

Draft

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. _____

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7 AN ORDINANCE OF THE CITY COMMISSION OF
8 CORAL GABLES, FLORIDA AMENDING
9 ORDINANCE NO 1525 AS AMENDED AND KNOWN
10 AS THE ZONING CODE AND IN PARTICULAR
11 ARTICLE 3, USE DISTRICT AND REGULATIONS,
12 SECTION 3-1 R-USE DISTRICTS, SECTION 3-1.1 R-
13 USE DISTRICT PERFORMANCE STANDARDS; AND
14 ARTICLE 7, NON-CONFORMING USES AND
15 STRUCTURES, SECTION 7-1 CONDITIONS AND
16 RESTRICTIONS; PROVIDING A REPEALER
17 PROVISION; A SAVINGS CLAUSE; A SEVERABILITY
18 CLAUSE AND A CODIFICATION CLAUSE; AND
19 PROVIDING FOR AN EFFECTIVE DATE.
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22 WHEREAS, the Commission of the City of Coral Gables is concerned
23 about the redevelopment of existing single-family residences to new or altered single-
24 family residences that are not compatible with the scale and massing of the existing
25 residences in the neighborhood; and,
26

27 WHEREAS, the Commission of the City of Coral Gables would like to
28 see the redevelopment of the single-family neighborhoods of the City in a manner that is
29 consistent with the historic character, massing and context of single-family residences in
30 the City; and,
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32 WHEREAS, the City of Coral Gables is presently pursuing a rewrite of
33 the existing provisions of the "Zoning Code"; and,
34

35 WHEREAS, the Commission of the City of Coral Gables would like to
36 adopt interim provisions that will be consistent with the provisions for single-family
37 residences in the rewritten "Zoning Code"; and,
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39 WHEREAS, after notice duly published, a public hearing was held before
40 the Planning and Zoning Board on _____ at which hearing all
41 interested parties were afforded the opportunity to be heard and the Board recommended
42 _____ of the proposed amendment; and,
43

1 WHEREAS, after due consideration at its regular meeting of _____
2 the Commission of the City of Coral Gables approved the proposed amendment on first
3 reading;

4
5 NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF
6 THE CITY OF CORAL GABLES:

7
8 **SECTION 1.** That Ordinance No. 1525 as amended and known as the
9 “Zoning Code” is hereby amended as it pertains to Article 3. “Use District Regulations”,
10 by amending Section 3-1 R-Use Districts, as hereinafter set forth.

11
12 **Sec. 3-1 R-Use Districts.** Single-Family Districts are intended to accommodate low
13 density, single-family dwelling units with adequate yards and open space to characterize
14 a residential environment. In single-family residence or R-Use Districts no use shall be
15 permitted other than a single-family and a family day-care home, except that certain
16 special-uses as described in Section 4-204 hereof may be permitted after passage of a
17 special authorizing ordinance therefore. In R-Use Districts no buildings or premises shall
18 be used, nor shall any building or structure be erected, altered or enlarged which is
19 arranged, intended or designed to be used, for a use other than an “R” or “S” use as
20 defined herein.

21
22 **A. R-Use District- General.** For the purpose of prescribing and regulating
23 maximum permissible areas of buildings and structures, setbacks, heights, lot
24 coverage, landscaping requirements and other development controls R-Use
25 Districts hereby are further classified and divided into Area Districts, as shown
26 upon the Zoning Map, and the regulations set forth hereinafter hereby are
27 established to govern the performance standards for single family residences. Any
28 building or structure erected in any designated Area District shall comply with the
29 minimum performance standards for buildings in such Area District.

30
31 **B. Area District Symbols.** The minimum square foot floor area required in
32 buildings for R-Uses is indicated upon the Zoning Map by number symbols,
33 which number symbols represent the minimum square foot floor area
34 requirements for buildings erected of such types and for such uses as follows:

Symbol	Minimum Building Square Foot Floor Area Required
R-1	750
R-2	990
R-3	1,027
R-4	1,200
R-5	1,409
R-6	1,527
R-7	1,727

R-8	1,818
R-9	2,000
R-10	2,127
R-11	2,155
R-12	2,364
R-13	2,427
R-14	2,500
R-15	3,027
R-16	3,045
R-17	3,409
R-18	3,682
R-19	4,000
R-20	4,273

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The designation of Area Districts by number symbols as set forth herein, when used throughout this code and upon the Zoning Map, attached hereto and made a part thereof, shall have the same effect as if the full description were stated. The use of a letter symbol coupled with a number shall connote both use and Area District. Special Area District requirements fixed by the City Commission and varying for the prescribed listed Districts above, may be designated by use of a combination of the two number symbols representing the Use and Area District between which the specific requirement falls.

C. PERMITTED PRINCIPAL USES AND STRUCTURES.

- 1. Single-family dwellings.
- 2. Family day-care homes.

D. Permitted Accessory Uses and Structures. Uses and structures customarily associated with and incidental to the permitted principal uses, such as but not limited to:

- 1. Garage.
- 2. Boat house.
- 3. Play house.
- 4. Swimming pool.
- 5. Tennis court.
- 6. Screened Enclosures.
- 7. Greenhouse.
- 8. Cabana.
- 9. Docks, davits and floating boatlifts.
- 10. Storage/utility rooms.
- 11. Guest house.
- 12. Wood decks.

- 1 13. Trellises (allowed in rear setback area of properties backing onto a canal,
2 waterway, lake or bay subject to Board of Architects approval).
- 3 14. Fountains (allowed in setback area subject to Board of Architects approval).
- 4 15. Planters (allowed in setback area subject to Board of Architects approval).
- 5 16. Basketball pole backboards.
- 6 17. Flagpoles, limit one per property with a maximum height of 25' (allowed in
7 setback area subject to Board of Architects approval).

8
9 **E. Special-Uses and Structures.** The following are special uses and structures:

- 10
- 11 1. Golf or tennis grounds.
- 12 2. Religious facilities.
- 13 3. Public recreation building, park or playground.
- 14 4. Community center building.
- 15 5. Educational Facilities
- 16 6. Municipal Facilities.

17
18 **SECTION 2.** That Ordinance No. 1525 as amended and known as the
19 “Zoning Code” is hereby amended as it pertains to Article 3. “Use District Regulations”,
20 adding, Section 3-1.1 R-Use District Performance Standards, as hereinafter set forth.

21
22 **Sec. 3-1.1 R-Use District Performance Standards.** The following performance
23 standards shall govern the development of structures in R-Use Districts, except as
24 specifically set forth in the Site Specific Regulations.

25
26 **A. Building Sites.** Buildings and structures constructed in an R-Use District shall be
27 constructed or erected upon a building site containing as least one platted lot, and
28 such building site shall have a minimum street frontage of fifty (50) feet.

29
30 **B. Density.** One principal building per building site.

31
32 **C. Setback Requirements, R-Use Districts - General.**

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34 **1. Front Setback.** A minimum front setback of twenty-five (25) feet shall be
35 maintained and required on all building sites in R-Use Districts, except that on
36 building sites on platted lots less than seventy-five (75) feet in depth, a
37 minimum front setback of fifteen (15) feet shall be required.

38
39 **2. Side Setbacks.** Inside lots in R-Use Districts shall have minimum side set-
40 backs, which total twenty (20) percent of the width of the lot measured across
41 the front setback line up to a maximum of twenty (20) feet. A minimum side
42 setback of fifteen (15) feet shall be required and maintained from any side line
43 of a building site that abuts upon a street, provided, however, that buildings on
44 corner lots which have one side abutting upon a street on which other lots in
45 the same block face, shall setback a minimum distance from such side street

1 as is provided herein as the minimum front setback for buildings facing such
2 side street. In no case shall a side setback be less than five (5) feet
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4 **3. Rear Setback.** A minimum rear setback of five (5) feet shall be maintained
5 and required on all buildings in R-Use Districts.
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7 **4. Setback From Canal, Water-Way, Lake or Bay.** On all building sites
8 abutting upon a canal, waterway, lake or bay, the minimum setback from the
9 waterway for all buildings, or portions thereof designed or used for occupancy
10 for residential purposes shall be thirty-five (35) feet from the canal, waterway,
11 lake or bay as platted.
12

13 **D. Height of Single-family Residence Buildings and Height of Special-Use**
14 **Buildings in R-Use Districts - General.** No single-family building shall be
15 constructed in Coral Gables that is more than two and one-half (2-1/2) stories in
16 height. No subordinate or accessory building permitted by this code as an
17 Auxiliary-Use shall exceed in height the maximum height of the principal
18 building on the building site. In R-Use Districts, no Special-Use building that
19 may be permitted by special ordinance shall exceed two and one-half (2-1/2)
20 stories in height. In all instances, said two and one-half (2-1/2) stories shall not
21 exceed a height of thirty-four (34) feet above established grade including
22 ridgeline, domes, steeples, towers, chimneys, cupolas, decorative features and
23 such other similar structures, and excluding chimneys having a maximum height
24 of three (3) feet and a maximum area of seventeen (17) feet.
25

26 **E. Height of Residences in Flood Hazard Districts.** Single-family residences in
27 flood hazard districts shall not exceed a height of 2 stories or thirty-nine (39) feet
28 above established grade including ridgeline, domes, steeples, towers, chimneys,
29 cupolas, decorative features and such other similar structures, and excluding
30 chimneys having a maximum height of three (3) feet and a maximum area of
31 seventeen (17) feet. That portion of a single-family residence located above the
32 garage in the coastal flood hazard district may in no case be more than one story
33 in height, and may be one story in height, subject to the following conditions and
34 restrictions:
35

- 36 1. That the elevation of the garage floor shall not be more than six (6) inches
37 above established grade.
38
- 39 2. That the area of the garage shall not exceed a gross floor area of more than six
40 hundred (600) square feet or one-third (1/3) of the ground area of the main
41 building on the premises, whichever is greater, including any service or
42 storage, or access area located within the garage.
43

44 **F. Ground Area Coverage.** Buildings or structures designed and constructed for R-
45 Use Districts, shall not occupy more than thirty five (35) percent of the ground
46 area of the building site upon which the building or structure is erected. The area

1 utilized for calculating the maximum ground area coverage for the principal
2 building shall be computed from the exterior face of exterior walls and the
3 exterior face of exterior columns of the ground floor of the building. Cantilevered
4 portions of the building above the ground floor or roof overhangs that are greater
5 than five (5'0) feet shall be computed in the calculation of the ground area
6 coverage of the principal building. Auxiliary buildings or structures, including
7 swimming pools, may occupy additional ground coverage, but the total ground
8 area occupied by the main building or structure and auxiliary structures shall not
9 exceed forty-five (45) percent of the site upon which the structures are located. In
10 no case shall the main building or structure exceed thirty-five (35) percent of the
11 lots or lots composing the site. Special Use buildings or structures which may be
12 permitted by ordinance to be located in "SF" Districts shall abide by the same
13 minimum ground area coverage as set forth for single-family residences in R-Use
14 Districts.

15
16 **G. Determination of Minimum Square Foot Floor Area.** The minimum square
17 foot floor area of existing or proposed buildings and structure shall be the sum of
18 the gross horizontal floor area of the several stories of the building or structure,
19 measured from the exterior faces of the exterior walls. Garages attached to and
20 made a part of the main building or structure and screened porches shall be
21 computed as one-half (1/2) of the square foot floor area contained therein.
22 Detached private garages, garage apartments, and other subordinate auxiliary-use
23 buildings and open porches, patios, porte-cocheres and areas having plastic, glass,
24 aluminum or screened roofs shall not be taken into account in calculating the
25 minimum square foot floor area as required by this code.

26
27 **H. Maximum Square Foot Floor Area For Single-family Residences. General.**
28 The maximum square foot floor area permitted for single-family residences shall
29 be equal to forty-three (43) percent for the first five thousand (5,000) square feet
30 of building site area and thirty (30) percent for the next five thousand (5,000)
31 square feet of building site and twenty five (25) percent for the remainder of the
32 building site area.

33
34 **I. Determination of Maximum Square Foot Floor Area.** The maximum square
35 foot floor area of a single-family residence shall be the sum of the gross areas of
36 all the floors of the building or buildings, measured from the exterior faces of
37 exterior walls and exterior faces of supporting columns for any floor not enclosed
38 by exterior walls, but in no case shall the maximum square foot floor area in any
39 Area District be less than the minimum, as required by the this Code. The Board
40 of Architects may suggest, recommend or require such changes in the plans and
41 specifications for single-family residences as in its or his/her judgment may be
42 requisite or appropriate to the maintenance of a high standard of construction,
43 architecture, beauty and harmony in the carrying out of the provisions of this
44 section of the "Zoning Code".

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46 1. In particular, gross floor area shall include the following:

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- a. All floor space used for dwelling purpose, such as living rooms, bedrooms, kitchens, utility rooms, mechanical equipment rooms, and any other similar spaces, no matter where located within a building.
 - b. Elevator shafts and stairwells at each floor.
 - c. The floor space in penthouses, interior balconies and mezzanines.
 - d. The floor space in auxiliary or accessory buildings.
 - e. Screen 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 never be enclosed.
 - f. The floor space in any garage or garage and storage area; however, any garage or storage area which is constructed completely as a one-story portion of the building shall be computed at one-half (1/2) of the square foot floor area contained therein; provided, a covenant is submitted stating that such garage or garage and storage area will remain as a one-story portion of the residence.
 - g. In those cases where the average floor to the bottom of the structural member of roof support height exceeds fifteen (15'0) feet clear without intermediate structural floor members, then that area shall be counted twice in the maximum floor area factor computation.
 - h. Carports: however, when no portion of a carport is located between the building and the street, it shall be counted as one-half (1/2) in the maximum floor area factor computation.
- 2 The following areas or structures shall not be computed into the gross floor area of the building except as stated herein:
- a. Floor space in roofed terraces, breezeways, and open porches.
 - b. Floor space in screen enclosures.
3. Percentage increase in floor area factor for single family residences. Single-family residences can earn additional square foot floor area by satisfying the number of criteria specified in each category of Table 1. Percentage Increase in Floor Area Factor for Single Family Residences. The percentage increases are cumulative and will be applied against the area of the entire building site. The maximum cumulative percentage increase permitted is 5% of the area of the building site.

<p style="text-align: center;">Table 1. Percentage Increase in Floor Area Factor For Single Family Residences</p>			
Category	Number of criteria required to be satisfied	Percentage increase	Criteria
1 Roofs	1 of 3	2%	<p>a. The top of the second floor tie beam shall not exceed a height of 24'0" above established grade and the residence does not exceed a height of 2 stories and 29'0". In a High Flood Hazard District the top of the second floor tie beam shall not exceed a height of 29'0" above established grade and the residence does not exceed a height of 2 stories and 34'0".</p>
			<p>b. The residence has a flat roof with a minimum 18"high parapet with a pitched roof area that is lesser in proportion to the flat roof area. The roof deck of the flat roof with a minimum 18" high parapet shall not exceed 24'0" above established grade. The pitched roof shall have a pitch of not less than 2 ½ in 12 and not greater than 4 in 12. If the pitched roof is being tiled with barrel tile it shall be of clay barrel tile (no cement tiles or "S" style tiles designed to simulate clay barrel tiles). In a High Flood Hazard District the roof deck of the flat roof with a minimum 18" high parapet shall not exceed 29'0" above established grade.</p>
			<p>c. The residence has a flat roof with a minimum 18"high parapet with a pitched roof area that is greater in proportion to the flat roof area. The roof deck of the flat roof with a minimum 18" high parapet shall not exceed 24'0" above established grade. The pitched roof shall have a pitch of not less than 2 ½ in 12 and not greater than 4 in 12. If the pitched roof is being tiled with barrel tile it shall be of clay barrel tile (no cement tiles or "S" style tiles designed to simulate clay barrel tiles). In a High Flood Hazard District the roof deck of the flat roof with a minimum 18" high parapet shall not exceed 29'0" above established grade.</p>

2. Design Envelope Issues	2 of 3	2%	a. The residence and all auxiliary structures demonstrate a 50% setback increase above the required setbacks at the rear and sides of the property.
			b. The garage is setback a minimum of 18” from the front plane of the residence or is placed in a location that does not face a street.
			c. There is a 1 story projecting bay on the front of the residence that is in lesser proportion to the front plane of the main elevation of the residence, in a proportion approved by the Board of Architects.
3. Height / Stories	1 of 3	2%	a. The area of the 2 nd floor of the residence does not exceed an area equal to 40% of the area of the ground floor.
			b. The residence is no more than 1 ½ stories in height and a height of 29 feet. If the pitched roof is being tiled with barrel tile it shall be a pitched roof of clay barrel tile (no cement tiles or “S” style tiles designed to simulate clay barrel tiles). In a High Flood Hazard District the residence shall not exceed a height of 34’0”.

4. Style	All	1%	<p>a. The residence is designed in the Coral Gable Mediterranean Architectural Style similar to existing historic residences designed in the Coral Gables Mediterranean Architectural Style, and include the following features as approved or required by the Board of Architects.</p> <ol style="list-style-type: none"> 1. Smooth or Textured stucco finish 2. Sash or Casement windows 3. A decorative or predominate chimney on an exterior wall of the residence 4. The pitched roof portion of the roof shall be a of clay barrel tile (no cement tiles or “S” style tiles designed to simulate clay barrel tiles). 5. A decorative wing wall(s). 6. A 1 story projecting bay or loggia on the front of the residence that is in lesser proportion to front plane of the main elevation of the residence, in an amount approved by the Board of Architects. 7. A stucco, pre-cast, or keystone base that is 20” to 30” in height located below the elevation of the exterior doors to create or simulate a crawl base 8. A decorative doorway surround on the principle entrance. 9. an accent niche, wrought iron accent, or coral rock accents in the stucco field of the principle walls of the residence. 10. Decorative accent vent blocks or tiles (they do not need to be functional) <p>b. That the residence is designed in a specific architectural style such as but not limited to Colonial, Venetian, Vernacular, Italian, French, Bahamian or other identifiable architectural style. The Architect designing a single family residence in order to earn a percentage increase pursuant to this criteria shall include a page or pages in the plans which defines the architectural style with text and photographs and provide a statement on how the proposed residence complies with the style.</p>
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5. Cottages / 1 Story Residences	All	5%	<p>a. The residence is a designated as a Coral Gables Cottage pursuant to Article 29, Coral Gables Cottage Regulations.</p> <p>b. The residence is no more than one story in height and the top of the tie beam shall not exceed a height of 14’0” above established grade and the residence does not exceed a height of 19’0”. In a High Flood Hazard District the top of the tie beam shall not exceed a height of 19’0” above established grade and the residence does not exceed a height of 24’0”.</p>
6. Special Cases	All	5%	<p>a. The residence is of superior quality and design so that it projects an architectural statement that will add to the cultural, aesthetic, and quality of the neighborhood in which it is located in a manner equivalent to the designs encouraged by this section. Such residence shall be reviewed and approved by the City Commission after a public hearing before the Planning and Zoning Board and after the residence has been first recommended for approval by the Board of Architects as a conditional use.</p>

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J. Off-street Parking Requirements. The off-street parking requirements for single-family residences located in an R-Use District shall be one parking space consisting of a roofed structure, which utilizes the same materials as the principle structure and that is a garage, carport, porte-cochere, or breezeway. The minimum size required for a garage or carport shall be twelve (12) feet wide by twenty-two (22) feet deep for a one car garage or carport. An additional ten (10) feet in width shall be required for each additional car being stored in a garage or carport. The dimensions provided for herein shall be clear of all obstructions from the floor to the ceiling of the garage.

K. Landscaped Open Space. Landscaped open space for building sites in R-Use Districts shall be provided as follows:

1. All building sites shall provide landscaped open space of not less than forty (40) percent of the area of the building site.
2. The landscaped open space required by this Section shall consist on pervious landscaped area and shall not consist of any paved or otherwise impervious areas

1 **SECTION 3.** That Ordinance No. 1525 as amended and known as the
2 “Zoning Code” is hereby amended as it pertains to Article 7. “Non-conforming Uses and
3 Structures”, amending Section 7-1 “Conditions and Restrictions”, as hereinafter set forth.
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5 (a) No change

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7 (b) No change

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9 (c) No change

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11 (d) No change

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13 (e) No change

14
15 (f) No change

16
17 (g) A non-conforming structure or non-conforming portion of a structure
18 which is destroyed to an extent exceeding fifty (50%) of its replacement
19 cost at the time of its destruction shall not be reconstructed except in
20 conformity with the zoning regulations. In the event of a hurricane or
21 other natural disaster the City Commission may by resolution allow for the
22 reconstruction of structures that prior to their destruction were non-
23 conforming as to height, setback, ground area coverage, floor area,
24 landscaping, or other requirements of the zoning regulations. Such
25 reconstruction shall match the design of the destroyed structure and may
26 only occur based on documentation of the non-conformity by either the
27 property owner or City records. If there is no documentation of the non-
28 conformity the structure shall be constructed in conformity with the
29 zoning regulations. The City Commission may limit the reconstruction to
30 specific zoning districts, types of buildings, or geographic areas as it feels
31 necessary for the reconstruction of the City or neighborhoods in order to
32 restore and maintain the character of the City.
33

34 (h) No change

35
36 **SECTION 4.** That all ordinances or parts of ordinances inconsistent or in
37 conflict with the provisions of this Ordinance are hereby repealed.
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39 **SECTION 5.** If any section, part of section, paragraph, clause, phrase or
40 word of this Ordinance is declared invalid, the remaining provisions of this Ordinance
41 shall not be affected.
42

43 **SECTION 6.** It is the intention of the City Commission that the
44 provisions of this Ordinance shall become and be made a part of Ordinance No. 1525 as
45 amended and known as the “Zoning Code” of the City of Coral Gables, Florida, which

1 provisions may be renumbered or re-lettered and the word ordinance be changed to
2 “section”, “article”, or other appropriate word to accomplish such intention.

3
4 **SECTION 7.** This ordinance shall become effective thirty days from the
5 date of is adoption herein.
6

7 PASSED AND ADOPTED THIS _____ DAY OF _____,
8 A.D., 2005.

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11 _____
12 DONALD D. SLESNICK II
13 MAYOR

14 ATTEST:

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16
17 _____
18 WALTER FOEMAN
19 CITY CLERK

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22 APPROVED AS TO FORM AND
23 LEGAL SUFFICIENCY:

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26 _____
27 ELIZABETH M. HERNANDEZ
28 CITY ATTORNEY
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