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ARTICLE 4 – ZONING DISTRICTS
Division 2 - Overlay And Special Purpose Districts

Section 4-201. Mixed Use District

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; public open spaces including the following attributes:
 - a. Provide a variety of uses in the area which can be traversed in a ten-minute walk which is an area roughly inscribed by a 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 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, opens 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.

B. Permitted uses. The following uses are permitted in the Mixed Use District subject to the standards in this Section and other applicable regulations in Article 5:

1. Accessory uses except for drive through facilities.
2. Alcoholic beverage sales.
3. Government uses.
4. Ground floor uses:
 - a. Retail sales and service. A minimum of 50% of the linear street frontage and 40% of the linear side street frontage.
 - b. Restaurants.
 - c. Indoor recreation/entertainment.
 - d. Sales and/or leasing offices, provided that approval is obtained in accordance with Article 5, Division 23.
 - e. Office, provided that the parcel proposed for development has a minimum of one-hundred (100) feet of street frontage.
5. Live work units.
6. Mixed use.
7. Overnight accommodations.
8. Parking garages.
9. Religious institutions.
10. Residential dwellings.

C. Minor conditional uses. The following uses are permitted in the Mixed Use District as Minor 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 facility.
2. Congregate care.
3. Day care.
4. Medical clinic.
5. Nighttime uses.
6. Restaurants, fast food.
7. Utility/Infrastructure Facilities.

D. Major conditional uses. The following uses are permitted in the Special-Mixed Use District as Major 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. Community center.
2. Planned area development.

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- 3. Public transportation facility.
- 4. Restaurants, fast food with drive through only. Research and technology use.
- 5. Camps.

E. Performance standards.		
(1)	Minimum site area.	20,000 square feet.
(2)	Lot coverage.	No minimum or maximum.
F. Building regulations.		
(1)	Encroachments for loggias and/or arcades located within rights-of-way.	<p>Encroachments up to a maximum of 10 feet into public rights-of-way may be permitted for the placement of a street level pedestrian arcade/loggia subject to satisfying the site plan criteria listed herein and the following regulations:</p> <ul style="list-style-type: none"> • Minimum percentage of open space. A minimum of 50% percent of the total ground floor 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: <ul style="list-style-type: none"> • 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 500 square feet. • 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 floor height or 18 feet, whichever is greater. Additional height may be recommended. • Restaurant seating. This area may be used for outdoor restaurant seating subject to conditional use approval as provided for in these <u>UDRs regulations.</u> • Maximum arcade/loggia lengths. Encroachments of up to 80% 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 street. Limitations of encroachments on corners of buildings may be required to control view corridors and ground floor building bulk and mass. • Vertical encroachment. Structure shall be limited to the following: <ul style="list-style-type: none"> • 3 floors or 45 feet (whichever is less) on 60 foot rights-of-way. • 1 floor or 18 feet (whichever is less) on rights-of-way less than 30 feet. • The encroachment shall be structurally supported entirely from the adjoining private property.

		<p>All applicable costs for improvements and/or relocation to utilities, sanitary sewer, stormwater, and other associated infrastructure improvements as a result of the request shall be the responsibility of the property owner.</p> <p>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.</p>
(2)	Encroachments of bridges over rights-of way.	Bridges traversing a public right-of-way is permitted, however, only if properties on both sides are under same ownership.
(3)	Encroachments for balconies, awnings, etc.	Subject to applicable LDRs regulations.
(4)	Floor area ratio.	Up to 3.5.
(5)	Floors.	No minimum or maximum required.
(6)	Floor to floor height.	The minimum floor-to-floor height shall be permitted as regulated per the Building Code.
(7)	Height.	<p>The permitted heights for habitable space for the following underlying zoning designations shall be as follows:</p> <ul style="list-style-type: none"> • Underlying "M," Industrial use district. Up to a maximum of 100 feet. • Underlying "CB," use district. Up to a maximum of 75 feet. • Underlying "CC," use district. Up to a maximum of 100 feet.
(8)	Heights of architectural elements, etc.	<p>The permitted height of architectural elements, spires, bell towers, elevator housings or similar non-habitable structures for the following underlying zoning designations shall be as follows:</p> <ul style="list-style-type: none"> • Industrial district. Up to a maximum of 25 feet. • Underlying "C," district. Up to a maximum of 15 feet. • Underlying "C," district. Up to a maximum of 25 feet. • Manufacturing uses shall be limited to 10 feet.
(9)	Height adjoining residential uses.	Properties which are adjacent to residential district designations shall be limited to a maximum height (habitable space) of 45 feet within 100 feet of the adjacent right-of-way line. Ten (10) additional feet is permitted for roof top architectural elements, etc. above the habitable height.
(10)	Number of buildings per site.	No minimum or maximum required.
(11)	Residential density.	Up to a maximum of 125 units per acre.
(12)	Setbacks (buildings).	<p>Same as underlying zoning district.</p> <p><u>Front:</u></p> <ul style="list-style-type: none"> • Up to 45' in height: None • If over 45' in height: Ten (10) feet <p><u>Side:</u></p> <ul style="list-style-type: none"> • Interior side: None • Side street: Fifteen (15) feet <p><u>Rear:</u></p> <ul style="list-style-type: none"> • Abutting a dedicated alley or street: None • No abutting dedicated alley or street: Ten (10) feet <p>Balconies: Cantelevered open balconies may project into</p>

		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.
(13)	Setback reductions.	<p>Reduction in setbacks. Setbacks may be reduced based upon satisfying the site plan criteria listed herein and subject to the following standards:</p> <ul style="list-style-type: none"> • Minimum percentage of open space. A minimum of 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: <ul style="list-style-type: none"> • 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 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 18 feet, whichever is greater. Additional height may be recommended. • Restaurant seating. This area may be used for outdoor restaurant seating subject to conditional use approval as provided for in the these LDR regulations. <p>Vertical building setback. A vertical setback of a minimum of 10 feet shall be provided above the height of 3 floors or 45 feet (whichever is less) on all façades. Additional setbacks may be requested to further reduce the potential impacts of the building bulk and mass.</p>
(14)	Setbacks adjoining residential uses.	Residential districts. All property lines abutting a residential land use or district – 15-foot minimum. No reductions in setbacks may be requested or granted.
(15)	Street/lot frontage.	No minimum or maximum.
G. Design regulations.		
(1)	Arcades and/or loggias.	Arcades, loggias or covered areas may accommodate up to 80% of the entire linear length of the building based upon the site plan review criteria listed herein. Encroachment of the entire length or 100% 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

		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 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 100 foot intervals. (b) Use of architectural relief and elements.
(5)	Lighting (street).	Decorative street lighting shall be provided and located on all streets/rights-of-way subject to the following: <ul style="list-style-type: none"> • Light fixtures/poles up to 35 feet in height. • Subject to all other applicable City code provisions.
(6)	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.
(7)	Lighting (landscaping).	Lighting in the form of uplighting of landscaping is encouraged.
(8)	Outdoor storage.	The storage of materials, goods, merchandise, equipment for the purpose of display and/or sales outside the confines of any buildings or structures is prohibited.
(9)	Overhead doors.	Overhead doors shall not face or be directed towards residential properties and/or adjacent right-of-ways abutting residentially zoned properties.
(10)	Paver treatments.	Paver treatments shall be included in the following locations: <ul style="list-style-type: none"> • Driveway entrances. • Crosswalks. • Sidewalks. Minimum of 25% of paving surface.
(11)	Parking garages.	Parking garages shall include exterior architectural treatments compatible with buildings or structures which occupy the same development and/or street.
(12)	Pedestrian access orientation.	All buildings, except accessory buildings, shall have their main pedestrian entrance or entrances oriented towards the front property line.
(13)	Pedestrian amenities.	Pedestrian amenities shall be provided on both private property and/or public open spaces including but not limited to the following: <ul style="list-style-type: none"> • 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

		<p>the ground surface.</p> <p>Above amenities shall be consistent in design and form with the applicable City Public Realm Design Manual.</p>
(14)	Pedestrian design features for building frontages (street level only).	<p>On any front property line or primary street, where an adjoining pedestrian sidewalk is located, the following design features shall be included:</p> <ul style="list-style-type: none"> • Display windows or retail display area; and/or, • Landscaping; and/or, • Architectural building design features. <p>The intent is to create pedestrian and shopper interest, preclude inappropriate or inharmonious design, preclude blank walls of building faces, and prohibit windows from being permanently obstructed.</p>
(15)	Pedestrian pass-throughs/paseo.	<p>Pedestrian pass-throughs shall be provided for each 250 linear feet or fraction thereof of building frontage provided on the primary street. The pass through shall be subject to the following:</p> <ul style="list-style-type: none"> • Minimum of 10 feet in width. • Include pedestrian amenities as defined herein. <p>In lieu of providing one pass through of 10 feet every 250 feet of building frontage, two (2) pass-throughs can be combined to provide one (1), 20 foot wide pass-through.</p>
(16)	Porte-cocheres.	Porte-cocheres are prohibited on front property line or primary street.
(17)	Roof top screening.	All mechanical, electrical, cellular antennae's and other similar roof top building support services shall be entirely screened from public view subject to applicable LDR requirements of these regulations.
H. Landscaping.		
(1)	Landscape open space.	Landscape open space requirements are satisfied pursuant to the rights-of-way planting requirements listed in Article 5, Division 15.
I. Parking/vehicle storage.		
(1)	Bicycle storage.	To encourage the use of bicycles, etc., a minimum of one (1) ten foot bicycle rack for each 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 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-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 intersection and points of pedestrian crossing.
(4)	Loading/unloading areas.	<p>Off-street loading standards and requirements shall conform to the requirements as set forth in Article 13.</p> <p>All loading/unloading areas and/or facilities shall be</p>

		within fully enclosed areas with overhead doors. Overhead doors shall remain closed when not in use and after hours.
(5)	Nonresidential uses.	Off-street parking requirements shall be calculated utilizing a blended parking of one (1) space per 250 gross square feet. Restaurants shall require one (1) space per 100 gross square feet.
(6)	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. Alleys. On-street parking is encouraged. Removal of on-street parking shall be subject to compensation to the City based upon established City provisions.
(7)	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 pursuant to the provisions of above Section 10(a) 8 and 9. Ground floor parking is permitted on alley frontages. Parking facilities shall accommodate pedestrian access to all adjacent street(s) and alleys.
(8)	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.
(9)	Residential uses.	Off-street parking requirements shall conform to the requirements as set forth Article 5, Division 184.
(10)	Surface parking areas.	Surface parking lots and/or similar vehicle use areas are prohibited to front on primary streets.
(11)	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.
J. Sanitation and service areas. (See Article 5, Division 17)		
K. Signs.		
(1)	General.	The number, size, character, location and orientation of signs and lighting for signs shall be in accordance with Article 245, Division 19.
L. Streets and alleys.		

(1)	Alleys and streets.	Property owner(s) may request the vacation and/or abandonment of a public right-of-way subject to the criteria and procedure, in Article 3 Division 12.
(2)	Driveways.	<p>Vehicular access to parking garages shall be from a side street and alley. Vehicular egress/ingress, including but not limited to driveways, service drives, drive through, etc., may be permitted from a primary street and shall be evaluated as part of site plan review based upon the project design in relation to existing surrounding circulation. Valet access points are exempt from these provisions.</p> <p>Vehicular entrances for drive-thru facilities, garage entrances, service bays and loading/unloading facilities should be consolidated into one curb cut to reduce the amount of vehicular penetration into pedestrian sidewalks and adjoining rights-of-way.</p>
(3)	Sidewalks.	<p>Pedestrian pathways and/or sidewalks shall connect to one another to form a continuous pedestrian network from parking garages entrances, parking areas, primary and secondary pedestrian entrances, etc. Wherever possible pathways shall be separated from vehicular traffic.</p> <p>Located on both sides of all streets with a minimum of four foot unobstructed clear area. The clear area shall be unobstructed by utility poles, fire hydrants, benches, trash receptacles, newspaper stands, light poles, planter boxes, telephone booths or other similar temporary or permanent structures (traffic signage shall be exempt from the above regulations).</p> <p>Sidewalks at points of street intersections or pedestrian crossing shall be sloped in such a manner as to accommodate handicapped access with the use of two curb cuts and/or ramps at each street intersection.</p>
M. Utilities.		
(1)	Under-ground utilities.	All utilities shall be installed underground in accordance in the provisions of Article 5 Division 25 <u>2</u> .
(2)	Above ground utilities.	Above ground, façade, roof, mechanical and electrical facilities shall be appropriately screened to entirely hide the facility in according with the provisions of Article 5 Division 20 <u>11</u> . Screening materials may include landscaping, walls, fencing, etc., to achieve 100 percent opacity. Approval of type of screening shall be determined at time of site plan review.
N. 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: <ul style="list-style-type: none"> • The property owner's 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. • Responsible for liability insurance, local taxes, and the maintenance of the encroachment and/or property.
(4)	Live work units.	See Section 12 for provisions. <ul style="list-style-type: none"> • <u>Shall satisfy all applicable building code and fire and life safety code requirements at time of completion for mixed occupancy buildings.</u> • <u>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.</u> • <u>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.</u> • <u>Changes in use permit to allow for nonresidential uses shall be required to pay impact and water fees, meet the applicable building codes, and the parking requirements.</u> • <u>Operation of live work unit.</u> <ul style="list-style-type: none"> ○ <u>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.</u> ○ <u>Deliveries for nonresidential uses in the live work unit shall be limited to the hours of 8:00 AM to 8:00 PM.</u> ○ <u>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</u>

		<u>hazardous or toxic substances, materials, waste or chemicals.</u>
(5)	Public realm Improvements.	<p>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 property owner may also provide public realm improvements up to the property line on the far side of a rights-of-way abutting his/her property. These improvements as identified on the "Master Streetscape Plan" and "Underground Facilities Master Plan" include, but are not limited, to the following: landscaping; paving; signage; street furniture; public right-of-way improvements; and undergrounding of all utilities.</p> <p>Any other abutting property owner who subsequently develops property abutting an improved public realm area pursuant to these provisions shall be reimbursed by the property owner who funded the improvements the pro rata share attributable to his property based on street or alley frontage along with the amount of interest permitted by this provision. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements.</p> <p>Property owners who develop property abutting already improved public realm areas shall restore the public realm areas to their condition prior to the commencement of construction. The costs of such restoration shall not affect the total amount of reimbursement which another abutting property owner may be entitled to under this section.</p> <p>Administration of improvements. Prior to issuance of a building permit for construction, the property owner(s) shall provide surety equating to 100% 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.</p> <p>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</p>

		<p>Department shall monitor construction and disperse the monies from the Fund based upon completion of work and in compliance with the Master Streetscape Plan and Underground Facilities Master Plan.</p> <p>Underground utility provisions. Underground utilities shall be installed pursuant to an Underground Facilities Master Plan which will be prepared by the Public Works Department in cooperation with the Planning Department. The necessary support facilities for the installation of all underground utility facilities, including but not limited to utility vaults and transformers shall be located on private property. Property owners will receive an F.A.R. credit equivalent to the amount of space occupied by the necessary utility facility.</p> <p>Easements. The property owners shall provide easements to all applicable utility companies for the installation and maintenance of underground utilities.</p> <p>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.</p>
(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.

12. Supplemental standards.

a. ~~Live work units may be permitted as a minor conditional use subject to the following:~~

i. ~~Shall satisfy all applicable building code and fire and life safety code requirements at time of completion for mixed occupancy buildings.~~

ii. ~~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.~~

iii. ~~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.~~

iv. ~~Changes in use permit to allow for nonresidential uses shall be required to pay impact and water fees, meet the applicable building codes, and the parking requirements.~~

v. ~~Operation of live work unit:~~

(a) ~~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.~~

(b) ~~Deliveries for nonresidential uses in the live work unit shall be limited to the hours of 8:00 a.m. to 8:00 p.m.~~

(c) ~~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~~

1 | classified under applicable governmental laws, rules or regulations as hazardous or
2 | toxic substances, materials, waste or chemicals
3 |

4 | **Section 4-202. University of Miami Campus Area Development District. [RESERVED]**
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6 | **Section 4-203. Downtown Zain/Friedman Overlay District**
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8 | **A. Purpose and applicability.**
9 |

- 10 | 1. The purpose of this Section is to provide for an Overlay District that promotes the goals,
11 | objectives, and policies of the City's Comprehensive Land Use Plan in accordance with a set of
12 | comprehensive standards to be approved within the City's Downtown Miracle Mile area. These
13 | standards are provided for the continuance and enhancement of the historic Downtown area as
14 | the functional and symbolic center of the City.
15 |
- 16 | 2. The district is established in order to maintain the following objectives for the Downtown District:
17 |
- 18 | a. Maintain the aesthetic, physical, historic and environmental character of Downtown Coral
19 | Gables.
 - 20 |
 - 21 | b. Provide continued protection for residential neighborhoods from incompatible uses that
22 | would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the
23 | neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.
24 |
 - 25 | c. Promote and encourage pedestrian activities in Downtown Coral Gables by promoting the
26 | concepts of mixed-use development and pedestrian-friendly design alternatives.
27 |
 - 28 | d. Limit building height, bulk, mass and intensity on Miracle Mile of large scale developments to
29 | promote compatibility with the existing low-rise scale of development in Downtown Coral
30 | Gables as it presently exists;
31 |
 - 32 | e. Generate pride and confidence in the Downtown area.
33 |
 - 34 | f. Protect property values through quality control.
35 |
- 36 | 3. Applicability. The Downtown Zain/Friedman Overlay District applies to the area bounded by the
37 | following streets: Douglas Road (SW 37 Avenue) on the East, LeJeune Road (SW 42 Avenue)
38 | on the West, Aragon Avenue and Merrick Way on the North, and Andalusia Avenue on the
39 | South.
40 |

41 | Unless otherwise provided in this section, all provisions of applicable underlying zoning district
42 | designations affecting individual property in this district shall control use and development.
43 |

- 44 | **B. Overlay regulations.** Within the Zain/Friedman Downtown Overlay District, abutting or adjacent
45 | property owners having more than two-hundred (200) feet of frontage on Miracle Mile, containing
46 | more than twenty-thousand (20,000) square feet of combined lot area, and designated Commercial
47 | High-Rise Intensity pursuant to the Coral Gables Comprehensive Land Use Plan, shall be required to
48 | submit an application for site plan review, as provided below, and the subject properties shall be
49 | considered as if they were a single building site for all purposes under these LDRs regulations and
50 | such application shall be subject to the following requirements:
51 |

- 52 | 1. The properties shall be designated High-Rise Intensity Commercial Land Use on the
53 | Comprehensive Land Use Plan Map from the right-of-way line of Miracle Mile north to Aragon
54 | Avenue and the right-of-way line of Miracle Mile south to Andalusia Avenue.
55 |

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 26.
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 LDRs regulations.

Section 4-204. Special Use District.

A. Purpose. The purpose of the Special Use 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 Coral Gables.

B. Permitted uses. The following uses are permitted in the Special Use District subject to the standards in this Section and other applicable regulations in Article 5:

1. Accessory uses.
2. Cemeteries.
3. Open space areas.
4. Public transportation facilities.

C. Minor Conditional Uses. The following uses are permitted in the Special Use District as Minor 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. Golf or tennis grounds.
2. Municipal facilities.
3. Private club.
4. Religious institutions.
5. Utility/Infrastructure Facilities.

D. Major Conditional Uses. The following uses are permitted in the Special Use District as Major 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. Camps
2. Government uses.

3. Heliport and helistop.
4. Hospital and uses accessory to, and customarily associated with, a hospital, as follows: (2715)
 - a. Intermediate care facility.
 - b. Diagnostic facility.
 - c. Medical clinic and/or office.
 - d. Laboratory and research facilities.
 - e. Medical educational facilities
 - f. Health/fitness facilities.
 - g. Rehabilitation facilities.
 - h. Pharmacy.
 - i. Support facilities such as: cafeteria, laundry, dietary services, childcare, administrative offices, data processing and printing.
 - j. Convenience facilities for hospital users such as: snack bar, gift shop, chapel and florist.
5. Marina facilities.
6. Planned area development.
7. Schools.

E. 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 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 Appendix A. (2829)
- ~~3. Ground area coverage.~~
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. P District.

A. Purpose. The purpose of the P District is for the preservation and conservation of natural resources and environmentally sensitive areas such as wetlands, tideland, mangroves, 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. This District category shall promote limited public use of conservation, preservation, and natural resources protection areas, such as lands designated as Conservation in the City's Comprehensive Land Use Plan and on the City's Future Land Use Map and encourage public appreciation of the natural environment by allowing educational programs and public access to natural areas.

B. Permitted Uses. The following uses shall be permitted:

1. Wetlands.
2. Tidelands.
3. Mangroves.

- 1 4. Marine and wildlife habitats, and such other areas or terrain which have qualities of scenic,
2 natural and aesthetic value in its natural state.
- 3 5. Passive support facilities as provided.
- 4 6. Miami-Dade County Recreation Areas. For those facilities designated Miami-Dade County
5 Recreation Areas (Matheson Hammock Park, R. Hardy Matheson Preserve, and Chapman Field
6 Park) in the City's Comprehensive Land Use Plan, active and passive recreational activities and
7 facilities.
- 8 7. Within undeveloped, or undisturbed natural areas permitted uses shall be limited to the following
9 activities:
10 a. Those activities established.
11 b. Improvement, maintenance, or restoration activities required to enhance or improve natural
12 areas and wildlife habitats.
13 c. Passive recreation, such as nature observation, picnicking, and walking and resource-based
14 recreational uses that conserve natural resources, such as recreational boating, fishing and
15 hunting.
16 d. Water conservation areas, including natural drainage systems.
17 e. Wildlife management areas, including fish and game preserves, and wildlife observation
18 areas.
- 19 8. Development within previously-developed, or disturbed areas shall be limited to the following:
20 a. Those activities established in B 6.
21 b. Botanical and natural gardens.
22 c. Nature trails, paths, and walkways
23 d. Investigations of archaeological, cultural, or historical resources.
24 e. Nature or visitor centers, including marine research and education facilities, launching ramps
25 and the restroom facilities and utilities ancillary and incidental to these facilities.
26 f. Open space.

27
28 **C. Performance Standards.**

- 29
- 30 1. The property, together with any black or red mangrove forest thereon, shall be kept and
31 preserved in its natural state as a natural wilderness and preserve.
- 32 2. The use of motor vehicles in a preservation area shall be discouraged.
- 33 3. No man-made alterations shall be made in a preservation area except:
34 a. To protect the property and any black or red mangrove forest thereon from damage by
35 natural elements; and/or,
36 b. To protect or restore to its natural state any property damaged by the platting of adjoining
37 properties and which is in danger of being eroded, or otherwise materially affected by natural
38 elements,
39 c. To provide, subject to the approval of the City Commission through conditional, passive
40 support facilities within designated areas such as nature trails, walkways, bird watch areas,
41 and restrooms, launching ramps, and then only after obtaining such permits as may be
42 required by local, state and/or federal authorities and permission (whether permits are
43 necessary or not) from the Board of Trustees of the Internal Improvement Trust Fund, the
44 Department of Environmental Protection, or their successors in interest.

45
46 **D. Prohibited Uses.**

- 47 1. A preservation area shall not be used for residential, commercial, or agricultural purposes.
- 48 2. No development shall be permitted in:
49 a. Miami-Dade County designated natural areas.
50 b. Natural areas that are part of a mitigation project.
51 c. Natural areas that are part of a restoration plan.
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