2 District (MF2) to Commercial District (C) for the property legally described as all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; and providing for severability, repealer and an effective date.
3. A Resolution of the City Commission of Coral Gables, Florida requesting mixed use site plan review pursuant to Zoning Code Article 4, "Zoning Districts", Division 2, "Overlay and Special Purpose Districts", Section 4-201, "Mixed Use District (MXD)", for the mixed use project referred to as "33 Alhambra" on the property legally described as all of Block 15, Coral Gables Section "L" (20 and 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; including required conditions; providing for an effective date.
4. An Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to the City of Coral Gables Official Zoning Code, Article 4, "Zoning Districts," Division 4, "Prohibited Uses," Section 4-411, "Parking in residential areas;" amending the provisions for loading and unloading of commercial vehicles within residential districts and within a specified distance of residential districts; providing for repealer provision, severability clause, codification, and providing for an effective date.

5. 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 4-103, "Multi-Family 2 District," Section 4-104, "Multi-Family Special Area District;" Division 3, "Nonresidential Districts," Section 4-301, "Commercial Limited District," Section 4-302, "Commercial District," and Section 4-303, "Industrial District" requiring buildings containing a certain amount of floor area to be approved as a conditional use; providing for repealer provision, severability clause, codification, and providing for an effective date.

All interested parties are invited to attend and participate. Upon recommendation by the Board, the applications will be scheduled for City Commission consideration. Please visit the City webpage at [www.coralgables.com](http://www.coralgables.com) to view information concerning the applications. The complete applications are on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida, 33134. Questions and written comments can be directed to the Planning and Zoning Division at [planning@coralgables.com](mailto:planning@coralgables.com) (FAX: 305.460.5327) or 305.460.5211.

Ramon Trias  
Director of Planning and Zoning  
Planning & Zoning Division  
City of Coral Gables, Florida

Any person, who acts as a lobbyist pursuant to the City of Coral Gables Ordinance No. 2006-11, as amended, must register with the City Clerk prior to engaging in lobbying activities before City Staff, Boards, Committees or City Commission. A copy of the Ordinance is available in the Office of the City Clerk, City Hall. If a person decides to appeal any decision made by a Board, Committee or City Commission with respect to any matter considered at a meeting or hearing, that person will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based (F.S. 286.0105). Any meeting may be opened and continued and, under certain circumstances, additional legal notice will not be provided. Any person requiring special accommodations in order to attend or participate in the meeting should contact the City's ADA Coordinator, Raquel Elejabarrieta (Email: [relejabarrieta@coralgables.com](mailto:relejabarrieta@coralgables.com), Telephone: 305-722-8686, TTY/TDD: 305-442-1800, at least three (3) working days prior to the meeting. All meetings are telecast live on Coral Gables TV Channel 77.