

Zoning Code of the City of Coral Gables, Florida



The City Beautiful

December 2006

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CODE UPDATE TABLE

Article 1. IN GENERAL

Sec. 1-1 - Short title.

This ordinance, together with future amendments thereof, and the Use and Area map attached hereto and hereby made a part hereof by reference, with future changes or amendments thereof, shall be known as the Zoning Code of the City of Coral Gables, Florida. The Use and Area map may be prepared and shown in separate sections or plates, which shall collectively be known as the Use and Area Map. Explanatory notes upon the Use and Area Map shall be deemed a part of such map and this code.

Sec. 1-2 - Interpretation, purpose.

In interpreting and applying the provisions of this code, they shall be held to be the minimum requirements for the promotion of the health, safety, morals, order, convenience and general welfare of the community. The purpose of this code is to improve the overall quality of life in Coral Gables, Florida; and to provide for efficiency and economy in the process of stable and orderly development, for the appropriate and best use (not necessarily the most economic use) of land in accordance with standards established by the will of the residents, for preservation, protection, development, and conservation of the natural resources of land, water and air, for convenience of traffic and circulation of people and goods, for the use and occupancy of buildings, for healthful and convenient distribution of population, in accordance with maximum densities of the Comprehensive Plan, for adequate public utilities and facilities, for the preservation and promotion of the natural and civic amenities of beauty and visual interest, for promotion of large scale developments as a means of achieving unified civic design, and for development in accord with the Comprehensive Plan by establishing zoning districts with adequate buffers between and confining high density development to areas which are feasible for mass transportation of high employment potential, and by regulating the location and use of buildings, signs and other structures, and land or water for trade, agriculture, industry and residence, by regulating and limiting or determining the height, bulk and access to light

and air of buildings and structures, the area of yards, and other open spaces, and the density of use. To accomplish these objectives, the regulations and districts and accompanying maps have been designed with reasonable consideration, among other things, for the character of the districts, and their peculiar suitability for particular uses, and they are to be regularly reevaluated in order to best accomplish the above objectives. Variances shall be made only upon the basis of unnecessary hardship (see definitions of unnecessary hardship and necessary hardship) and, under no circumstances shall a change of zoning involving spot zoning be approved. (See Section 2-116 for definition of spot zoning). In making zoning changes, primary concern shall be given to protection of residential uses, where occupancy is generally for twenty-four (24) hours per day and seven (7) days per week, than to other types of uses; and primary consideration shall be given to protection of established investments than to projected investments. Normally, land should not be rezoned to another use until the utilities and other necessary improvements are included in a five year projection of the capital improvement program, or are to be provided by the developer under a bonded arrangement. It is not intended by this code to interfere with, abrogate or annul any easements, covenants or other valid title restrictions imposed by agreements between parties, provided, however, that where this code imposes a higher standard upon the use of buildings or premises, or requires larger open spaces or other restrictions than are imposed or required by other ordinances, rules, regulations or by easements, covenants or agreements, the provisions of this code shall control.

Sec. 1-3 - Annexed territory.

All territory which may be hereafter annexed to the City of Coral Gables shall be automatically zoned as an R-Use district until otherwise changed by ordinance, after public hearing as herein provided.

Sec. 1-4 - Vacations--Built-up land.

Whenever any street, alley or other public way is vacated by official action of the Commission of

the City of Coral Gables, the Use district and Area regulations governing the property abutting upon each side of such street, alley or public way shall be automatically extended to the center of such vacation and all area included within the vacation shall thereafter be subject to all appropriate regulations of the extended Use districts. In all cases where land is built-up by fill upon areas formerly under water, the Use district and area regulations applying to the land immediately adjoining such built-up land shall be automatically extended thereto.

Archived

Article 2 DEFINITIONS

Accessory deck. That area within the first twenty (20) feet above grade designed for the purpose of accommodating recreational activities and/or off-street parking below its surface and/or usable open space on its upper level, none of which may be used for living purposes. (Sec. 2-2)

Acre, net. For the purpose of this Code, a net acre of land shall be the area within lot boundaries of all lands comprising the building site. A net acre shall not include any portion of the abutting dedicated streets, alleys, waterways, canals, lakes or any such dedicated right-of-way by whatever name known. (Sec. 2-3)

Adult. Any person eighteen (18) years of age or older. (Sec. 2-4)

Adult book store. An establishment having as a substantial or significant portion of its stock in trade, books, magazines, prints, photos, movies, models and periodicals which are distinguished or characterized by their emphasis on matter depicting, describing, exhibiting or relating to specified anatomical areas or an establishment with a segment or section devoted to the sale or display of such material. (Sec. 2-5)

Aesthetics. The science and philosophy of beauty. (Sec. 2-6)

Alcoholic beverages. Beverages containing alcohol of more than (1%) one percent by weight and not more than fourteen (14%) percent by weight. (Sec. 2-7)

Alley. A narrow thoroughfare dedicated or used for public use upon which abut generally the rear of the premises, or upon which service entrances or buildings abut, which is not generally used as a thoroughfare by both pedestrians and vehicles, or which is not used for general traffic circulation, and is not otherwise officially designated as a street. (Sec. 2-8)

Amateur radio antenna. For the purpose of this ordinance an amateur radio antenna consists of a tower, beam array, and mast and is

designed and constructed for use in the operation of an amateur radio station licensed by the Federal Communication Commission. (2537) (Sec. 2-9)

Apartment. A room or a suite of rooms within an apartment house, arranged, intended or designed to be used as a home or residence of one (1) family with kitchen facilities for the exclusive use of the one family or by no more than three (3) individuals unrelated to any other occupant, excluding servants, who are living and cooking as a single household. Apartments shall not be permitted to have outside doors to bedrooms. (3183) (Sec. 2-10)

Apartment building. A building which is used or intended to be used as a home or residence for three (3) or more families living in separate apartments, in which the yard area, hallways, stairways, balconies and other common areas and facilities are shared by families living in the apartment units. (Sec. 2-11)

Apartment garage. A building designed and used exclusively for the housing of automobiles belonging to the occupants of an apartment building on the same premises. (Sec. 2-12)

Apartment hotel. A building designed for or containing both apartments and individual hotel guest rooms under resident supervision and which maintains an inner lobby through which all tenants must pass to gain access to apartments and hotel rooms. (Sec. 2-13)

Architecture. The art and science of designing and constructing buildings adapted to their purposes, one of which is beauty. (Sec. 2-14)

Assisted living facilities (ALF). Assisted living facilities (ALF) shall be any facility housing people of age fifty-five (55) or older for a period of time greater than twenty-four (24) hours, and providing for basic housekeeping services (i.e., beds, meals, supervision). All activities conducted within an ALF shall be in accordance with state law and provisions contained herein for the health, safety and welfare of the ALF occupants, as well as the citizenry as a whole. (3357) (Sec. 2-5-1)

Automobile service station. An establishment conducted principally for the business of fueling and lubricating motor vehicles, including the sale of tires, batteries and incidental vehicle accessories and for the performance of the following incidental services to motor vehicles and none other: (Sec. 2-15)

- (a) Service and replacement batteries.
- (b) Washing, cleaning and polishing.
- (c) Tire repair and servicing but no recapping.
- (d) Adjusting brakes.
- (e) Ignition services.
- (f) Emergency wiring repairs.
- (g) Replacement of water hose, belts, brakes and power steering fluid, light bulbs, floor mats and windshield wiper blades.
- (h) Tuning engines with the exception of grinding valves, cleaning carbon and removing the heads of engines and/or crank cases.

Auxiliary or accessory use. A use customarily incidental to and accessory to the principal use of a building or premises located on the same premises with such principal use, but not including any commercial activity. (Sec. 2-16)

Awning. A roof-like cover extended over a window, door or an opening of a structure, including garage or porte-cochere vehicle openings, being fastened in the manner provided for such fastenings, to the structure of which it is a part and design; and used for the purpose of shielding such window, door or opening from the rays of the sun, rain and like elements of weather, as opposed and differing from canopies as the word canopy is hereinafter defined. Awnings erected over garage openings or porte-cochere vehicles openings shall not extend out from the outside wall of the buildings more than six (6) feet maximum. (Sec. 2-17)

Basement. That portion of a building between floor and ceiling which is so located that one-half ($\frac{1}{2}$) or more of the clear height from floor to ceiling is below grade. The basement shall not be used as a habitable room. (Sec. 2-18)

Beverage distributor. Distributor and vendor, at wholesale only, of alcoholic beverages in sealed containers. (Sec. 2-19)

Billboards. A surface whereon advertising matter is set in view conspicuously and which advertising does not apply to premises or any

use of premises wherein it is displayed or posted. (Sec. 2-20)

Block. That property bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways, golf course, campus, park or any other barrier to the continuity of development. (Sec. 2-21)

Building. A structure entirely separated from any other structure by space or by walls in which there are no communicating door or windows or similar openings. (Sec. 2-22)

Building site. A building site shall be as follows: (Sec. 2-23)

- (a) A parcel of land having not less than the minimum area permitted by this code for a building to be erected thereon, including such open spaces as are required by this code and such open spaces as are arranged and designed to be used, or actually used, in connection with such building, but in no case containing less than the minimum area prescribed by this code.
- (b) A parcel of land heretofore approved by the City of Coral Gables as a building site under a Unity of Title agreement as recorded in the Public Records of Miami-Dade County, Florida.

Business outside a building. A business not being carried on within and under cover of a building if the product or merchandise sold is conveyed or delivered or handed out on the premises through a window or other opening to a buyer outside the building; or if any side or a room or area in which the business is conducted is open to the air by reason of the lack of an enclosing wall, door or other fixtures. (Sec. 2-24)

Cabana. An accessory building or a portion of the main building used as a bathhouse or a dressing area in connection with a swimming pool or a tennis court. (Sec. 2-25)

Carnival. An exhibition or amusement enterprise consisting of various riding devices, side shows, games or tests of skill and vendors of refreshments. Programs which may be directed to Brownies, Cub Scouts, Girl Scouts and Boy Scouts and church bazaars, religious programs and festivals and similar church and

school functions shall not be construed as carnivals. (Sec. 2-26)

Carport. A roofed structure not more than seventy-five (75%) percent enclosed by walls and attached to the main building for the purpose of providing shelter for one or more motor vehicles. (Sec. 2-27)

Car-porte canopy. A roof-like vehicles from the rays of the sun and from rain and weather. Car-porte canopies are partially or entirely supported from the ground up. (Sec. 2-28)

Cat. A carnivorous quadruped belonging to the feline family and held as a domesticated cat. (Sec. 2-29)

Church. A building used for non-profit purposes by a recognized and legally established sect solely for the purpose of worship. (Sec. 2-33)

Club vendor. Chartered or incorporated club or lodges, organized for lawful purposes and not for the purpose of evading beverage laws, vending alcoholic beverages and intoxicating liquors at retail to members and their guests only, for consumption on the premises. (Sec. 2-34)

Coastal flood hazard district. For the purpose of this ordinance, the coastal flood hazard district is designated as follows: (Sec. 2-30)

- (a) The area south of the Coral Gables Deep Waterway and east of Old Cutler Road and Red Road; and,
- (b) The area bounded on the south by the Coral Gables Deep Waterway, on the west by LeJeune Road and Ingraham Highway, on the north by West Ingraham Terrace and Miami city limits and on the east by Biscayne Bay.

Comprehensive plan. The official document reviewed by the Planning and Zoning Board and adopted by the City Commission as a long range policy guide for the orderly, economic and physical growth of the City pursuant to the provisions contained within Florida Statutes. (3518) (Sec. 2-31)

Conditional use. A use that would not be appropriate generally, or without restriction throughout a zoning district or classification but

which, if controlled as to number, area, location, or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity, or the general welfare. Such uses may be permitted in a zoning district or classification as conditional uses if specific provision for such conditional use is made in the Zoning Code. (Sec. 2-32)

Construction and/or field office. A mobile home, travel trailer, truck trailer and/or other structure used as an office in conjunction with a construction project. Only one construction or field office shall be allowed per construction site. (3230) (Sec. 2-35)

Convalescent home. A building wherein for compensation, nursing care is provided for persons suffering from illness, other than mental or contagious, which is not of sufficient severity to require hospitalization, or persons requiring further institutional care after being discharged from a hospital other than a mental hospital. Occupancy of a convalescent home by any patient shall not exceed thirty (30) days within any calendar year. (Sec. 2-36)

Court. An open, unoccupied, unobstructed space, other than a yard, on the same lot as a building. Trees or shrubs may be used in a court. (Sec. 2-37)

Court, inner. A court not extending to a street or alley or to a front, side or rear yard. (Sec. 2-38)

Court, outer. A court extending to a street or alley or to a front, side or rear yard. (Sec. 2-39)

Density. The number of dwelling units permitted per net acre of land. (Sec. 2-40)

Depth and width. The depth of a lot is the mean horizontal distance between the front and rear lot lines. The width of a lot is the distance between the side lines thereof if such side lines are parallel to each other; if side lines are not parallel, width shall be construed as mean width. (Sec. 2-41)

Dormitory. A building intended or used principally for sleeping accommodations where such building is related to an educational or

public institution including religious institutions. (Sec. 2-42)

Duplex or two-family residence. A residence building designed for, or used as, the separate homes or residence of two (2) separate and distinct families, having the exterior appearance of a single family dwelling house. Each individual unit in the duplex shall have all living room accessible to each other from within the unit and each individual unit is to be occupied exclusively by one family or by no more than three (3) individuals unrelated to any other occupant, excluding servants, who are living and cooking as a single household. (3183) (Sec. 2-43)

Efficiency apartment. An apartment consisting of a combination living room and bedroom with small auxiliary rooms such as kitchenette, breakfast nook, and bath arranged so as to consist of not more than one habitable room. (Sec. 2-44)

Entrance canopy. A roof-like covering over a door or an opening of a structure intended and used for the purpose of sheltering persons or inanimate objects from the rays of the sun and from rain and weather. Entrance canopies shall be attached to the building and may be supported from the ground up; the overall width of said entrance canopies shall be a maximum of the entrance opening and framing width, plus twelve (12) inches and said entrance canopies shall extend out perpendicular from the building. Entrance canopies are permitted on commercial buildings only. (Sec. 2-45)

Established grade. The established grade, as applied to any building site shall be the average elevation of the sidewalk abutting such building site or, if there is no sidewalk, the average elevation of the crown of the road or street abutting such building site. Where a building site abuts more than one road and/or street, the established grade shall be the average elevation of the sidewalks abutting upon such building sites, or if there are not sidewalks, the average elevation of the crown of the road and/or streets abutting such building site. (Sec. 2-46)

Family. One or more persons related by blood, adoption, marriage, or foster care relationship under Florida Statutes Chapter 409, occupying a single residential unit. (3183) (Sec. 2-47)

Family day-care home. An occupied dwelling unit in which child care is regularly provided for children from more than one unrelated family, and which received a payment, fee, or grant for any of the children receiving care, whether or not operated for profit. (2703) (Sec. 2-48)

Flags. A flag is any fabric or bunting containing distinctive colors, patterns, symbols, including though not limited to flags used as a symbol of government or an institution, and not including a commercial message. Flags shall not be construed as signs, except when displayed in connection with commercial promotion and providing such flags meet the following criteria: (3224) (Sec. 2-49)

- (a) No flag shall exceed fifteen (15) square feet in size.
- (b) In non-residential properties the total square footage of all flags (where more than one flag is placed on the property) shall not exceed forty-five (45) square feet.
- (c) In residential properties the total number of flags shall not exceed fifteen (15) square feet combined.
- (d) Flags flown on a ground mounted flagpole shall not exceed a lateral dimension (length) greater than twenty-five (25%) percent of the height of the flagpole.

Flat roof. A roof having a pitch of not more than one and one-half (1½) inches in twelve (12) inches. (Sec. 2-50)

Floor area ratio. 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 facing of exterior walls, and shall include any building area not specifically excluded by other parts of this ordinance as floor area not applicable to or excluded from computing Floor Area Ratio (F.A.R.). (Sec. 2-51)

Frontage, lot or frontage street. The distance for which the front lot line and the front street line are coincident. (Sec. 2-52)

Garage apartment. A private garage, containing living quarters in the same building. (See Section 5-2 for permissive use of living quarters). (Sec. 2-53)

Garage sale. The sale of personal property from a residence, duplex or apartment. The sale of personal property not in excess of five (5) items in number, provided that such items are specifically named or identified in the advertisement thereof, or the sale of personal property pursuant to an order or process of a court of competent jurisdiction, shall not be construed as a garage sale. (Sec. 2-54)

Gazebo. An accessory building consisting of a detached, covered, freestanding open-air structure not exceeding 300 square feet. Such gazebo shall be of masonry construction with tile roof, and shall meet setback and ground area coverage as set forth elsewhere in this Code. (3230) (Sec. 2-55)

General. The following words and phrases when used in this ordinance shall for the purpose of this ordinance have the following meanings, except where the context clearly indicates a different meaning. Words used in the present tense include the future; the singular number includes the plural number and the plural the singular; the word building includes the word structure; the words used for include the words designed for; and the word shall is mandatory and not directory. (Sec 2-1)

Grade. The average elevation of the sidewalk abutting such building site. In the absence of sidewalks, grade shall be the average elevation of the crown of the road or street abutting such building site. Where a building site abuts more than one road and/or street, the grade shall be the average elevation of the sidewalks abutting such building site, or if there are no sidewalks, the average elevations of the crown of the road and/or street abutting such building site. (Sec. 2-56)

Grade, finished. The elevation of the surface of the ground adjoining the building. Where the finished grade is below the level of the established grade, the established grade shall be used for all purposes of this ordinance. (Sec. 2-57)

Group home. Any building or part thereof whether operated for profit or not, which undertaken through its ownership or management to provide, for a period exceeding twenty-four (24) hours, services to individuals who require such services. Residents of group

homes shall include individuals who are elderly, developmentally disabled, physically disabled, or dependent children, but shall not include individuals who are violent, criminal or dangerously mentally ill. (Sec. 2-58)

Guest house. A building located on the same premises with the principal building of a residential estate which building is not occupied year round, but which is used by temporary guests only. (Sec. 2-59)

Habitable room. An undivided enclosed space, so day-lighted and ventilated, so protected against the elements, so located with reference to the ground surface, and of such ceiling height, as to comply with the South Florida Building Code. Habitable rooms include rooms used for living or sleeping, and rooms in dwelling units used for the preparation or eating of meals, but do not include closets, corridors, hallways, laundries, serving or storage pantries, bathrooms or similar places. (Sec. 2-60)

Half-story. A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level and in which space not more than two-thirds ($\frac{2}{3}$) of the floor area is finished for use. A half-story containing independent apartments or living quarters shall be counted as full story. (Sec. 2-61)

Height of building. The height of a building shall be the vertical distance measured from the established grade to the level of the highest point of the building, excluding therefrom items listed under Section 14-6 herein. (Sec. 2-62)

Hotel. A building in which lodging or boarding and lodging are provided and offered to the public for compensation in which ingress and egress to and from all rooms is made through an inside lobby or office which is supervised normally by a person at all hours. As such it is open to the public in contradistinction to a boarding, lodging house or an apartment building and no kitchen facilities are offered. (Sec. 2-65)

Hotel, extended-stay and suites. A building in which lodging and/or boarding and lodging is designed and utilized for weekly or monthly occupancy and offered to the public for compensation. Ingress and egress to and from

all rooms shall be made through an inside public lobby or reception area which is supervised by hotel staff at all hours. Extended-stay and suite hotels may provide individual guest rooms with kitchenette facilities for both storage and preparation of food, provided all provisions required in Section 3-6(ff), "Extended-stay and suite hotels" of this code have been met. (3459) (Sec. 2-65-1)

Intoxicating liquors. Beverages containing alcohol of more than fourteen (14%) percent by weight or its equivalent seventeen and twenty-six one-hundredths (17.26%) percent by volume at sixty (60) degrees Fahrenheit which are recognized as the same for the purpose of this code. (Sec. 2-66)

Kitchen. A portion of a building devoted to the storage, preparation or assembly of food that includes a sink and appliance for cooking and/or heating of food. (Sec. 2-67)

Landscaped open space. Ground level outdoor area, which is open and unobstructed from its lowest level to the sky, except for a roof and building overhang not in excess of five (5) feet. Arcades, corridors, parking and other service areas shall not be used in computing the landscaped open space. (Sec. 2-68)

Landscaping. Landscaping shall consist of any of the following or combination thereof, but shall not be limited to, grass, ground covers, shrubs, vines, hedges, trees or palms; and non-living durable material commonly used in landscaping, such as rocks, pebbles, sand, walls or fences but excluding paving. (Sec. 2-69)

Lease department. A department or part of any store or unit which is under separate lease, ownership, and/or management from the remainder of the store or unit. The operator of a lease department operates such department as a separate complete business, owns the stock and retains the profit. A lease department shall also include subleases and/or concessionaires. The number of such lease departments in any one store or unit may be one up to two-thousand five-hundred (2,500) square feet of gross floor area and shall not exceed one for each additional two-thousand five-hundred (2,500) square feet of gross floor area thereafter. Each lease department, sublease and/or concessionaire shall obtain an occupational

license, as provided for under Chapter 17 of the City Code. (Sec. 2-70)

Liquor distributor. A distributor and vendor at wholesale only, of alcoholic beverages and intoxicating liquors in sealed containers. (Sec. 2-71)

Lot. Any tract, area or parcel of land platted as a lot upon a recorded plat intended for occupancy by a Use permitted in this Ordinance. (Sec. 2-72)

Lot, corner. A lot located at the intersection of two (2) or more streets, or street and canal or waterway. (Sec. 2-73)

Massage. The performance of manipulative exercises upon the human body of another by rubbing, kneading, stroking or tapping with the hand or hands. (Sec. 2-74)

Massage salon. Any place or establishment where a massage is made available. Health studio and/or health club shall be included herein where any portion of the floor space is used for the above stated purpose. (Sec. 2-75)

Merchant and/or department store. Any retail establishment offering a wide variety of merchandise and services under one ownership and management and one occupational license, except for a lease department as defined and limited under lease department (Sec. 2-70) herein, and organized into departments according to the kinds of goods sold. (Sec. 2-76)

Mezzanine. An intermediate floor placed in any story or room. When the total area of any such mezzanine floor exceeds thirty-three and one-third (33⅓%) percent of the total floor area in the room or story in which the mezzanine floor occurs, it shall be considered as constituting an additional story. The clear height above or below a mezzanine floor construction shall be not less than seven (7) feet. (Sec. 2-77)

Microwave antennas. A dish-shaped device used to transmit and/or receive microwave signals in a straight line to and from similar, earth bound, point sources. (2821) (Sec. 2-78)

Motel or motor court. A series of attached or semi-attached dwelling units where each unit

has convenient access to parking space for the use of the unit's occupants. The units, with the exception of the apartment of the manager or caretaker, are designed to provide sleeping accommodations for automobile transients or overnight guests and no kitchen facilities are offered. (Sec. 2-79)

Necessary hardship. Arduous restrictions upon the uses of a particular property which promote the objectives of these regulations, providing that such regulations apply to all land within the same district. (Sec. 2-80)

Newsrack. Newsracks shall mean any type of unmanned device for the vending or free distribution of news periodicals. (2718) (Sec. 2-81)

Non-conforming use. A use or activity which lawfully existed prior to the adoption, revision or amendment of this ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the Use District in which it is located. (Sec. 2-82)

Nursing home. A building for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care but who require skilled nursing care and related medical services. (Sec. 2-83)

One bedroom apartment. An apartment consisting of two (2) habitable rooms excluding the kitchen. (Sec. 2-84)

Open plaza area. That area within the first twenty (20) feet above grade which is unenclosed, except by clear glass or similar transparent material or supporting columns and maintained either as terrace and/or corridor area for the purpose of providing access to stairways, elevators or other uses serving the principal activities confined within the building. (Sec. 2-85)

Parapet. That portion of a wall which extends above the roof line. (Sec. 2-86)

Penthouse. An enclosed roofed structure extending not more than twelve (12) feet above the roof of a building and having an area not exceeding more than twenty-five (25%) percent of the area of the floor immediately below. A

penthouse shall not be construed as a story. Penthouses shall not be permitted in "R" or "D" zoned districts. (3230) (Sec. 2-87)

Porch. A roofed structure not more than seventy-five (75%) percent enclosed by walls and attached to the main building for the purpose of sheltering from the rays of the sun and from rain and weather, exclusive of vehicles, either persons or inanimate objects. (2934) (Sec. 2-88)

Porte-cochere. A roofed structure attached to a building and erected over a driveway for a building entrance not exceeding one story in height and open on three (3) sides. (Sec. 2-89)

Private club. Associations and organizations of a fraternal or social character, or which are maintained in connection with a golf course; and shall not include casinos, nightclubs or other institutions operated as a business. Such organizations and associations must be organized under the laws of the State of Florida as a non-profit corporation. (Sec. 2-90)

Private garage. A building designed and used exclusively for storage on the ground floor of not more than four (4) motor vehicles devoted to the private use of the owner, when such garage is located on the same premises, as an auxiliary-use, with the residence or business of the owner of such automobiles so stored. A maximum of four (4) garage parking spaces shall be permitted on a single-family or duplex residential property. (3241) (Sec. 2-91)

Private yacht basin. A facility providing docks, slips, piers, pilings, bollards, anchorage and moorings for yachts and pleasure boats for the residents of the City of Coral Gables either by ownership, lease or rent and such off-street parking and buildings and structures as are required for the operation of such yacht basin. Docking facilities provided as an auxiliary or accessory use for residences, duplexes and apartments for use of residents living in such buildings shall be excluded from this definition. (Sec. 2-92)

Public garage. A building or premises arranged, designed and intended to be used for the storage or service of motor vehicles for hire or reward, or which does not come within the

definition of a private or apartment garage as herein set forth. (Sec. 2-93)

Replat. The redividing of lots within a platted subdivision for the purpose of recording in the public records of Miami-Dade County, Florida. (Sec. 2-94)

Residential estate. A single-family residential site comprising an area of not less than one and one half (1½) acres and having a minimum lot width of two-hundred (200) feet and a minimum lot depth of two-hundred-fifty (250) feet. No single-family residence having a minimum square foot floor area of less than four thousand two-hundred and seventy-three (4,273) square feet shall be designated as a residential estate. Except as provided for in this Code a residential estate shall abide by all rules and regulations applicable to an R-Use District. (Sec. 2-95)

Restrictive covenant. A written agreement executed by and between one or more property owners and the City of Coral Gables, whereby the property owner(s) for a specified consideration by the City agrees to certain conditions, restrictions and/or limitations on the use, maintenance or sale of property. Such Restrictive Covenant shall be recorded in the Public Records of Miami-Dade County, Florida and shall run with the land and shall be binding upon the property owner, his successors and assigns. (3518) (Sec. 2-96)

Retail beverage store. Vendor of alcoholic beverages at retail for consumption on the premises. (Sec. 2-98)

Retail liquor store. Vendor of alcoholic beverages and intoxicating liquors at retail for consumption on the premises. (Sec. 2-99)

Retail package beverage store. Vendor of alcoholic beverages at retail in sealed containers for consumption off the premises only. (Sec. 2-97)

Retail package liquor. Vendor of alcoholic beverages and intoxicating liquors at retail in sealed containers for consumption off the premises only. (Sec. 2-100)

Sales office, land development. An office located within a newly platted subdivision and

used by the land developer for the sale of the lots within the platted subdivision. Such sales office may consist of an existing building located within the subdivision, a mobile home, a travel trailer or a temporary building as may be approved by the Board of Architects, Structural Engineer and the Building and Zoning Department. (Sec. 2-101)

Satellite earth station. A dish-shaped antenna designed to receive television broadcasts relayed by microwave signals from earth-orbiting communication satellites, including a low-noise amplifier (LNA) and a coaxial cable for the purpose of carrying signals to the interior of a building. (2556) (Sec. 2-102)

Screened enclosure. A frame erected of metal which framing and overhead supports are only covered with insect screening of metal, fiberglass or other approved insect screening. The insect screening shall have at least fifty (50%) percent open areas per square inch. The framing and overhead supports of such screened enclosure shall be solely for the purpose of supporting such screening. (Sec. 2-103)

Screened porch. A roofed structure not more than seventy-five (75%) percent enclosed by walls and attached to the main building provided, however, the remainder of the screened porch may be enclosed with insect screening or metal, fiberglass or other approved insect screening. The insect screening shall have at least fifty (50%) percent of open area per inch enclosed by walls and attached to the building for the purpose of sheltering from the rays of the sun, exclusive of vehicles, either persons or inanimate objects. (2934) (Sec. 2-104)

Self-service gasoline station. That property where flammable and combustible liquids used as motor fuels are stored and subsequently dispensed from fixed approved dispensing equipment into the fuel tanks of motor vehicles by persons other than the service-station attendant. (Sec. 2-105)

Senior citizen services. Senior citizen services shall be considered services offered in accordance with state law and provisions contained herein for the health, safety and

welfare of people age fifty-five (55) or older. (3357) (Sec. 2-104-1)

Service station. Automobile service stations, self-service gasoline stations and split-island service stations as defined herein under automobile service station (Sec. 2-15), self-service gasoline station (Sec. 2-105), and split-island service station (Sec. 2-115). (Sec. 2-106)

Setback. The minimum horizontal distance between the lot or property line and the nearest front, side or rear line of the building (as the case may be), including terraces or any covered projection thereof, excluding steps. (Sec. 2-107)

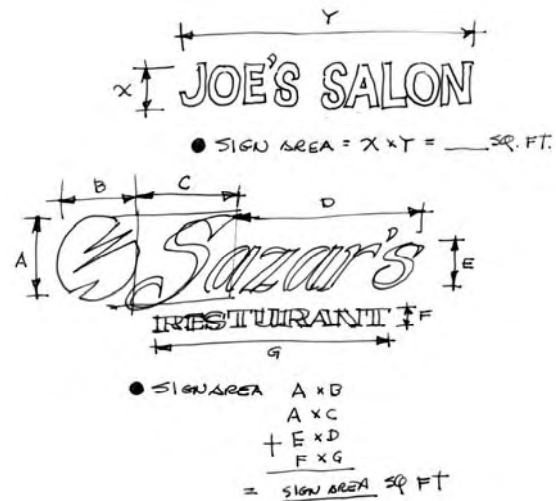
Shelter canopy. A roof-like covering, intended and used for the purpose of sheltering from the rays of the sun and from rain and weather exclusive of vehicles, either persons or inanimate objects. Shelter canopies are partially or entirely supported from the ground up. (Sec. 2-108)

Shrub. A woody plant that usually remains low and produces shoots or trunks from the base; it is not usually tree like nor single stemmed. (Sec. 2-109)

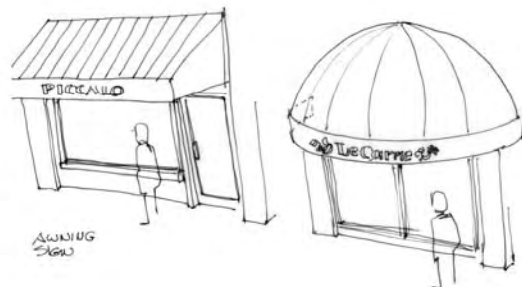
Sign. An identification, description, illustration or device structure, or fixture (including, but not limited to, letters, words, graphics, symbols, pictorial presentation, numerals, trademarks, figures, logos, crests, emblems, pictures, or any part or combination) used for visual communication intended to attract the attention of the public and is visible to the public right-of-way or other properties. The national flag of the United States of America, state flag and flags of political subdivisions within the State of Florida shall not be construed as signs, provided, however, that in no case shall more than three (3) flags be flown. (2003-16) (Sec. 2-110)

Sign area. The area of a sign is the sum of the areas enclosed within a projected rectangle or within a single continuous perimeter composed of squares or rectangles which enclose the extreme limits of the words, letters, announcement, logo, pictorial element, etc., together with any frame, background area of sign, structural trim or other material, color or condition which forms an integral part of the display excluding the necessary supports or

uprights on which such sign is placed. (See illustration) [Sec. 2-110(a)]



Sign, awning. A sign incorporated into, attached, affixed to, stamped, perforated, stitched or otherwise applied or painted on a structure made of cloth, canvas, metal or similar material that is affixed to a building and projects. Such signs may or may not be fixed or equipped with a mechanism for raising and holding an awning in a retracted position against the building, an awning or canopy. The sign shall only be permitted on the valence of the awning. (See illustration) [Sec. 2-110(b)]



Sign, building. An on-site sign identifying name of a building or institution, of the lawful use/business located on the same property as the business. (See illustration) [Sec. 2-110(c)]



Sign, campaign. A sign erected to advocate the candidacy of a party or individual(s) for elective office, an issue, cause or referendum. [Sec. 2-110(d)]

Sign, cantilever. A sign which is mounted upon a cantilever and which does not extend beyond the cantilever. [Sec. 2-110(e)]

Sign, decal. A sign affixed to a window or transparent surface that is visible from the exterior portions of a building. This includes the following signs: entrance; exit; credit card advertising or other information subject to approval by the Building and Zoning Department. [Sec. 2-110(f)]

Sign design. A sign that contains unique design characteristics that include all of the following:

- (a) Utilizes artistic form, sculptured and/or three-dimensional attributes in the creation of the sign, lettering, background, decorative elements, and/or structural elements;
- (b) Utilizes materials and methods of construction that exceed typical sign industry standards;
- (c) Is appropriately sized and consistent with the architecture and material composition of the building; and
- (d) Is compatible with the accompanying building with the intent of enhancing the building.

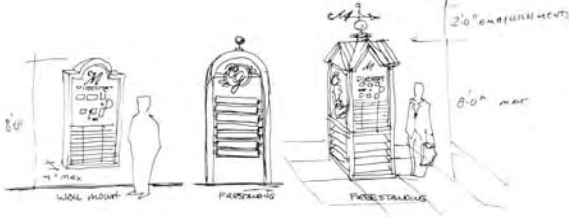
Box and cabinet signs shall be prohibited. (See photographs for examples) [Sec. 2-110(g)]



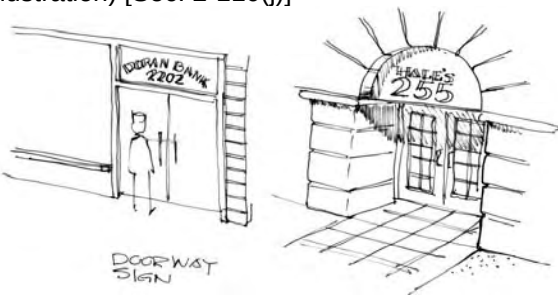
Sign, detached. A sign not attached to or painted on a building, but which is affixed to the ground. A sign attached to a surface such as a fence or wall shall be considered a detached sign. [Sec. 2-110(h)]

Sign, directory. A sign, other than an identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings that is attached to a building or freestanding and is centrally located to provide on-site directions. This sign intent is to direct persons within the

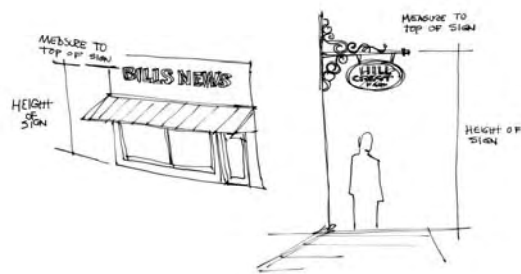
property. This sign shall contain no advertising.
(See illustration) [Sec. 2-110(i)]



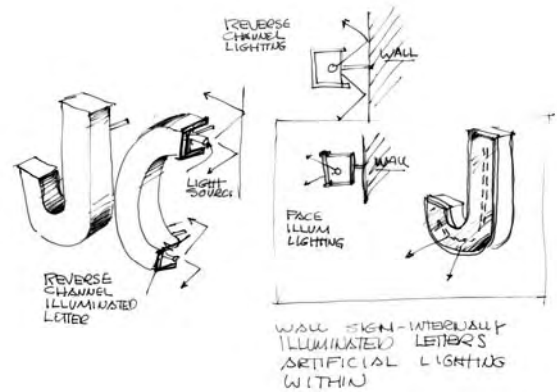
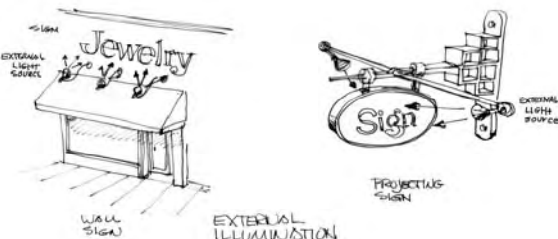
Sign, doorway. A sign attached, affixed to or mounted above an entrance doorway with the intent of identifying the pedestrian entrances/exits to buildings and structures. (See illustration) [Sec. 2-110(j)]



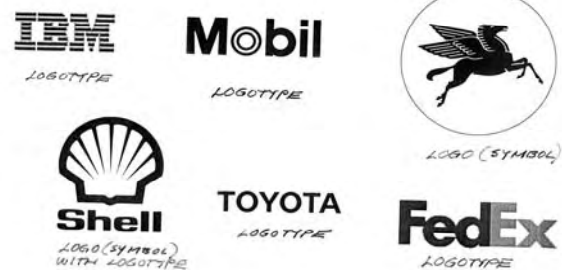
Sign, height. The vertical distance measured from the lowest adjacent grade to the highest and/or upper most point of the sign, sign structure or element. (See illustration) [Sec. 2-110(k)]



Sign, illuminated. A sign designed and lighted by or exposed to artificial lighting either by lights on or within the sign or directed toward the sign. (See illustrations) [Sec. 2-110(l)]



Sign, logo or logotype. Shall mean a trademark, company name, and or symbol identifying the business or service provided and which may be all or part of a sign. The size of logo and/or logotype shall be included as a part of the allowable overall sign area. (See illustration) [Sec. 2-110(m)]



Sign, marquee. A sign attached to or constructed upon a marquee. [Sec. 2-110(n)]

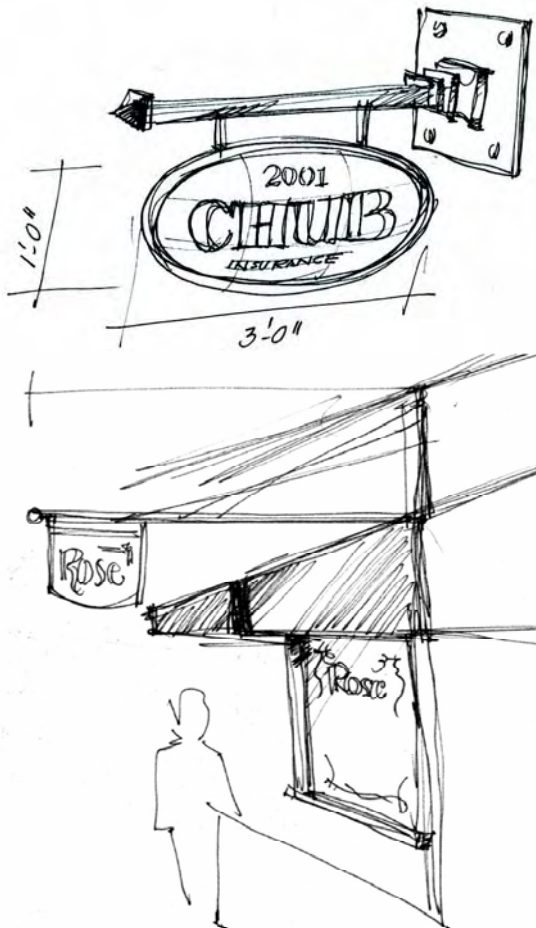
Sign, nonconforming. A sign and/or sign structure existing, which by its height, type, content, square footage area, locations, use, or structural support and all other provisions contained within this Article does not conform to the requirements of this Article. [Sec. 2-110(o)]

Sign, plaque. A sign that identifies, communicates the receipt of an award, local government actions or related history of the site, parcel or building. The intent of the sign is not to advertise a service, business, etc. [Sec. 2-110(p)]

Sign, primary street. The street right-of-way, towards which the building front or facing is oriented, based upon the existing platted lot configuration. [Sec. 2-110(q)]

Sign, professional affiliations. A sign indicating any applicable design services that are presently being completed on the property pursuant to the issuance of a permit. [Sec. 2-110(r)]

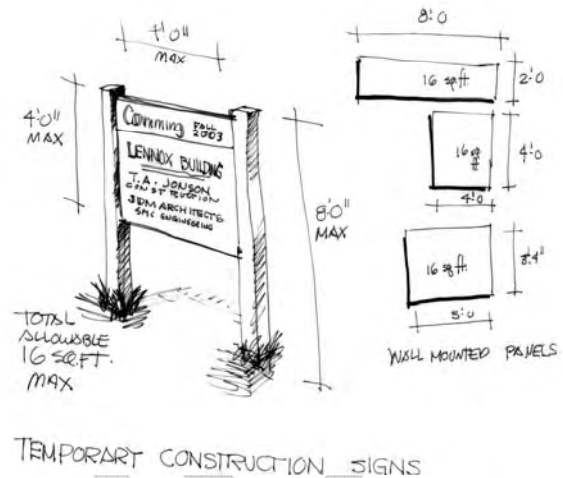
Sign, projection sign. A sign, which projects from and is supported by a wall or parapet of a building with the sign face perpendicular or approximately perpendicular to the wall or parapet. The use of logos raised lettering and three-dimensional features or three-dimensional signs is encouraged and permitted. (See illustrations) [Sec. 2-110(s)]



Sign, side street. The adjoining street right of way, which is secondary to the front or front face of a building, based upon existing platted lot configuration. [Sec. 2-110(t)]

Sign, temporary construction sign (non-residential zoning districts). A sign indicating a construction and/or renovation of a building and/or structure identifying architects, engineers,

contractors, tradesman and/or others engaged in work completed on the premises. Such signage shall satisfy all applicable building and life safety code requirements. (See illustration) [Sec. 2-110(u)]



Sign, temporary sign (residential zoning districts only). A sign installed on a residential zoned property for a temporary period. This sign may indicate one of the following:

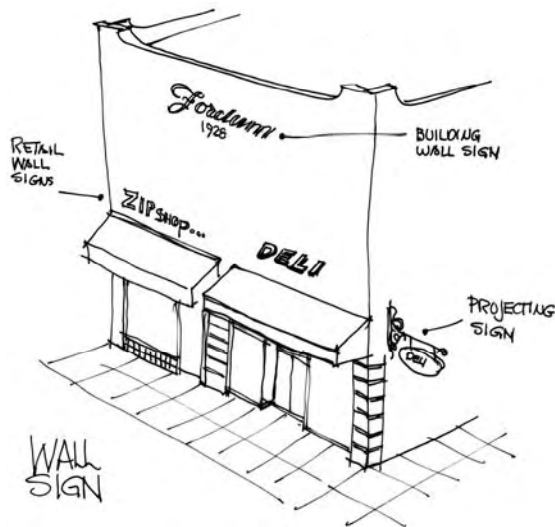
- Construction and/or renovation of a building and/or structure or other associated improvements requiring a building permit identifying architects, engineers, contractors, tradesman and/or others engaged in work completed on the premises.
- Real estate signage indicating the sale and/or rental of the property that the sign is located.
- Professional affiliations sign indicating any applicable design services that are being completed on the property pursuant to the issuance of a building permit.

Such signage shall satisfy all applicable building and life safety code requirements. [Sec. 2-100(v)]

Sign, visible. The ability to see a sign, message, copy area, display (legible or not) without visual aid by a person of normal vision acuity or simply stated, can be seen. [Sec. 2-110(w)]

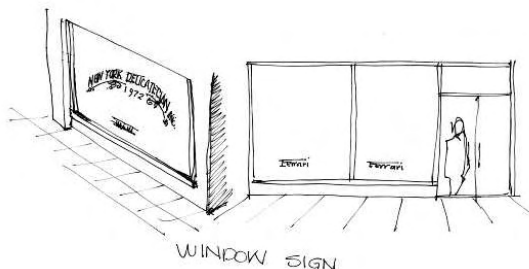
Sign, wall. A sign painted or attached on the outside of a building/structure, or attached to, and erected parallel to the face of a building and supported throughout its length by such

building/structure. (See illustration) [Sec. 2-110(z)]



Sign, window area. The total area of the glass either transparent or non-transparent that occupies a building face. This includes all areas of glass including but not limited to windows, doors, sidelights, transoms (fixed or operable), etc. [Sec. 2-110(x)]

Sign, window sign. Any display of lettering, text, words, graphics, symbols, pictorial presentation, numerals, trademarks, numbers, logos, crests, emblems, or any part or combination or other devices used to attract attention, or to identify, or as an announcement that is posted, painted, placed, or attached to or projected upon a window exposed to public view or is visible to persons outside the building. This shall include signs visible or located within 10 feet of the interior of a glass area with the intent of being visible from the exterior portions of the building. This does not include merchandise displays or similar fixtures. (See illustration) [Sec. 2-110(y)]



Single family residence. A private residence building used or designated to be used as a home or residence in which all living rooms are accessible to each other from within the building, and in which the use and management of all sleeping quarters, all appliances for cooking, ventilating, heating or lighting are under one control, and to be occupied exclusively by one family or by no more than three (3) individuals unrelated to any other occupant, excluding servants, who are living and cooking as a single household. Doors or other openings constituting more than one front entrance shall be presented to the Board of Adjustment without charge for approval, provided, however, that such doors or other openings are not exits or entrances to a sleeping room, give the residence the appearance of a duplex, or encourage the creation of a secondary living unit within the residence. (3028, 3183) (Sec. 2-112)

Specified anatomical areas. The phrase specified anatomical areas shall have the meaning as set forth hereinafter: (Sec. 2-113)

- (a) Less than completely and opaquely covered:
 - (1) Human genital, pubic region.
 - (2) Buttock.
 - (3) Female breast below a point immediately above the top of the areola.
- (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activities. Specified sexual activities shall mean: (Sec. 2-114)

- (a) Human genitals in a state of sexual stimulation or arousal.
- (b) Acts of human masturbation, sexual intercourse or sodomy.
- (c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

Split island service station. An automobile service station providing full service with one or more pump islands devoted to self-service. (Sec. 2-115)

Spot zoning. Spot zoning involves change in district boundaries, variances, and other amendments to the Zoning Code and Use and Area Maps which violate sound principles of

zoning and are characterized by the following: (Sec. 2-116)

- (a) Individuals seek to have property rezoned for their private use.
- (b) Usually the amount of land involved is small and limited to one or two (2) ownerships.
- (c) The proposed rezoning would give privileges not generally extended to property similarly located in the area.
- (d) Applications usually show little or no evidence of, or interest in, consideration of the general welfare of the public, the effect on surrounding property (including adequate buffers), whether all uses permitted in the classification sought are appropriate in the locations proposed, or conformity to the Comprehensive Plan or to comprehensive planning principles (including alterations to the population density patterns and increase of load on utilities, schools and traffic).

Story. (Sec. 2-117)

- (a) That portion of a building included between the upper surface of any floor and the upper surface of the floor next above or if there be no floor above it, then the space between such floor and the ceiling next above it.
- (b) A mezzanine which exceeds thirty-three and one-third (33⅓%) percent of the total floor area in that room or story in which the mezzanine floor occurs shall be considered as a story. (See mezzanine; Sec. 2-77).
- (c) That portion of a building between floor and ceiling which is so located that more than one-half (½) of the clear height from floor to ceiling is above grade. (See basement; Sec. 2-18)

Street. A thoroughfare used for public foot and vehicular traffic other than an alley as herein defined. (Sec. 2-118)

Street line. The street line is the dividing line between a street and a lot. (Sec. 2-119)

Subdivision. The division of a parcel of land into two (2) or more lots or parcels of land for the purpose of transfer of ownership or building development or if a new street is involved, any division of a parcel of land; provided that a division of land which may be ordered by a

Court of competent jurisdiction or a division of land into lots or parcels of four (4) acres or more and not involving a new street shall not be termed a subdivision. The term includes re-subdivision, and when appropriate to the context, it relates to the process of subdividing or to the land subdivided. (Sec. 2-120)

Survey, certified. A survey, sketch, plan, map or other exhibit is said to be certified when a written statement regarding its accuracy or conformity to specified standards is signed by a registered surveyor, and shall show property corner stakes; property line dimensions; interior property line angles; existing structure, their dimensions and relation to property lines; general elevation of property; all existing utilities and related data; existing rights-of-way; easements of record; existing sidewalks; general block plan and other pertinent survey data. (Sec. 2-121)

Swimming pool. A structure of masonry or concrete construction containing a body of water intended for recreational purposes, including a wading pool having a depth of more than eighteen (18) inches and a water surface area of more than two-hundred-fifty (250) square feet, but not including an ornamental reflecting pool or fish pond located and designed so as not to create a hazard or be used for swimming or wading. (Sec. 2-122)

Tent. Any portable or removable shelter made of canvas and/or some other similar fabric, either natural or synthetic, as contrasted with awning or canopy, as defined. (Sec. 2-123)

Theater, adult motion picture. An enclosed building used for presenting motion picture films distinguished or characterized by an emphasis on matter depicting, describing or related to specified sexual activities or specified anatomical areas as defined herein, for observations by patrons therein. (Sec. 2-124)

Three-bedroom apartment. An apartment consisting of four (4) or more habitable rooms excluding the kitchen. (Sec. 2-126)

Trailer. Every vehicle without motor power, designed for carrying persons or property on its own structure and for being drawn by a motor vehicle. (Sec. 2-125)

Tree. Self-supporting woody plant which usually produces one main trunk and a more or less distinct and elevated head with many branches which normally grows to an overall height of a minimum of fifteen (15) feet in Miami-Dade County. (Sec. 2-127)

Truck. Any motor vehicle designed, used or maintained for transporting or delivering property or material used in trade or commerce in general. Trucks shall include any motor vehicle having space designed for and capable of carrying property, cargo, or bulk material and which space is not occupied by passenger seating. (2536) (Sec. 2-128)

Two-bedroom apartment. An apartment consisting of three (3) habitable rooms excluding the kitchen. (Sec. 2-129)

Unity of title. A written agreement executed by and between one or more property owners and the City of Coral Gables, whereby the property owner(s) for a specified consideration by the City agrees that the lots and/or parcels of land constituting the building site shall not be conveyed, mortgaged, etc. apart from each other and that they shall be held together as one (1) tract. Such Unity of Title shall be recorded in the Public Records of Miami-Dade County, Florida and shall run with the land and shall be binding upon the property owner(s), his successors and assigns. (2347, 3518) (Sec. 2-130)

Unnecessary hardship. Arduous restrictions upon the uses of a particular property which are unique and distinct from that of adjoining property owners in the same zoning district. (Sec. 2-131)

Usable open space. Outdoor area, except parking and other service areas, which is usable for outdoor living, recreation or landscaping, and which is open and unobstructed from the lowest level to the sky except for roof overhangs not in excess of two and one-half (2½) feet, pedestrian walks and ingress and egress drives. All open space shall be accessible to, and usable by, all residents residing in the building. (Sec. 2-132)

Variance. A dispensation permitted on individual parcels of property as a method of alleviating unnecessary hardship (see also necessary hardship) by allowing a reasonable

use of the building, structure or property which, because of unusual or unique circumstances, is denied by the terms of the Zoning Code. (Sec. 2-133)

Vehicle. Every device, in, upon, or by which any person or property is or may be transported or drawn upon a highway or street, except devices moved by human power. (Sec. 2-134)

Vehicle, commercial. Any vehicle designed, used or maintained, as a means of transportation on land of people, goods or things used in trade, services, or commerce in general. For the purposes of this ordinance, buses, vans and other vehicles seating more than nine (9) persons used for transportation of people shall be considered commercial vehicles. (2536) (Sec. 2-135)

Vehicle, motor. Every vehicle which is self-propelled. (Sec. 2-136)

Vehicle, recreational. Any vehicle self-propelled or capable of being towed and primarily designed, constructed or converted to provide recreational uses, or to provide temporary living quarters for camping, or recreational travel. The following shall be included as recreational vehicles, but not to the exclusion of any other types not mentioned; trailers; trailer coaches; camping trailers; and full-tent trailers; motor homes; pickup (slide-in) camper and mini-motor homes. Any van designed for and containing seating for the transportation of not more than nine (9) persons and containing rear and side windows shall not be considered a recreational vehicle. (2536) (Sec. 2-137)

Vines. Plants which normally require support to reach mature form. (Sec. 2-138)

Wild animal. The phrase wild animal is used as a term to indicate animals and reptiles of a species not usually domesticated in the United States and such phrase does not refer to the comparative docility or familiarity with man of a particular animal. Nor does such phrase refer to pets customarily found in and about homes, such as baby turtles, small non-poisonous lizards and the like. (Sec. 2-139)

Wood trellis. A permanent wood frame supporting open latticework, used for training vines and other creeping plants. (2521) (Sec. 2-140)

Yard. An open space on the same lot with a building, unoccupied and unobstructed from the ground upward, except as otherwise provided herein. (Sec. 2-141)

Yard, front. An unoccupied area between the front property line and the main building, and extending across the full width of the lot. (Sec. 2-142)

Yard, rear. An unoccupied area extending across the full width of the lot between the main building and the rear line of the lot, except in the case of a side street. (2992, 3230) (Sec. 2-143)

Yard, interior side. An unoccupied area between the main building and the side line of the lot and extending from the required front yard to the required rear yard. (2992) (Sec. 2-144)

Yard, side street. An unoccupied area behind the front yard and between the main building and abutting street extending to the rear property line. (2992, 3230) (Sec. 2-145)

Article 3 USE DISTRICT AND REGULATIONS

Sec. 3-1 - R-Use Districts.

Residential Use Districts are intended to accommodate low density, single-family dwelling units with adequate yards and open space to characterize a residential environment. In single-family residence or R-Use Districts no use shall be permitted other than an R-Use and Family Day-Care Home, except that certain special-uses as described in Section 3-11 hereof may be permitted after passage of a special authorizing ordinance therefore. In R-Use Districts 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 D, A, C, or M-Use as defined herein. (2703)

- (a) Use district--General. For the purpose of prescribing and regulating minimum and maximum permissible areas of buildings and structures, all R-Use Districts hereby are further classified and divided into Area Districts, as shown upon the Use and Area Map, and the regulations set forth hereinafter hereby are established to govern minimum and/or maximum square foot floor area of buildings and structures, generally, as the context may apply or require. Any building or structure erected in any designated Area District shall comply with the minimum square foot floor area requirement for buildings in such Area District.
- (b) Area district symbols. The minimum square foot floor area required in buildings for R-Uses is indicated upon the Use and Area Map by number symbols, which number symbols represent the minimum square foot floor area 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

The designation of Area Districts by number symbols as set forth herein, when used throughout this code and upon the Use and Area Map, attached hereto and made a part thereof, shall have the same effect as if the full description or minimum square foot floor area requirements were stated. The use of a letter symbol coupled with a number shall connote both use and minimum building area. Special minimum area requirements fixed by the City Commission and varying from prescribed minimums listed for the several Area Districts above, may be designated by use of a combination of the two number symbols representing the Area District minimums 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: (2992, 3175, 3192, 3245)
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 boat lifts.
 10. Storage/utility rooms.
 11. Guest house.
 12. Wood decks.

13. Trellises (allowed in rear setback area of properties backing onto a canal, waterway, lake or bay subject to Board of Architects approval).
 14. Fountains (allowed in setback area subject to Board of Architects approval).
 15. Planters (allowed in setback area subject to Board of Architects approval).
 16. Basketball pole backboards, as further defined in, and subject to, the requirements of Articles 5 (Accessory Uses) and 17 (Docks, Wharves, etc.).
 17. Flagpoles, limit one per property with a maximum height of twenty-five (25) feet (allowed in setback area subject to Board of Architects approval).
 18. Gazebo.
- (e) Special-uses and structures (See Section 3-11).
1. Golf or tennis grounds.
 2. Religious facilities.
 3. Public recreation building, park or playground.
 4. Community center building.
 5. Educational Facilities.
 6. Municipal Facilities.
- (f) Setback requirements, R-Use District-General.
1. Front Setback. A minimum front setback of twenty-five (25) feet shall be maintained and required on all building sites in R-Use Districts, 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.
 2. Side Setbacks. Inside lots in R-Use Districts shall have 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. 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 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. Building sites, where a reduction in the minimum square foot floor area of the building was permitted as set forth in Section 3-1 (i), shall be required to maintain a minimum side setback of ten (10) feet on each side.
3. Rear Setback. A minimum rear setback of five (5) feet shall be maintained and required on all buildings in R-Use District.
- (g) 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, except as provided in Article 4.
- (h) Height of single-family residence buildings and height of special-use buildings in R-Use Districts—General. Except as set forth herein in Article 4 to the contrary, no single-family building shall be constructed in Coral Gables more than two and one-half (2½) stories in height. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site. In R-Use Districts, no Special-Use building which may be permitted by special ordinance shall exceed two and one-half (2½) stories in height. In all instances, said two and one-half (2½) stories shall not exceed a height of thirty-four (34) feet above established grade including ridgeline, dome, steeples, towers and such other similar structures, and excluding chimneys having a maximum height above the ridgeline of three (3) feet and a maximum area of seventeen (17) square feet. (3170, 3569)
- (i) Percentage reduction on seventy-five (75) and one-hundred (100) foot building sites. In all R-Use Districts requiring a minimum building area of one-thousand five-hundred twenty-seven (1,527) square feet or more, where a single-family residence is built upon a site consisting of one and one-half (1½) lots, or upon a site having a minimum of seventy-five (75) foot frontage,

a five (5%) percent reduction in minimum square foot floor area requirements shall be permitted; in all R-Use Districts, requiring a minimum floor area of one-thousand five-hundred twenty-seven (1,527) square feet or more, where a single-family residence is built upon a site consisting of two (2) lots, or upon a site having a minimum of one-hundred (100) foot frontage, a ten (10%) reduction in minimum square foot floor area requirements shall be permitted; provided, however, that in no event shall the minimum square foot floor area requirements of any residence building be reduced by reason of the above provision below one thousand four hundred seventy-five (1,475) square feet. The word lots as used herein shall be construed to include only lots having a minimum of fifty (50) foot frontage according to the plat thereof. Where advantage is taken of the percentage reduction above permitted, the minimum side setbacks shall be ten (10) feet on each side; provided, however, that no reduction in minimum building area shall be allowed for any building on Lots 7 and 8, Block 106, Biscayne Bay Section; Lots 1 to 8, inclusive, and Lots 9 to 19, inclusive, Block 56, Riviera Section Part Four; and provided further, that Lots 1 and 10, Block 1 and Lot 1, Block 2, Riviera Circle shall be deemed for the purpose of this section to have one-hundred (100) foot frontage.

- (j) Height of residences in flood hazard district. That portion of a single-family residence located above the garage in the coastal flood hazard district may in no case be more than one story in height, and may be one story in height, subject to the following conditions and restrictions: (2934, 3170)
1. That the elevation of the garage floor shall not be more than six (6) inches above established grade.
 2. That the area of the garage shall not exceed a gross floor area of more than six-hundred (600) square feet or one-third ($\frac{1}{3}$) of the ground area of the main building on the premises, whichever is greater, including any service or storage, or access area located within the garage.
 3. That the residence shall not exceed a height of thirty-nine (39) feet above

established grade including ridgeline, domes, steeples, towers, chimneys, cupolas, decorative features and such other similar structures.

- (k) Ground area coverage—General. Buildings or structures designed and constructed for R-Use, 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 which are greater than five (5) feet shall be computed in the calculation of the ground area coverage of the principal building. Auxiliary buildings or structures, including swimming pools, may occupy additional ground coverage, but the total ground area occupied by the main building or structure and auxiliary structures shall not exceed forty-five (45%) percent of the site upon which the structures are located. In no case shall the main building or structure exceed thirty-five (35%) percent of the lots or lots composing the site. S and X-Use buildings or structures which may be permitted by ordinance to be located in R-Use Districts shall abide by the same minimum ground area coverage as set forth for R-Uses in such districts. (2934)
- (l) Determination of minimum square foot floor area. The minimum square foot floor area of existing or proposed buildings and structure shall be the sum of the gross horizontal floor area of the several stories of the building or structure, measured from the exterior faces of the exterior walls. Garages attached to and made a part of the main building or structure and screened porches shall be computed as one-half ($\frac{1}{2}$) of the square foot floor area contained therein. Detached private garages, garage apartments, and other subordinate auxiliary-use buildings and open porches, patios, porte-cocheres and areas having plastic, glass, aluminum or screened roofs shall not be taken into account in calculating the minimum square foot floor area as required by this code.

- (m) Maximum square foot floor area for single-family residences--General. The maximum square foot floor area permitted for single-family residences shall be equal to forty-eight (48%) percent for the first five-thousand (5,000) square feet of building site area and thirty-five (35%) percent for the next five-thousand (5,000) square feet of building site and thirty (30%) percent for the remainder of the building site area. (2934)

- (n) Determination of maximum square foot floor area. The maximum square foot floor area of a single-family residence shall be the sum of the gross areas of all the floors of the building or buildings, measures from the exterior faces of exterior walls and exterior faces of supporting columns for any floor not enclosed by exterior walls, but in no case shall the maximum square foot floor area in any category be less than the minimum, as required by the Zoning Code. (2934)

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

- 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 ($\frac{1}{2}$) 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 ($\frac{1}{2}$) 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) feet clear without intermediate structural floor members, then that area shall be counted twice in the maximum floor area factor computation. (3090)

- h. Carports: however, when no portion of a carport is located between the building and the street, it shall be counted as one-half ($\frac{1}{2}$) 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.

- (o) Landscaped open space. Landscaped open space for single-family use buildings shall be provided as follows: (2934)

1. Single-family use buildings shall provide landscaped open space of not less than thirty-five (35%) percent of the area of the building site.

Sec. 3-2 - R-TH-Use districts.

Residential Townhouse Use Districts are intended to accommodate high-density, single-family dwelling units through the use of cluster or attached buildings. R-TH-Uses are intended to provide a more urban living environment and to buffer R-Uses from C and A-Uses.

- (a) Permitted principal uses and structures.

1. Attached, individually owned, single-family homes separated by a common wall between each unit and consisting of at least three (3) units per grouping.
2. Family day-care homes.

- (b) Permitted accessory uses and structures.
1. Garage.
 2. Play house.
 3. Screened enclosures.
 4. Greenhouse.
 5. Storage/utility rooms.
 6. Wood decks/trellises.
 7. Gazebo.
 8. Spa.
 9. Pool.
 10. Reflecting Pond.
- (c) Development site requirements.
1. Definition: A Development Site shall consist of a grouping of building sites.
 2. Area: Townhouses may only be developed as part of a Development Site consisting of a minimum of twenty-eight-thousand seven-hundred and fifty (28,750) square feet (two-thirds ($\frac{2}{3}$) acre).
- (d) Building site requirements.
1. Definition: A building site shall consist of one platted lot suitable for the development of one townhouse unit.
 2. Area: The minimum area for each building site shall be two-thousand (2,000) square feet.
 3. Frontage: The minimum frontage for each building site shall be twenty (20) feet. The maximum frontage for each building site shall be forty (40) feet.
 4. Density: The maximum density shall not exceed nine (9) dwelling units per acre. (See Section 28-8 for bonus provisions).
 5. Plat: Each building site shall consist of at least one fully platted lot and each lot shall be individually platted and properly recorded as set forth in Chapter 29 of the City of Coral Gables Code of ordinances.
- (e) Setback requirements:
1. Front—0 feet; 5 feet when facing R zoning.
 2. Side (interior)—0 feet.
 3. Side (corner or end unit)—10 feet.
 4. Rear—0 feet.
- (f) Height of buildings. No dwelling unit shall exceed two and one-half ($2\frac{1}{2}$) stories or thirty-four (34) feet in height, whichever is less.
- (g) Ground area coverage. The maximum area that may be covered by the principal

residence shall not exceed fifty (50%) percent. Accessory buildings may cover an additional fifteen (15%) percent of the building site.

- (h) Parking.
1. One parking space for each one bedroom unit.
 2. Two (2) parking spaces for each two (2) or more bedroom units.
 3. No off-street parking spaces shall be located between the front of the principal residence and the front property line.
- (i) Common open space.
1. Area: A minimum of fifteen (15%) percent of the Development Site shall be provided as common open space.
 2. Use: Fifty (50%) percent of the required open space shall be landscaped and unencumbered with structures or off-street parking. The remaining fifty (50%) percent of the required open space may accommodate common courtyards, recreational amenities, water features or additional landscaping.
- (j) Service corridor.
1. Sites abutting alley. When building sites abut an alley, Development Site plans shall include provisions to utilize the alley as a service corridor for the Townhouse units.
 2. Sites not abutting alley. When building sites do not abut an alley, Development Site Plans shall include a fifteen (15) foot wide, unobstructed service corridor along the rear of the properties which shall be dedicated to service use.
 3. Screening. Service corridor shall be screened from view from the street by a decorative wall or landscaping.
 4. Access. Garages and garbage/trash pickup shall be accessed and accommodated by the service corridor.
- (k) Walls. Patios and private outdoor living areas shall be enclosed by decorative masonry walls permitted in Article 16.
- (l) Preliminary development site plan review. The Building and Zoning, Planning and Public Works Departments shall review and approve Development Site Plans for townhouse development. The purpose of

the Development Site Plan review is to facilitate the following:

1. Code Compliance.
2. A logical functional plan.
3. Creativity in site planning.
4. Harmonious integration into, and compatibility with, the surrounding neighborhood.

Sec. 3-3 - D-Use Districts.

Duplex Use Districts are intended to accommodate low-density, multi-family dwelling units and buffer single-family residential uses from collector roadways. In a duplex residence or D-Use District no use shall be permitted other than an "R" and "D" Use and Family Day Care Home, except that certain special uses as described in Section 3-11 hereof, may be permitted after passage of a special authorizing ordinance therefore. In D-Use Districts 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 an A, C or M Use as defined herein. (2703, 3142)

- (a) D-Use Districts--General. For the purpose of prescribing and regulating minimum and maximum permissible areas of buildings and structures, all D-Use Districts hereby are further classified and divided into Area Districts, as shown upon the Use and Area Map, and the regulations set forth hereinafter hereby are established to govern minimum and/or maximum square foot floor area of buildings and structures, generally as the context may apply or require. Any building or structure erected in any designated Area District shall comply with the minimum square foot floor area requirement for buildings in such Area District.
- (b) Area District symbols. The minimum square foot floor area required in buildings for D-Use is indicated upon the Use and Area Map by number symbols, which number symbols represent the minimum square foot floor area requirements for buildings erected of such types and for such uses, as follows:

Symbol	Minimum Building Square Foot Floor Area Required
D-10.....	2,127
D-14.....	2,500

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

- (c) Permitted principal uses and structures.
 1. Duplex.
 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:
 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 boat lifts.
 10. Storage/Utility rooms.
 11. Guest House.
 12. Wood decks/trellises as further defined in, and subject to, the requirements of Articles 5 (Accessory Uses) and 17 (Docks, Wharves, etc.).
 13. Fountains (allowed in setback are subject to Board of Architects approval).
 14. Planters (allowed in setback area subject to Board of Architects approval).
 15. Basketball poles backboards, as further defined in, and subject to, the requirements of Articles 5 (Accessory Uses) and 17 (Docks, Wharves, etc.).
 16. Flagpoles, limit one per property with a maximum height of 25' (allowed in setback area subject to Board of Architects approval). (3175)

17. Gazebo. (3245)
- (e) Special-uses and structures: (See Section 3-11).
1. Golf or tennis grounds.
 2. Religious facilities.
 3. Public recreation building, park or playground.
 4. Community center buildings.
 5. Educational facilities.
 6. Municipal facilities.
- (f) Setback requirements, D-Use Districts—General.
1. Front setback. A minimum front setback of twenty-five (25) feet shall be maintained and required on all building sites in D-Use Districts, 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.
 2. Side setback. Inside lots in D-Use Districts shall have 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. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of a building line of a building site that abuts upon a street, 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.
 3. Rear setback. A minimum rear setback of five (5) feet shall be maintained and required on all buildings in D-Use Districts.
- (g) 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, except as provided in Article 4.
- (h) Height of duplex residence buildings and height of special-use buildings in D-Use Districts—General. Except as set forth herein in Article 4 to the contrary, no duplex residence building shall be constructed in Coral Gables more than two and one-half (2½) storied in height. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site. In D-Use Districts, no Special-Use buildings which may be permitted by special ordinance shall exceed two and one-half (2½) stories in height. In all instances, said two and one-half (2½) stories shall not exceed a height of thirty-four (34) feet above established grade including ridgeline, domes, steeples, towers and such other similar structures.
- (i) Ground area coverage—General. Buildings or structures designed and constructed for D-Use, 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 building. Cantilevered portions of the building above the ground floor or roof overhangs which are greater than five (5) feet shall be computed in the calculation of the ground coverage of the principal building. Auxiliary buildings or structures, including swimming pools, may occupy additional ground coverage, but the total ground area occupied by the main building or structure and auxiliary structures shall not exceed forty-five (45%) percent of the site upon which the structures are located. In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots composing the site. S and X-Use buildings or structures which may be permitted by ordinance to be located in D-Use Districts shall abide by the same minimum ground area coverage as set forth for D-Uses in such districts. (2934)
- (j) Minimum area requirements for specific uses in less restricted use district. Single-family residence buildings in D-Use Districts shall conform to R-9 (two-

thousand (2,000) minimum square foot floor area) requirements.

- (k) Landscaped open space. Landscaped open space for single-family and duplex use buildings shall be provided as follows: (2934). Single-family use buildings shall provide landscaped open space of not less than thirty-five (35%) percent of the area of the building site.

Sec. 3-4 A-Use Districts.

Apartment Use Districts are intended to accommodate medium to high-density, multi-family dwelling units and buffer less intense residential uses from commercial uses. In an apartment or A-Use District, no use shall be permitted other than an A-Use and Family Day-Care Home, except that certain special-uses as described in Section 3-11 hereof may be permitted after passage of a special authorizing ordinance therefore. In an apartment hotel, the number of hotel guest rooms shall not exceed ten (10%) percent of the total number of apartment units and hotel guest rooms. In A-Use Districts no buildings or premises shall be used, nor shall any building or structure be erected, altered or enlarged, which is arranged or intended or designed to be used for an R, D, C or M-Use as defined herein. (2703)

- (a) A-Use Districts--General. For the purpose of prescribing and regulating minimum and maximum permissible areas of buildings and structures, all A-Use Districts hereby are further classified and divided into Area Districts, as shown upon the Use and Area Map, and the regulations set forth hereinafter hereby are established, to govern minimum and/or maximum square foot floor area of buildings and structures, generally, as the context may apply or require. Any building or structure erected in any designated Area District shall comply with the minimum square foot floor area requirement for buildings in such Area District.
- (b) Area district symbols. The minimum square foot floor area required in buildings for A-Uses are indicated upon the Use and Area Map by number symbols, which number symbols represent the minimum square foot floor area requirements for buildings erected of such types and for such uses, as follows:

Symbol	Minimum Building Square Foot Floor Area Required

13.....	2,427
15.....	3,027
17.....	3,409

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

- (c) Permitted principal uses and structures.
 1. Apartments.
 2. Apartment-Hotels.
 3. Family day-care homes.
 4. Group homes. (See Section 3-12)
- (d) Permitted accessory uses and structures. Uses and structures customarily associated with and incidental to the permitted principal uses, such as:
 1. Apartment garage.
 2. Boat house.
 3. Boat slip.
 4. Play house.
 5. Utility room or building.
 6. Swimming pool.
 7. Screened enclosures.
 8. Green house.
 9. Docks, davits and floating boat lifts.
 10. Tennis court.
 11. Recreation room or area.
 12. Wood decks/trellises as further defined in, and subject to, the requirements of Articles 5 (Accessory Uses) and 17 (Docks, Wharves, etc.).
 13. Gazebo. (3245)
- (e) Special-Uses and structures: (See Section 3-11)
 1. Golf or tennis grounds.
 2. Religious facilities.

3. Private club.
 4. Public recreation building, park or play ground.
 5. Community center buildings.
 6. Educational facilities.
 7. Municipal facilities.
- (f) Setback requirements for buildings having a height of not more than three (3) stories or forty-five (45) feet—General.
1. Front setback. A minimum front setback of twenty (20) feet shall be maintained and required on all building sites in A-Use Districts, for all buildings other than private garages and garage apartments. The minimum front setback for private garages and garage apartments shall be sixty (60) feet.
 2. Side setback. A minimum side setback of ten (10) feet from each side line shall be required and maintained on all building sites in A-Use Districts for buildings erected and used for D, A and S-Uses, of which at least eight (8) feet shall be unobstructed, clear of steps and other impediments. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of such building site that abuts upon a street.
 3. Rear setback. A minimum rear setback of ten (10) feet shall be maintained and required on all building sites abutting upon an alley. A minimum rear setback of fifteen (15) feet shall be maintained and required on all building sites not abutting upon an alley.
- (g) 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, except as provided in Article 4.
- (h) Setback requirements for buildings having a height of more than three (3) stories or forty-five (45) feet. A-Uses Districts—General, special-uses in A-Use Districts and apartment-hotels.
1. Front setback. Twenty-five (25) feet minimum.
 2. Side setback from inside Property Line: Ten (10) feet minimum, plus one additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet. (3231)
 3. Side Setback from side street. Fifteen (15) feet minimum, plus one additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet.
 4. Rear Setback: Ten (10) feet minimum plus one additional foot setback for the entire building for each three (3) feet of the building height above forty-five (45) feet where an alley is located at the rear of the site, or twenty (20) feet plus one additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet where there is no alley at the rear of the site.
 5. Balconies: Cantilevered open balconies having a height of not less than fifteen (15) feet above finished grade may project into the required setback areas a maximum of six (6) feet.
 6. Parking structures and accessory Decks:
 - a. No setbacks shall be required for parking structures and accessory decks which are constructed completely below established grade.
 - b. Parking structures and accessory decks which have a height of not more than three (3) feet six (6) inches above established grade shall provide and maintain the following minimum setbacks:
 1. Front setback—20 feet minimum.
 2. Side setback—10 feet minimum.
 3. Side street setback—1 foot minimum.
 4. Rear setback—20 feet minimum.
 Parking structures and accessory decks which have a height of more than three (3) feet six (6) inches above established grade shall provide and maintain the

same setbacks as required for the principal building.

7. Uncovered parking. Uncovered parking shall be screened from pedestrian street view by a minimum four (4) foot high wall at parking level and landscaping treatment. There shall be a minimum two and one-half (2½) foot landscaped rear setback.
- (i) Height of apartment and special-use buildings—General. Except as specifically set forth in Article IV no apartment, or special-use buildings shall be constructed to a height of more than three (3) stories or forty-five (45) feet, whichever is less. (2829)
- (j) Height of buildings on property abutting or across the street, waterway or alley from single-family or duplex zoned property—General. Except as specifically set forth herein, no building shall be constructed to a height of more than three (3) stories or forty-five (45) feet, whichever is less, on property abutting or across the street, waterway, or alley from single-family or duplex zoned property.
- (k) Height and other requirements of buildings on property abutting single-family or duplex-zoned property. Construction of new apartment buildings with rear property lines abutting single-family or duplex buildings shall incorporate the following design features: (3006)
 1. A continuous six (6) foot high concrete block and stucco wall shall be provided along any property line abutting a single-family or duplex-zoned property.
 2. A continuous row of trees to buffer/screen shall extend along any property line abutting a single-family or duplex-zoned property, planted a maximum of twenty-five (25) feet on center, with a minimum tree height of ten (10) feet to twelve (12) feet at time of installation.
 3. No balconies or picture windows shall be allowed on the apartment building's rear elevation above the first floor.
 4. Windows shall not exceed three (3) feet by five (5) feet in size or be located closer than five (5) feet to each other on the apartment building's rear elevation above the first floor.
5. Apartment structures shall be limited to two-and one-half (2½) stories in height above parking or thirty-four (34) feet (thirty-nine (39) feet in flood plain districts) above established grade, whichever is less. In all instances, said two and-one-half (2½) stories shall not exceed a height of thirty-four (34) feet (thirty-nine (39) feet in flood plain districts) above established grade including ridgelines, domes, steeples, towers and other similar structures.
6. No exclusions shall be permitted in the calculation of building stories.
7. Minimum rear setback for primary building shall be fifteen (15) feet, or five (5) feet more than the minimum established setback, whichever is greater.
8. Minimum front setback shall be fifteen (15) feet, or five (5) feet less than the minimum established setback, whichever is less.
9. Minimum side setback shall be ten (10) feet.
10. Maximum ground area coverage for primary structures shall be forty (40%) percent. Auxiliary buildings and structures including swimming pools may occupy additional ground coverage; however, the total ground area coverage for all buildings and structures may not exceed fifty (50%) percent.
11. No off-street parking or drive-ways shall be allowed in the rear setback area, or behind the primary building.
12. Off-street parking shall be allowed in the front setback area, provided that a minimum five (5) foot setback with a continuous four foot high hedge or CBS wall separates the off-street parking area from the public right-of-way.
13. Mediterranean height bonuses shall not be awarded to apartment-zoned properties abutting residential single-family and duplex-zoned properties.
14. Properties with site plans approved prior to September 1, 1992, shall not be subject to the requirements herein.

- (l) Exclusive from height. The following shall be excluded from the computation of the building height in A-Use Districts:
1. Air-conditioning equipment rooms.
 2. Elevator shafts.
 3. Elevator mechanical equipment rooms.
 4. Parapets.
 5. Roof structures used only for ornamental and/or aesthetic purposes not exceeding a combined area of twenty-five (25%) percent of the floor area immediately below. Such exclusion shall be subject to the provision that no such structure shall exceed more than twenty-five (25) feet above the roof.
- (m) Apartment, apartment hotels and special use buildings having a height of more than three (3) stories or forty-five (45) feet. Building sites for buildings or structures for apartments, apartment hotels, and special-use buildings having a height of more than three (3) stories or forty-five (45) feet shall have a street frontage of not less than one hundred (100) feet and an area of not less than twenty-thousand (20,000) square feet, provided, however, that in that portion of the Douglas Section bounded on the west by Salzedo Street, on the north by Southwest Eighth Street (Tamiami Trail), on the east by Douglas Road and on the south by Section K and Section L, apartment buildings may be constructed to a height not exceeding six (6) stories or seventy (70) feet, whichever is less, provided that such building sites and density conform to Section 3-4(v). (2829)
- (n) Height of buildings—Special conditions. Credit for First Story Parking, Apartments and Hotels—Where the height of apartment and hotel building is limited by the Zoning Code to three (3) stories, an additional floor or story will be allowed under the following conditions, providing, however, that this provision shall not apply to the specific property as set forth under Article 4 hereof:
1. At least seventy-five (75%) percent of the gross floor area of the first story is used for off-street parking, access and circulation.
 2. Use of the remainder of the first story area is limited to Manager's office, necessary vertical building circulation, service facilities, and building-access facilities (which can include an entrance foyer or lobby).
3. Building shall not exceed fifty (50) feet in height.
 4. Architectural treatment of first-story parking area shall be integrated with that of the building as a whole.
 5. First-story parking shall be screened, insofar as practicable, from street view.
 6. Design of the first story shall be integrated with that of building as a whole, and shall be approved by the Board of Architects.
- (o) Minimum floor area, apartment units. The following minimum floor areas shall be provided for apartment units:
1. Apartment units designed so as to be used as an efficiency apartment shall contain a minimum floor area of not less than five-hundred seventy-five (575) square feet.
 2. Apartment units designed so as to be used as a one-bedroom apartment shall contain a minimum floor area of not less than seven-hundred fifty (750) square feet.
 3. Apartment units designed so as to be used as a two-bedroom apartment shall contain a minimum floor area of not less than nine-hundred (900) square feet.
 4. Apartment units designed so as to be used as three (3) bedroom apartment shall contain a minimum floor area of not less than eleven-hundred (1,100) square feet.
 5. Apartment units designed so as to be used as four (4) or more bedroom apartment shall contain a minimum floor area of not less than twelve-hundred fifty (1,250) square feet.
- (p) Minimum area requirements for specific uses in less restricted use districts. Duplex residence buildings in an A-Use District shall conform to D-10 (two thousand one-hundred twenty-seven (2,127) minimum square foot floor area requirements.
- (q) Ground area coverage. General. Buildings or structures designed and constructed for A-uses or for apartment-hotels and motels 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 which are greater than five feet shall be computed in the calculation of the ground coverage of the principal building. Auxiliary buildings or structures, including swimming pools may occupy additional ground coverage, but the total ground area occupied by the main building or structure and auxiliary structures shall not exceed forty five (45%) percent of the site upon which the structures are located. In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots composing the site. S and X-Use buildings or structures which may be permitted by ordinance to be located in A-Use Districts shall abide by the same minimum ground area coverage as set forth for A-Uses in such districts. (2934)

- (r) Ground area coverage for apartments, apartment-hotels, and special-use buildings having a height of more than three (3) or forty-five (45) feet. (2829)
1. Maximum ground area coverage which may be occupied by all principal, accessory, and deck structures shall be as follows:

Height of Principal Building in Stories	Max. % of Ground Cov. Prin. Building	Max % Cov. Prin. Access & Deck Bldg.
4	28	38
5	26	36
6	24	34
7	22	32
8	21	31
9	20	30
10	19	29
11	18	28
12	17	27
13	(150 ft. max)	26
16		

2. Accessory decks and/or parking structures not exceeding five (5) feet above established grade shall not be computed in the ground coverage.
3. Cantilevered open balconies not exceeding six (6) feet in depth shall

not be counted in computing the ground coverage.

- (s) Maximum ground area, private garage, garage apartment and apartment garage. No private garage or garage apartment shall be permitted to exceed six-hundred (600) square feet in ground area, or one-third ($\frac{1}{3}$) of the ground area of the main building on the premises, whichever is greater. Apartment garages shall be permitted to contain a square foot floor area not more than sufficient to house a number of automobiles not exceeding the number of living units in the apartment building on the premises.
- (t) Floor area ratio (F.A.R.) provisions for buildings four (4) or more stories in height. Maximum floor area ratio (F.A.R.) for A-Use Districts, Special-Uses in A-use Districts, apartments, and apartment-hotels.

Height of Principal Building In Stories	Maximum F.A.R.
4.....	1.00
5.....	1.10
6.....	1.20
7.....	1.30
8.....	1.40
9.....	1.50
10.....	1.60
11.....	1.75
12.....	1.85
13.....	2.00

- (u) Exclusions from floor area ratio (F.A.R.). The following shall be excluded from floor area ratio (F.A.R.) computation in A-Use Districts:
 1. Unenclosed private balconies.
 2. Accessory decks.
- (v) Density requirements for apartment buildings having a height of not more than three (3) stories or forty-five (45) feet, whichever is less. Apartment buildings having a height of not more than three (3) stories or forty-five (45) feet, whichever is less, shall be governed by the following density requirements: The number of units permitted shall be calculated at the rate of twenty (20) units per acre or fraction thereof.
- (w) Density requirements for apartment-hotels having a height of not more than three (3) stories or forty-five (45) feet, whichever is less. In an apartment-hotel having a

height of not more than three (3) stories or forty-five (45) feet, whichever is less, one-thousand (1,000) square feet of ground area shall be required for each apartment shall be as set forth under Section 3-4 (t).

- (x) Density requirements for apartment building having a height of not more than six (6) stories or seventy (70) feet, whichever is less. The density requirements for apartment buildings having a height of not more than six (6) stories or seventy (70) feet, whichever is less, located in that area of the Douglas Section bounded on the west by Salzedo Street, on the north by Southwest Eighth Street (Tamiami Trail), on the east by Douglas Road and on the south by Section K and Section L, shall be governed by the following density requirements: The number of units permitted shall be calculated at the rate of forty (40) units per acre or fraction thereof.
- (y) Density requirements for apartment buildings having a height of not more than thirteen (13) stories or one-hundred and fifty (150) feet, whichever is less. Apartment buildings having a height of not more than thirteen (13) stories or one-hundred and fifty (150) feet, whichever is less, shall be governed by the following density requirements: The number of units permitted shall be calculated at the rate of sixty (60) units per acre or fraction thereof.
- (z) Usable open space. Usable Open Space for apartment buildings four (4) or more stories in height shall be provided as follows:
 - 1. Each apartment building site shall provide usable open space equal to the minimum of twenty-five (25%) percent of the building site and such area shall be appropriately landscaped with trees, shrubbery, grass, hedges and other acceptable landscape material. Such landscaped material shall be maintained in a neat and orderly appearance. One-third ($\frac{1}{3}$) of the above requirements may be located on an elevated deck.
 - 2. Accessory deck used for recreation or other tenant use may count as required open space up to a maximum of one-third ($\frac{1}{3}$) the total required usable open space,

provided the height of such decks does not exceed thirty (30) feet.

Sec. 3-5 - Mixed-use district regulations. (2734)

- (a) Mixed-uses. These regulations are intended to allow the harmonious mix of complementary uses within a single development. They are intended to promote efficiency of land use, provide convenience, decrease vehicular traffic and encourage greater housing options. Developers wishing to utilize the mixed use provisions outlined herein shall so indicate on their submitted plans.
- (b) Mixed-Use District No.1. Commercial Use Districts. The standards set forth herein are to encourage the mix of residential uses into commercial development. All regulations of the underlying use district shall remain in effect except as otherwise specified herein. Whenever a conflict exists between these standards and regulations in other sections of this Code, the standards set forth herein shall supersede. All applications shall be reviewed in accordance with Article 23 and 25 of the Zoning Code, and will require site plan review and recommendation by the Planning and Zoning Board, and approval by the City Commission by resolution.
 - 1. Location eligibility. All properties zoned for C-Use and located within the following described geographic area shall be eligible to use the standards set forth herein for Mixed-Use District No. 1.
 - a. The area bounded by Southwest Eighth Street to the north, Santander Avenue to the South, Douglas Road to the east and LeJeune Road to the west. (3326)
 - 2. Limitation. In order to encourage the creative mix of uses, all developments, whether existing, new, renovated or proposed shall be eligible to utilize the Mixed-Use District No. 1 regulations, providing that the development shall have at least twenty-five (25%) percent, but no more than seventy-five (75%) percent of the gross floor area as residential uses. Such residential uses may include apartments,

- apartment-hotels and hotels. The non-residential portion of the Mixed-Use District No. 1 development may include office, industrial, retail, restaurant, entertainment, recreational and cultural uses as permitted by the underlying district.
3. Setbacks. The following general setbacks shall apply to Mixed-Use District No. 1 developments, but shall not supersede the specific setbacks listed for main buildings at specific locations in Article 4 of this Code:
- a. Front, Side (Interior), Side (street):
 - (1) That portion of the building exceeding thirty-five (35) feet in height shall provide a ten (10) foot minimum setback plus one foot for each twenty-five (25) feet over thirty-five (35) feet.
 - (2) Corner lots which have no radii shall have a ten (10) foot setback from the corner between three (3) and eight (8) feet above the established grade.
 - b. Rear:
 - (1) Where there is a dedicated alley in the rear, all buildings shall be set back five (5) feet up to the first fourteen (14) feet in height. For that portion of buildings above fourteen (14) feet in height, there shall be no setback requirements from the rear property line.
 - (2) Where there is no dedicated alley in the rear, a ten (10) foot minimum rear setback shall be provided.
 - (3) Parking garages shall be required to provide the same minimum setbacks as required for the main building provided however, that no setback shall be required for that portion of a parking garage which is located completely below grade.
4. Open space.
- a. Plazas, courtyards, arcades and loggias paved with a pervious material may be considered open space and counted as such toward the open space requirement up to a maximum of one-hundred (100%) percent.
 - b. Plazas, courtyards, arcades and loggias paved with an impervious material may be considered open-space and counted as such toward the open space requirement up to a maximum of seventy-five (75%) percent.
5. Ground area coverage.
- a. The ground area coverage standards set forth in Section 3-4(q) of this Code for apartments, apartment-hotels, and hotels shall not apply to Mixed-Use district No. 1 development.
 - b. When the residential portion of the development is less than the nonresidential portion, the maximum ground area coverage allowed for the Mixed-Use District No. 1 development may be ten (10%) percent greater than that which is permitted for apartments, apartment-hotels or hotels alone. This increase is equivalent to the percentage listed in the Maximum % Ground Cover Principal Access and Deck Building column included in Section 3-4(q) of this Code.
6. Floor area ratio.
- a. When multiple uses are incorporated into a development of four or more stories in height, the floor area ratio (F.A.R.) for each use shall be individually determined according to Sections 3-4(s) and 3-6(y) of this Code and the highest of the individual

F.A.R.'s shall be applied to the entire development.

7. Parking

a. Required off-street parking may not be reduced for the office and/or industrial portion of a Mixed-Use District No. 1 development.

b. Required off-street parking may be reduced by a given percentage for the residential, retail, restaurant, recreation, cultural, entertainment and/or similar portions only or a Mixed-Use District No. 1 development in accordance with the chart below:

OFFICE PORTION OF DEVELOPMENT	75% 10% parking reduction
	65% 15% for uses other
	55% 20% than office
	45% 15%
	35% 10%
	25% 35% 45% 55% 65% 75%
	% of development consisting of
	uses other than office (3326)

c. Required off-street parking spaces may not be reserved, assigned and/or designated for a certain use, business or individual or restricted in any way other than that which is otherwise required such as handicap, delivery vehicle or bicycle parking.

8. Ground floor treatment.

a. Ground floor treatment for all Mixed-Use development shall be pedestrian oriented, and shall detail the percent glazing to solids, pedestrian-oriented lighting, pedestrian-oriented landscaping and other features when submitting to the Board of Architects and Planning and Zoning Board.

(c) Mixed-use District No. 2. The standards set forth herein are to encourage the mix of limited commercial uses into residential development. All regulations of the underlying Use District shall remain in effect except as otherwise specified herein. Whenever a conflict exists between these standards and regulations in other sections of the Code, the standards set forth herein shall supersede.

1. Location eligibility. All properties zoned A and located within the following described geographic area shall be eligible to use the standards set forth herein for Mixed-Use District No. 2. The area bounded by Southwest Eighth Street to the north, Minorca Avenue to the south, Douglas Road to the east and LeJeune Road to the west. (2778, 3326)

2. Limitation. In order to provide convenience to residents of multi-family dwellings and reduce vehicular traffic, all developments, whether existing, new, renovated or proposed shall be eligible to utilize the Mixed-Use District No. 2 regulations, providing that the development shall consist of no more than one building and have at least twenty (20) apartment units. In addition, at least eighty (80%) percent, but no more than ninety-five (95%) percent of the gross plan area of the building must be in apartment use.

3. Permitted uses. The following is a list of Mixed-Use District No. 2 permitted uses: apartment building, automatic teller machine, bakery (no baking on premise), barber shop and beauty shop, bookstore, drug and sundry store, dry cleaner (no cleaning on premises), florist, food store (gourmet or convenience), stationery store.

4. Ground area coverage. The maximum ground area coverage permitted for Mixed-Use District No. 2 developments may be ten (10%) percent greater than that which is permitted for apartment use alone. This increase is equivalent to the percentage listed in the Maximum 0% Ground Cover Principal Access and Deck Building column included in Section 3-4(p) of this Code.

5. Floor area ratio (F.A.R.). The maximum F.A.R. for Mixed-Use District No. 2 developments having a height of four (4) or more stories shall be determined according to Section 3-4(s) of this Code, except that the F.A.R. listed in the column

- entitled Maximum F.A.R. shall be increased by five (5%) percent.
6. Parking. Required off-street parking for Mixed-Use District No. 2 developments shall be determined according to the requirements of Article XIII of this Code and may be reduced by twenty (20%) for the non-residential use portions of the development.
 7. Business access. Businesses in Mixed-Use District No. 2 developments are primarily intended to serve the needs of the residents within the development; therefore, access from the exterior of the development to such businesses shall be limited so as not to create a commercial/retail appearance on the outside of the development.
 8. Business advertising. Businesses within Mixed-Use District No. 2 developments shall not contain exterior store fronts, exterior advertising, or give the appearance of non-residential activity within the building.
- (d) Mixed Use Overlay District 3 (MXD3). (2004-04)
1. Applicability.
 - a. Mixed Use Overlay District 3 (MXD3). The MXD3 is an overlay zoning designation that is supplemental to the underlying zoning designations and other applicable City regulations. Property owners who choose to develop under these regulations and secure site plan review within the MXD3 zoning designation shall be governed by the requirements and regulations contained herein. Property owners who choose not to utilize these regulations may develop pursuant to the applicable underlying zoning district regulations and other applicable provisions of the Comprehensive Land Use Plan (CLUP), Zoning Code, and City Code.
 - b. Underlying zoning. All provisions of the underlying zoning district, Zoning Code, CLUP and City Code shall apply unless superceded by the regulations and provisions contained herein.
 2. Purpose. The purpose and intent of these regulations is to:
 - a. 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 zoning regulations.
 - b. Provide for residential uses within the area and provide higher densities in exchange for public realm improvements.
 - c. A maximum of design freedom by permitting the property owners an opportunity to more fully utilize the physical characteristics of the site through modified development regulations and the planned mixing of uses.
 - d. Require that property approved by the City Commission will be developed through a unified design providing continuity among the various elements causing a better environment.
 - e. 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:
 - (1) Provide a variety of uses in the area to that 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.
 - (2) Bring within walking distance most of the activities of daily living, residents of all ages may gain independence of movement, thereby
- c. Zoning Map identification. Upon assignment of the MXD3, the boundaries and adopting Ordinance number of the MXD3 shall be placed upon the City Zoning Map.

- reducing the number and length of vehicular trips.
 - (3) 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.
 - (4) Provide for the ability to reduce setbacks and encroachment into the public rights-of-way with public open space improvements.
 - (5) Designed to provide for architectural and design elements focused to a pedestrian scale.
 - (6) 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.
 - (7) 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.
 - (8) Encourage private and public buildings to form a clear edge, spatially delineating the public street space and block interiors.
- f. By organizing appropriate building densities, public transit will be further strengthened as an alternative to the use of private vehicles.
- g. 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:

- (1) 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.
 - (2) 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.
 - (3) Integration of street level plazas, courtyards, opens space and public gathering areas including the creation and preservation of corridors, vistas and landmark features.
 - (4) 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.
- 3. Definitions. For the purpose of this section, the terms listed below shall only be applicable to these provisions. The definitions in Article 2 are also applicable to these provisions.
 - a. Arcade and/or loggia. A permanent structure that is constructed, contiguous, parallel and attached to an adjoining building and attached to the structural components of a building that provides cover and protection from the elements for pedestrian passageways, sidewalks, etc. Arcades shall be accessible to

the public at all times. Arcades may include building columns, landscaping, statuary, pools, fountains or similar pedestrian amenities.

- b. Architectural relief elements. Architectural elements, ornamentation, decorative features installed, attached to, protruding, or painted to the exterior of a building or structure for the purpose of ornamentation or expression.
- c. Atrium. A ground level area designed for pedestrian use that satisfies the following: (1) has at least one entrance connecting to a public street, plaza or arcade; (2) is open to the top of the building by means of a vertical open space or light well and is covered by a transparent or translucent material; (3) is open to the public during business hours; and, (4) contains pedestrian amenities as defined herein.
- d. Clear unobstructed space. Minimum unobstructed space required to accommodate pedestrian circulation and applicable ADA requirements.
- e. Contiguous. In contact, adjoining, abutting, touching or having a boundary or portion thereof with another object, item or property.
- f. Courtyard, public. An area accessible at grade by the public and open. Courtyards may be permitted to be a component of the main entry sequence.
- g. Floor to floor height. The building area occupied as living space and applicable support services.
- h. Habitable space. An area where the purpose is to accommodate and/or house persons and/or activities. This includes support services necessary to accommodate those persons or inhabitants.
- i. Landscaping, softscape. Materials consisting of any of

the following or combination of, but shall not be limited to: grass; ground cover; shrubs; vines; hedges; and/or trees.

- j. Landscaping, hardscape. Nonliving, durable material commonly used in landscaping, such as rocks, pebbles, sand, tree grates, walls or fences, but excluding nonpervious paving materials.
- k. Live/work. Residential dwelling unit that includes flex space for which may be used commercial, retail, office, and/or services.
- l. Mediterranean Architecture, Coral Gables. An architectural style that exhibits George Merrick's vision as is defined by the Code subject to review and approval by the Board of Architects.
- m. Mixed use. An innovative overlay zoning mechanism which allows a land area of a minimum contiguous size to be planned, developed, operated and maintained as a single entity according to a site plan which, as a result, permits variations based upon review criteria in many of the traditional controls related to floor area ratios, densities, land uses, setbacks, landscaped open spaces and other design elements, with the expressed purpose of improving the public realm with public improvements for the benefit of the public.
- n. Mixed use site plan. A plan to scale, indicating uses and structures proposed for a parcel of land as required by the regulations contained herein.
- o. Open space, public. Any land or area for the use of the public, which is designed and intended for common use or enjoyment of the public which includes plazas, squares, arcades/loggias, pedestrian pass-throughs, courtyards, etc.

- Atriums and fully enclosed spaces are not considered open space.
- p. Overhead doors. Larger type doors utilized for the use of the delivery of goods and services, typically provided by vehicles.
 - q. Overlay zoning district. Zoning designation that prescribes special regulations and additional requirements upon an underlying zoning district without changing the requirements of the underlying district in exchange for increases, changes or modifications to intensity and density. The overlay is voluntary and is only applicable if a property owner desires to develop under the regulations.
 - r. Pedestrian amenities. Improvements including but not limited to the following: benches; refuse containers; lighting; Information kiosks; bike racks; planter boxes; statuary; wall mounted fountains; pavers; street furniture; freestanding fountains; other water features; art; and other similar improvements provided and utilized by the public.
 - s. Pedestrian pass-through. Public area, sidewalk and/or passageway that are commonly shared or used for pedestrian circulation that connects or serves two or more properties.
 - t. Plaza or square. Public open space area for the gathering of the public for recreational purposes, limited public assembly and social interaction which is designed and intended for common use or enjoyment of the public which includes pedestrian amenities as defined herein.
 - u. Porte-cochere. A structure attached and erected over a driveway or similar vehicular circulation that is open on two or more sides.
 - v. Private. Private shall mean that which is neither public nor civic. The use is intended solely for the utilization of a select group of individuals or persons.
 - w. Prohibited uses. Uses which are not permitted based upon these provisions.
 - x. Property owners association (POA). Shall mean the organization of owners of parcels of lands, and/or buildings with the responsibility to safeguard the rights of tenants, owners, etc., through the implementation of covenants and restrictions, including, but not limited to: maintenance responsibilities of all common areas, open spaces and other public areas, standards for building location, construction, etc.
 - y. Principal structure. Main or primary structure that contains a use that is permitted pursuant to all applicable regulations including all the support services for a development.
 - z. Public. Public shall be defined as that for which the use is not for private use or function.
 - aa. Publicly accessible. An area that is accessible by the public for use 24 hours a day/7 days a week.
 - bb. Public benefit. A feature, land area, improvement, building, etc., that provides a benefit and whose expressed purpose is to benefit the public.
 - cc. Public improvement. Any improvement, facility or service that is planned and designed for public use located on public land, site, rights-of-way with the purpose of providing public access and use 24 hours a day/7 days a week.
 - dd. Public realm. The land area, common area, use or facility either on public or private property that is available to the public including but not limited

to sidewalks, rights-of-way, alleys, plazas, open space, atriums, arcades, loggias, parks, paseos, playgrounds, water concourses or any other places commonly open to the public including areas on private property commonly open to view by the public. Public realm is also defined as all improvements required pursuant to these provisions including but not limited to the following: benches; information kiosks; lighting; bike racks; refuse containers; sidewalk pavement treatments; statuary; street crosswalk paver treatments; wall mounted fountains; water fountains and other similar water features and under grounding of utilities.

- ee. Public Realm Design Manual. A manual that specifies those improvements and/or amenities that is located in the public realm.
- ff. Retail service uses, personal. Uses that generally provide a personal service to those properties within proximity to the development, within the development or daytime users of the area.
- gg. Stepbacks. Changes in the surface, façade or facing of a structure or building that are beyond the required setbacks with the intent of providing depth and/or variations to the building façade.
- hh. Street lamps. Light standard equipped with an incandescent, metal halide, high pressure sodium or equivalent lighting for the purpose of illuminating the surrounding properties.
- ii. Tower, decorative. A portion of a building or structure that is higher than the remainder of the building and is of smaller size and dimension than the principal building.

Any other terms or words not defined herein or within Article 2 of the Zoning Code shall rely on the latest version of Webster's and/or Black's Law Dictionary.

- 4. Location eligibility. The Mixed Use Overlay District is bounded by the following streets: Bird Road (north); S.W. 39th Avenue (east); San Lorenzo and Altara Avenue (south); and, LeJeune Road (west).
- 5. Architectural theme. All structures, buildings, accessory buildings shall utilize the Coral Gables Mediterranean Architecture.
- 6. General. MXD3 site plans shall satisfy the following:
 - a. Consistency with the Comprehensive Land Use Plan (CLUP). Applicants desiring mixed use site plan review shall be required to satisfy all other applicable CLUP requirements.
 - b. All other applicable provisions of the Zoning Code, Subdivision and City Code. All land development regulations contained within the Zoning Code, Subdivision Code and City Code shall be applicable to all properties designated MXD3, unless specifically superseded by the regulations contained herein.
 - c. All other applicable county, state and federal regulations; all development order approvals. All development shall satisfy all applicable county, state and federal regulations.
- 7. Application requirements.
 - a. Preapplication conference. Prior to the submission of an application for site plan review, the applicant is required to schedule a Preapplication conference with the Planning Department to present a preliminary site plan and other supporting materials. The Preapplication conference requirements, application requirements,

- review scheduling and public hearing consideration timeframes, shall be determined by the Planning Director as outlined in the Planning Department Development Review Handbook, as amended.
- b. Property owners consent. All property owners of record within the land area included within the site plan shall be required to submit consent and/or agreements as firm evidence as to the understanding of these regulations.
 - c. Application requirements. Applications for site plan review in addition to these provisions shall be subject to the provisions as set forth in Article 25.
 - d. Application fees. The application and site plan review fees shall be \$5,000.00 dollars in addition to other applicable fees as outlined in Article 25, as amended.
8. Development review process. Application for site plan review shall adhere to the following hierarchy for review:
- a. Development Review Committee Review. Review by City Staff prior to submission of an application for the Board of Architects and mixed use site plan review.
 - b. Board of Architects review for Coral Gables Mediterranean Architectural Theme. Preliminary architectural review prior to consideration by the Planning and Zoning Board. Final review shall occur after City Commission approval.
 - c. Mixed use site plan review. The City Commission upon review and recommendation by the Planning and Zoning Board and Planning Department, may grant final approval of a site plan in association with the below listed streetscape, landscape and design plan.
- This approval shall be by the adoption of a Resolution.
- d. Streetscape landscape and design plan. Applicants desiring site plan review shall prepare a streetscape design plan of all contiguous rights-of-way satisfying all regulations contained herein. The plan shall include improvements to the centerline of all adjoining rights-of-way. Additional area may be requested to include the entire right-of-way width to adequately plan for the entire adjoining rights-of-way.
 - e. Review shall be subject to the following:
 - (1) Approval. The approval of all site plans by the City Commission is discretionary and subject to satisfying the site plan criterion provided in Section 11. It is not mandatory that a portion or any portions of the site plan be approved.
 - (2) Agreements. Applicants and/or property owners, successors or assigns may be required to provide agreements, covenants, contracts, deed restrictions, easements or sureties acceptable to the City for completion of the following:
 - (a) Undertaking of all conditions in accordance with the approved site plan.
 - (b) Bind all development successors in title to any conditions and commitments made of these provisions and approved site plan.
 - (c) Provide for the financial responsibility to continuing the operation and maintenance of those public open space areas, public realm, pedestrian amenities,

functions and facilities that are provided, at the expense of the designated property owner and/or property owners association, etc.

- f. Approval of plats (if applicable). The filing of a tentative and final plat for any portion of a development site may be filed concurrently or with site plan approval. These applications shall be filed in accordance with the procedure set forth in the City Code, Section 23, entitled "Subdivisions" as may be amended from time to time.
 - g. Development approval time limitation. Upon receipt of approval, applicants securing approval shall submit an application for building permit for the site plan within 24 months of final approval. Failure to submit shall render the approval void and require resubmission of an application.
9. Amendments to site plans.
- a. Minor amendments. Minor amendments to an approved site plan are those amendments that are not listed as a major amendment as defined below.
 - b. Major amendments. Major amendments shall be determined by the Planning Department based upon the below listed criteria. The following types of amendments shall not be considered minor, and shall require City Commission approval upon review and recommendation by the Planning and Zoning Board and Planning Department:
 - (1) Any proposed increases in the following:
 - (a) Total square footage of any nonresidential use resulting in an increase of more than 20%.
 - (b) Height of any structure.
 - (c) Floor area ratio.

- (d) Density.
- (2) Any boundary change.
- (3) The addition, modification and/or relocation of more than 20% of the total square footage indicated as being covered by structures.
- (4) Any amendments which would alter the character, significantly alter the appearance, or decrease the approved amenities, after a site plan is approved by the City Commission. Such amenities shall include, but not be limited to the following: arcades, plazas, open spaces, public improvements, and common areas.
- (5) Significant changes in architectural styles or building materials that are inconsistent with approved site plans and elevations.
- (6) Any change in the conditions of approval.
- (7) Any other circumstances that in the opinion of the Planning Director are a departure from the approved site plan.

Rearrangement of uses or locations on a property may be approved by the Planning Department unless the proposed amendments conflict with the specified conditions of approval.

10. Development regulations. Applications for mixed use site plan review are subject to compliance with the below listed development regulations:

a. Use regulations.		
(1)	Mixed use percent-ages.	Provide a minimum of 8% of the total square footage of the building square footage (not including parking garage square footage) or the entire ground

		floor, whichever is greater, of permitted ground floor uses. Remaining portions of the building may be uses permitted in the underlying zoning designations as modified by these regulations.
(2)	Uses.	Permitted uses include those uses permitted in the underlying zoning designations.
(3)	Prohibited uses.	The following uses shall be prohibited uses: • Animal boarding facilities. • Pet shops.
(4)	Additional permitted uses.	Live work units subject to the provisions within Section 12.
(5)	Auxiliary and/or accessory uses and structures .	Uses and structures which are customarily auxiliary and accessory and clearly incidental to permitted uses and structures are permitted subject to limitations and other lawful regulations pertaining thereto. Any use permissible as a principal use may be permitted as an accessory use, subject to limitations and requirements applying to the principal use.
(6)	Permitted ground floor uses.	The below listed uses shall be the only permitted street/ground level uses. All other uses not listed are prohibited. • Antique and curio shops with associated furniture repair/restoration. • Apparel and clothing sales. • Art dealers, galleries, goods and studios. • Automatic teller machines. • Bakery. • Barbers/beauty parlor. • Book store. • Confectionery, sale of cookies, ice cream. • Cosmetic, perfumes and toiletries stores. • Dance studio. • Dress making and alteration shops. • Dry cleaning and laundry pick up facilities. • Drug and sundry stores. • Florist. • Furniture stores and similar home decorating uses. • Government/public uses. • Grocery. • Hardware. • Hobby supplies.

		• Hotel. • Jewelry stores. • Leather goods. • Luggage shop. • Mail services and associated services. • Museums. • Music, radio, television and electrical appliances stores. • Nail salon. • Newspaper, magazines or other similar reading materials sales. • Office supply and equipment. • Optical stores. • Paint stores (retail only). • Personal services. • Pharmacy. • Photographic development, equipment supplies and service. • Picture framing. • Printing, reproduction and publishing services. • Residential. • Restaurants, cafes, cafeterias and delicatessens. • Retail services uses, personal. • Sales and/or leasing offices as a part of a residential development for a period not to exceed 12 months from issue of Certificate of Occupancy. The City Manager may grant a maximum of two extensions for a period of six months each with a cumulative total not to exceed 12 months. • Security offices for the purpose of providing security for the building/properties. • Shoe sales and repairs. • Slenderizing salons. • Sporting goods. • Stationery stores. • Tailor shop. • Theaters, motion picture facilities or other associated theatrical productions. • Ticket office. • Travel agency. • Video, computer and software rental and sales. Public rights-of-way in excess of 100 feet may accommodate the following ground floor uses: • Office uses.

(7)	Retail frontage on streets.	Minimum of 50% of the linear street frontage shall include retail use frontage.
(8)	Retail frontage on side streets.	Minimum of 40% linear street frontage shall include retail use frontage or public realm land area (i.e., plazas, courtyards, open space, etc.).
(9)	Retail frontage on alleys.	No minimum or maximum required.
b. Site regulations.		
(1)	Minimum site area.	20,000 square feet.
(2)	Lot coverage.	No minimum or maximum.
c. Building regulations.		
(1)	Encroachments for loggias and/or arcades located within rights-of-way.	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: • 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: • 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 the Zoning Code. • 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: • 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. 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. 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.
(2)	Encroachments of bridges	Bridges traversing a public right-of-way is permitted, however, only if properties on both sides

	over rights-of way.	are under same ownership.
(3)	Encroachments for balconies, awnings, etc.	Subject to applicable Zoning Code provisions.
(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.	The permitted heights for habitable space for the following underlying zoning designations shall be as follows: • 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. • Manufacturing uses shall be limited to 45 feet.
(8)	Heights of architectural elements, etc.	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: • Underlying "M," Industrial use district. Up to a maximum of 25 feet. • Underlying "CB," use district. Up to a maximum of 15 feet. • Underlying "CC," use 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 zoning 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).	Same as underlying zoning district. 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.	Reduction in setbacks. Setbacks may be reduced based upon satisfying the site plan criteria listed herein and subject to the following standards: • 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: • 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 Zoning Code. Vertical building stepback. A vertical stepback 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.
(14)	Setbacks adjoining residential uses.	Residential zoning districts. All property lines abutting a residential land use or zoning district – 15 foot minimum. No reductions in setbacks may be requested or granted.
(15)	Street/lot frontage.	No minimum or maximum.
d. 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, setbacks or variations in bulk/massing at a minimum of 100 foot intervals. (b) Use of architectural relief and elements as defined herein.
(5)	Lighting (street).	Decorative street lighting shall be provided and located on all streets/rights-of-way subject to the following: • Light fixtures/poles up to 35 feet in height. • Subject to all other applicable City 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: • 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: • Benches. • Information kiosks. • Lighting. • Bike racks. • Refuse containers. • Sidewalk pavement treatments. • Statuary. • Street crosswalk paver treatments. • Wall mounted fountains. • Water fountains and other similar water features. All pedestrian amenities shall be permanently secured to the ground surface. Above amenities shall be consistent in design and form

		with the applicable City Public Realm Design Manual.
(14)	Pedestrian design features for building frontages (street level only).	On any front property line or primary street, where an adjoining pedestrian sidewalk is located, the following design features shall be included: • Display windows or retail display area; and/or, • Landscaping; and/or, • Architectural building design features. The intent is to create pedestrian and shopper interest, preclude inappropriate or inharmonious design, preclude blank walls of building faces, and prohibit windows from being permanently obstructed.
(15)	Pedestrian pass-throughs/paseo.	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: • Minimum of 10 feet in width. • Include pedestrian amenities as defined herein. 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.
(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 Zoning Code requirements.
e. Landscaping.		
(1)	Land-scape open space.	Landscape open space requirements are satisfied pursuant to the below listed rights-of-way planting requirements.
(2)	Rights-of-way improvements.	Landscape islands, bulbouts, curbing, pedestrian crosswalk bulbouts and other associated traffic calming improvements shall be required to accommodate landscaping, pedestrian circulation and other pedestrian amenities.

(3)	Rights-of-way planting requirements.	Street planting requirements. The below listed vegetation shall be installed within the sidewalk and/or right-of-way (subject to encroachment review and approval) for all rights-of-way abutting the proposed uses. The options available as to the types of trees to be planted and installation requirements at the time of planting are as follows: • Shade or ornamental shade street trees shall be provided subject to the following requirements: • One tree per 35 feet linear feet or fraction thereof of right-of-way frontage. • Minimum height of 16 feet at time of planting; or, • Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements: • One tree per 35 linear feet or fraction thereof of right-of-way frontage. • Minimum height of 14 feet at time of planting. • Shrub planting requirements shall be one (1) shrub per three (3) linear feet or fraction thereof of the right-of-way frontage, or ground cover shall be three (3) per lineal one (1) foot or fraction thereof of the right-of-way frontage. Median planting requirements. If a median can be established on larger rights-of way, the median shall include the below listed vegetation: • Shade or ornamental shade street trees shall be provided subject to the following requirements: • One tree per 35 linear feet or fraction thereof of median length. • Minimum height of 16 feet at time of planting; or, • Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements: • One tree per 35 linear feet of median length. • Minimum height of 14 feet at time of planting.

		- Shrub planting requirements shall be one (1) shrub per 2.5 linear feet or fraction thereof of two (2) foot width planting area within median, or ground cover shall be three (3) per lineal or fraction thereof of one (1) foot of the median length. Alley planting requirements. If vegetation can be located within an alley, the below listed vegetation shall be installed within the sidewalk and/or right-of-way abutting the proposed uses. - Shade or ornamental shade street trees shall be provided subject to the following requirements: - One tree per 35 linear feet or fraction thereof of right-of-way frontage. - Minimum height of 16 feet at time of planting; or, - Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements: - One tree per 35 linear feet or fraction thereof of right-of-way frontage. - Minimum height of 14 feet. - Shrub planting requirements shall be per ten (10) linear feet or fraction thereof of the right-of-way frontage or ground cover shall be three (3) per lineal one (1) foot or fraction thereof of the right-of-way frontage. The above materials can be located within private public realm areas as determined by the City. All installed plant materials shall be Florida Number One grade or better. All street tree plantings shall satisfy the State Department of Transportation "tree clearance planting zone requirements." Vegetation shall be subject to the following additional regulations:

		- Arranged and maintained at intersections to maintain the following: - Street and driveway intersection visibility requirements. - Installed traffic signage, signals, etc., are not obstructed or will be obstructed when plant material reaches maturity. All vegetation and other associated improvements shall be subject to City encroachment review and approval.
(4)	Structural soil.	Structural soil shall be utilized in all planting areas with appropriate root barriers.
f. 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.	Off-street loading standards and requirements shall conform to the requirements as set forth in Article 13. All loading/unloading areas and/or facilities shall be within fully enclosed areas with overhead doors. Overhead doors shall remain closed when not in use and after hours.
(5)	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 13.
(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.
g. Sanitation and service areas.		
(1)	General.	Refuse and service areas shall locate on a rear property and/or alleys be so designed and located within a fully enclosed structure. The location of these

		areas shall be designed in a manner and timing of refuse collection and deliveries, shipment or other service activities are arranged to minimize impact internal to the development to the greatest extent possible, on adjacent or nearby properties or adjoining public ways, and to not impede pedestrian and vehicular circulation patterns.
(2)	Restaurants.	Refuse areas for the storage of sanitation dumpsters or similar refuse containers for restaurant uses shall be within a fully enclosed air-conditioned area.
h. Signs.		
(1)	General.	The number, size, character, location and orientation of signs and lighting for signs shall be in accordance with Article 18.
i. 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 following criteria and findings of fact: • That approval of the request provides a public benefit (as defined herein). • That approval of the request does not result in any increase in density, floor area ratio, square footage and height of the continuous property or properties. • That the request provides for ground floor open space (as defined herein) equivalent to the total amount of abandoned/vacated public rights-of-way. • That the request ensures that all service needs including but not limited to loading/unloading, sanitation, utility support services, other building related support services, etc., are included within the contiguous property or properties. • That approval of the request decreases the maximum height and/or massing of the proposed development.

		The Planning Department, Planning and Zoning Board and City Commission shall provide findings of fact that all of the above are satisfied in order to grant approval. A "Right of Reverter" shall be required so that if the building is demolished, the alley reverts back to the City. This process shall be in addition to the current City process for the vacation and/or abandonment of public rights-of-way.
(2)	Driveways.	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. 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.
(3)	Sidewalks.	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. 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). 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.
j. Utilities.		
(1)	Under-ground utilities.	All utilities shall be installed underground. Exceptions may be granted for utility substation, junction boxes, main distribution lines, etc., or other facilities as determined by the Public Works Department and approved by the City Commission. Underground utility line locations shall not impact or interfere with right-of-way tree planting root systems. Location of lines shall be outside the proposed root ball system of vegetation.
(2)	Above ground utilities.	Above ground, façade, roof, mechanical and electrical facilities shall be appropriately screened to entirely hide the facility. 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.
k. Miscellaneous.		
(1)	Config-uration of land.	The parcel of land for which the application shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed uses. Public rights-of-way or other public lands shall not be considered as a separation.
(2)	Easements.	The City may, as a condition of approval, require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, open space, recreation and other public purposes which may be deemed necessary by the City Commission.

(3)	Encroachments into public rights-of-way.	Any encroachments, construction and penetration into the rights-of-way shall be subject to the following: • The property 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. • In the event that the owner or any assign and successor shall at any time after approval of the site plan fail to maintain the areas in reasonable order and condition in accordance with the approval, Zoning Code, City Code or other applicable local, state and federal requirements, the City Commission may serve written notice upon the owners of the MXD and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing the City Commission shall call upon any public or private agency to maintain the common areas for a period of one (1) year. When the City Commission determines that the owners are not prepared or able to maintain the common areas such public or private agency shall continue maintenance for yearly periods.
(4)	Live work units.	See Section 12 for provisions.
(5)	Public realm Improve-	Responsibility. All property owner(s) that desire to develop pursuant to these regulations

ments.	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. 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. Property owners who develop property abutting already improved public realm areas shall restore the public realm areas to their condition prior to the commencement of construction. The costs of such restoration shall not affect the total amount of reimbursement which another abutting property owner may be entitled to under this section. Administration of improvements. Prior to issuance of a building permit for construction of the site plan, 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 No. 3 Public Realm

	Improvements Fund" (hereinafter referred to as the "Fund") and disbursed by the City according to this section. The pro rata share of each property owner's contribution to the fund shall be based on its street frontage measured in linear feet or other means of equitable distribution. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements. The City shall also collect an administrative fee as authorized by Florida Statutes for the administration and implementation of the Fund. Invoices submitted by the developer to the City in connection with the public realm improvements shall be paid by the City from the Fund. The City's Public Works Department shall monitor construction and disperse the monies from the Fund based upon completion of work and in compliance with the Master Streetscape Plan and Underground Facilities Master Plan. Underground utility provisions. Underground utilities shall be installed pursuant to an Underground Facilities Master Plan which will be prepared by the Public Works Department in cooperation with the Planning Department. The necessary support facilities for the installation of all underground utility facilities, including but not limited to utility vaults and transformers shall be located on private property. Property owners will receive an F.A.R. credit equivalent to the amount of space occupied by the necessary utility facility. Easements. The property owners shall provide easements to all applicable utility companies for the installation and maintenance of underground utilities. Alternative funding mechanism. A Special Taxing District or Special

		Assessment District may be created pursuant to Florida Statutes to fund the installation and maintenance of underground utilities and all public realm improvements.
(6)	Transfer of density and floor area ratio within the site plan.	The density and floor area ratio may be transferred throughout contiguous unified parcel.

11. Site plan review criteria. Applications for site plan review considered pursuant to these regulations must demonstrate that they have satisfied the below listed criterion. The Planning Department shall evaluate the application with reference to each of the below criteria and provide a recommendation to the Planning and Zoning Board and City Commission. The Planning Department, Planning and Zoning Board and City Commission shall make specific findings of fact that the below listed criterion are satisfied. The criterion is as follows:
 - a. In what respects the application is or is not consistent with the stated purpose and intent of the regulations, provides for public improvements for public benefit.
 - b. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.
 - c. The physical design of the site plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated public open space areas, and further

- the amenities of light and air, recreation and visual enjoyment.
- d. The compatibility of the proposed site plan with the adjacent properties and neighborhood.
 - e. If the request for a reduction in setbacks for the proposed structure should be granted as a result of adjacent uses, proximity to residential uses, and width of adjoining rights-of-way. Measures for lessening the impacts may include reductions in height, bulk and mass or inclusion of setbacks.
 - f. If the request for an encroachment, including both the extent of encroachment (penetration) and vertical height, into the rights-of-way with the proposed structure should be granted based upon previously granted encroachments, building height, bulk and mass adjacent uses, proximity to residential uses, width of adjoining rights-of-way. Measures for lessening the impacts may include reductions in height, bulk and mass or less of an encroachment into the rights-of-way.
 - g. The conformity of the proposed site plan with the Goals, Objectives and Policies of the CLUP.
 - h. That the site plan and associated improvements provide public improvements, public open space, pedestrian amenities for the public benefit in excess of the underlying regulations and other applicable Zoning Code, Comprehensive Plan and other applicable regulations.
 - i. Those actions, designs, construction or other solutions of the site plan if not literally in accord with these special regulations, satisfy public purposes and provide a public

benefit to at least an equivalent degree.

12. Supplemental standards.

- a. Live works units is a permitted use per administrative review and approval subject to the following:
 - (1) Shall satisfy all applicable building code and fire and life safety code requirements at time of completion for mixed occupancy buildings.
 - (2) 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.
 - (3) 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.
 - (4) 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.
 - (5) 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 classified under applicable governmental laws, rules or regulations as hazardous or toxic substances, materials, waste or chemicals.

Sec. 3-6 - C-Use Districts.

- (a) CA-Use Districts. CA-Use Districts are intended to accommodate low-intensity commercial and mixed-uses. In a CA-Use District only CA-Uses, as described herein, and Special-Uses as defined in hereof, shall be permitted. A CA-Use shall be carried on entirely within the buildings completely enclosed with walls and roof, and provided no operations are of such a nature as to become offensive or obnoxious to the adjacent premises devoted to or adopted for other uses.
- (b) Permitted principal uses and structures.
 - 1. Abstract and/or title company.
 - 2. Accountant.
 - 3. Actuaries.
 - 4. Adjustors--insurance.
 - 5. Administrative office.
 - 6. Advertising office--no shops.
 - 7. Apartment units as part of a multi-use development which does not constitute more than fifty (50%) percent of a development, and subject to the requirements, limitations and restrictions applicable to the construction of apartments in A-Use Districts, or Mixed-Use district regulations (Section 3-5).
 - 8. Apartment-hotel units as part of a mixed-use development and subject to the requirements, limitations and restrictions applicable thereto.
 - 9. Appraisers.
 - 10. Antique and curio shops.
 - 11. Architects.
 - 12. Art galleries and museums – private, non-profit for public cultural and educational purposes only. (3318)

- 13. Art goods stores.
- 14. Artists' studio and private art galleries for retail sales. (3085)
- 15. Attorneys.
- 16. Auctioneers—office only.
- 17. Auditors.
- 18. Automobile rentals or leasing office only.
- 19. Banks, trust companies, savings institutions, finance companies and other similar financial institutions.
- 20. Barber shops and beauty shops.
- 21. Book stores, except adult book stores.
- 22. Broker—mortgage.
- 23. Building, plumbing, and electrical contractors office only—no shop or storage.
- 24. Business analyst—counselors or brokers.
- 25. Calculating and statistical service.
- 26. China, crockery, glassware and earthenware stores.
- 27. Cigar and cigarette store.
- 28. Clinic, medical or dental (establishments where two or more medical or dental practitioners have offices together with consultation rooms, laboratories, and other common facilities).
- 29. Computer design studio. (3256)
- 30. Computer software development.
- 31. Confectionery and ice cream stores.
- 32. Consulates.
- 33. Consultants.
- 34. Cosmetic, perfumes and toiletries stores.
- 35. Court reporting, public stenographers.
- 36. Credit reporting.
- 37. Department and dry goods stores.
- 38. Dentist.
- 39. Detective agency.
- 40. Drug and sundry stores.
- 41. Personal fitness consultants (individual training only – no more than two (2) trainers at any time). (3260)
- 42. Employment agencies, placing executives only.
- 43. Engineers, professional.
- 44. Florist shops (does not include the growing of plants).
- 45. Furniture stores (retail only).
- 45. Graphic design studio. (3256)
- 46. Haberdashery shops.
- 47. Hobby supplies.
- 48. Hotels.

49. Importer/exporter—office only.
 50. Insurance agencies and bond office.
 51. Interior decorating, costuming, drapery stores, Retail only, no work to be done on premises.
 51. Investment and securities dealer.
 52. Jewelry stores.
 53. Leather goods stores.
 54. Luggage shops.
 55. Manufacturer's agents.
 56. Market research.
 57. Medical doctors.
 58. Millinery shops.
 59. Model agencies—no schools.
 60. Modiste wearing apparel and furriers.
 61. Motel.
 62. Musculoskeletal treatment (massage therapy) shall be permitted in CA zoning districts subject to the following conditions: (3017, 3310)
 - a. Facilities offering musculoskeletal massage services shall meet all applicable State and H.R.S. standards and operational requirements.
 - b. Only State licensed personnel regulated under Chapter 480 shall be permitted to practice massage on the premises.
 - c. Licensing and operation shall be reviewed on a year-to-year basis.
 63. Music, radio, television and electrical appliance stores (retail only).
 64. Notary public.
 65. Office for business and professional purposes.
 66. Office supply and equipment stores (retail only).
 67. Optical stores.
 68. Optometrist.
 69. Parking lots, automobile,--auxiliary or accessory to any CA-Use.
 70. Parking lots—Commercial.
 71. Photo equipment and supplies.
 72. Photographers, photograph galleries.
 73. Post office.
 74. Public relations.
 75. Real estate sales and management offices.
 76. Show stores.
 77. Souvenir stores.
 78. Sporting goods stores.
 79. Stationery stores.
 80. Stock exchanges and brokerage offices.
 81. Tax consultants.
 82. Telegraph and telephone offices (does not include telephone exchanges).
 83. Theaters and motion picture houses, except the following:
 - a. Open-air or drive-in type.
 - b. Adult motion picture theaters.
 84. Ticket offices for airplane, bus, railroad and ships.
 85. Travel agencies.
 86. Or other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the businesses or enterprises herein enumerated. These enterprises shall be determined by the Board of Adjustment.
 87. Miscellaneous service establishments.
- (c) CB-Use Districts. CB-Use Districts are intended to accommodate medium intensity commercial-uses and mixed-uses. In a CB-Use District only CA and CB-Uses, as defined herein, and Special-Uses as defined in hereof, shall be permitted. A CB-Use shall be carried on entirely within buildings completely enclosed with walls and roof, and provided no operations are of such nature as to become offensive or obnoxious to the adjacent premises devoted to or adopted for other uses.
- (d) Permitted principal uses and structures CB-Use
1. Every use permitted in a CA-Use District.
 2. Addressing and mailing service.
 3. Automotive Accessory store—no work or installation of equipment on premises.
 4. Bake shop, retail only, provided:
 - a. No baking shall be permitted on the premises.
 - b. Baking and the retail sale of baked goods shall be permitted on premises as an accessory use in conjunction with an established restaurant. (3110)
 - c. The consumption of baked goods shall be permitted on premises as an accessory use in conjunction with a bake shop with the following conditions: (3407)
 - (1) Customer seating shall not exceed eight (8) seats or one

- seat per one-hundred 100 sq. ft. of public floor area, and all bathroom and health/safety requirements for the consumption of food on premises are provided.
- (2) Only baked goods and non-alcoholic beverages shall be consumed on premises.
 - (3) Additional off-street parking shall be provided at a rate of one parking space for each four.
 - (4) Customer seats, except in the Central Business District where no additional parking shall be required.
5. Bicycle stores—sales, rental and repair. Parking and storage of bicycles to be within the building.
 6. Boats—display and sale—in a building only.
 7. Bowling lanes (in wholly air-conditioned and sound-proof buildings).
 8. Broadcasting stations.
 9. Broker—mercantile.
 10. Car, new sales and service, authorized dealer for, must have building the minimum size of which is to be as required for C-Use buildings. The service area shall be located in the rear of the building and there shall be no entrances or exits from the front of the building. No repair or sale of used cars shall be permitted, except as allowed as a conditional use in Section 6-16 of this Code. (3143)
 11. Catering.
 12. Cleaning and laundry agencies, where no gasoline or explosives of any kind are stored or used therewith and provided no cleaning or laundry shall be done on the premises.
 13. Conservatories.
 14. Dairy products (retail only).
 15. Data processing.
 16. Dental Laboratories.
 17. Display stores.
 18. Dressmaking and alteration shops. or wearing apparel, custom only.
 19. Dry cleaning establishments provided:
 - a. That no gasoline or explosives of any kind are stored on the premises or used in connection therewith;
 - b. That the perchlorethylene cleaning fluid only is used;
 - c. That only gas fired or electric boilers shall be used;
 - d. That no noise, odors, obnoxious fumes or smoke shall be emitted from the building;
 - e. That the entire installation shall be subject to approval by the City Fire Department or Fire Prevention Bureau;
 - f. That off-street parking shall be provided as set forth under Article XIII.
 20. Employment agencies.
 21. Fruit store, retail only.
 22. Grocery stores.
 23. Hardware stores.
 - 23.1 Health and Athletic clubs subject to the following conditions: (3435)
 - a. All proposed projects abutting, across the street, waterway or alley from a residential zoned district shall obtain approval from the City Commission after public hearing before the Planning and Zoning Board.
 - b. Soundproofing shall be provided if aerobics, dance classes or any other activities requiring amplified music are offered.
 24. Hobby supplies.
 25. Sanitarium, public or private, convalescent home, nursing home. (2715)
 26. Interior decorating, no work to be done on premises.
 27. Laundry, coin-operated, self-service. (2926)
 28. Leather goods.
 29. Loan agencies (excluding pawn shops).
 30. Lodge halls and convention halls.
 31. Luggage shop.
 32. Mail-order offices, without storage of products sold.
 33. Meat market, retail only (except the handling of live poultry).
 34. Medical Hypnotherapy.
 35. Medical laboratory.
 36. Mimeographing.
 37. Music, radio, television and electrical appliance store (retail only).
 38. News stands, provided the business is carried on within and under cover of a building as defined by this ordinance.

39. Paint stores (retail only).
40. Parking lots, automobile,--Auxiliary or accessory to any CA or CB-Use.
41. Parking lots—Commercial.
42. Personal fitness consultants (Individual training only – no more than two (2) trainers at any time). (3260)
43. Partial Hospitalization Program (PHP), subject to approval by Board of Adjustment. (3554)
44. Pet shops (cage birds and fish only).
45. Photo equipment and supplies.
46. Photograph developing and printing.
47. Printing equipment limited to printing on presses accommodating sheet size no larger than eleven (11) inches by seventeen (17) inches. (2627, 3324)
48. Photostatting and photocopying. (3324)
49. Post office.
50. Plumbing fixture stores.
51. Rentals (formal wear and costumes).
52. Rental of video movies only and computer software only.
53. Repair shops for electrical appliances, radio, television, jewelry, watches, typewriters, business machines, cameras, and golf clubs.
54. Restaurants, cafes, cafeterias and delicatessen. Retail beverage and liquor store licenses may be issued limiting the number of permitted licenses for the sale of alcoholic beverages and intoxicating liquors subject to the following minimum conditions, restrictions and limitations: (3274)
 - a. The number of such licenses shall be as permitted by the charter and/or state law. (3274)
 - b. Accommodations for service of fifty (50) or more patrons at tables at one setting shall be provided.
 - c. Sale of alcoholic beverages and Intoxicating liquors shall be incidental to the sale and consumption of food.
 - d. Total receipts from the sale of alcoholic beverages and intoxicating liquors shall not exceed forty-nine (49%) percent of the total annual gross receipts of such restaurant.
 - e. The serving of or consumption of alcoholic beverages shall be at

restaurant tables or counters at which food is regularly served, except as permitted at bars in Subsection (f) of this section.

- f. Alcoholic beverages and intoxicating liquors may be consumed both at tables and bars provided they are in conjunction with the principal and primary service of meals, and meet all of the following requirements:
 - (1) Accommodations for service of two-hundred (200) or more patrons at tables at one setting shall be provided.
 - (2) Carry stock of food sufficient to serve regular full-course meals to a maximum of two-hundred (200) patrons at all times, excluding so-called frozen dinners.
 - (3) The gross floor area of the restaurant (outside wall dimensions) including dining room, kitchen area, restrooms, and any other enclosed area used for operation of the restaurant shall be not less than four-thousand (4,000) square feet.
- g. Food shall be prepared, offered and served during all business hours in all retail beverage and liquor stores.
- h. Restaurants qualifying and holding a retail beverage or liquor store license shall always be subject to inspection by the City Manager or his designee for the purpose of determining that such restaurants are complying with the aforementioned requirements.
- i. The restaurant shall have no signs advertising such retail beverage or liquor store, or the sale of alcoholic beverages or intoxicating liquors therein, upon the exterior, or to be visible from the exterior of any such restaurant.
- j. The retail beverage or liquor store license shall not be severable from the restaurant license in conjunction with which it is issued.

- k. The distance requirement for such retail beverage or liquor store license shall be in accordance with Section 2106 hereof. (3005)
 - l. Night Club or lounge type entertainment (as defined in Section 8-1, Uses Prohibited), or an accessory musical entertainment, live or reproduced, that does not meet the requirements specified in Article. V.NOISES, Section 16-141 of the City Code shall not be permitted. (3257)
 - m. No retail package beverage or retail package liquor store license shall be issued to any holder of a license for a retail beverage or retail liquor store.
55. Retail package beverage stores, retail beverage stores, retail package liquor stores and retail liquor stores (See Section 21-6 for distance requirements).
 56. Sauna and whirlpool facilities. (As primary use only upon approval by the City Commission). (3260)
 57. Sauna and whirlpool facilities. (Only upon approval by the City Commission).
 58. Schools, business and liberal arts.
 59. Shoe repair shops.
 60. Slenderizing salons.
 61. Sporting goods stores.
 62. Studios for art, music, dancing and drama where pupils are taught, dancing and entertainment incidental to the studio's primary educational function such as graduation performances, exhibits or recitals is permitted. (3231)
 63. Surgical and orthopedic appliance sales.
 64. Tailor shop.
 65. Telegraph stations.
 66. Telephone answering service, may include the licensing upon the premises thereof certain businesses which by their inherent nature require no office space, no signs, no direct sales of merchandise and no storage or display of materials, goods or supplies relating to the operation of such business, e.g., factory representatives, insurance salesmen, consultants, etc. These businesses shall be determined by the Building and Zoning Director upon application. An appeal from a decision of the Building and Zoning Director may be taken to the Board of Adjustment, as provided for under Section 26-1 herein.
 67. Telephone exchange.
 68. Upholstering shop, provided the business is limited to recovering of furniture only, painting or repainting is done elsewhere, showroom and office is in front of the store separated from work area by a partition and a temporary license by issued subject to cancellation on justifiable complaint.
 69. Video production (no sound stage or filming studios permitted). (3164)
 70. Wig making-custom only.
 71. Or other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the businesses or enterprises herein enumerated. These enterprises shall be determined by the Board of Adjustment upon application.
- (e) CC-Use Districts. CC-Use Districts are intended to accommodate high-intensity commercial uses usually located along highly traveled commercial roadways. In a CC-Use District only CA, CB, and CC-Uses, as defined herein and Special-Uses, as defined in hereof, shall be permitted. A CC-Use shall be carried on entirely within buildings, completely enclosed with walls and roof, and provided no operations of such nature as to become offensive or obnoxious to the adjacent business devoted to or adopted for other purposes.
 - (f) Permitted principal uses and structures.
 1. Every use permitted in CB-Use District.
 2. Automobile rentals or leasing office with cars on site or storage.
 3. Auto repair shop for mechanical, electrical, body and upholstery repairs.
 4. Service stations. (See Section 19-2 for Distance Requirements. See Section 2-15 for work permitted to be performed by an automobile service station).
 5. Assembly of electrical appliances, electronic instruments and devices,

- radios, phonographs and television sets.
 6. Awning stores and shops, for making of cloth awnings or canopies for retail sales to the ultimate consumer only five-thousand (5,000) square feet maximum floor area.
 7. Bakery. The consumption of baked goods shall be permitted on premises as an accessory use in conjunction with a bakery with the following conditions: (3407)
 - a. Customer seating shall be limited to a maximum of eight (8) seats or one seat per one-hundred (100) sq. ft. of public floor area, and all bathroom and health/safety requirements for the consumption of food on premises shall be provided.
 - b. Only baked goods and non-alcoholic beverages shall be consumed on premises.
 - c. Additional off-street parking shall be provided at a rate of one parking space for each four (4) customer seats, except in the Central Business district where no additional parking shall be required.
 8. Beverage and liquor distributors.
 9. Blueprinting (must provide proper ventilation).
 10. Cleaning, pressing and dyeing plants for the treatment of wearing apparel.
 11. Confectionery manufacturing five-thousand (5,000) square feet maximum floor area.
 12. Day nurseries.
 13. Doughnut shop: permits cooking of doughnuts on the premises, retail and wholesale sales and delivery of doughnuts.
 14. Fish market. (2917)
 15. Funeral homes.
 16. Garage, public, including parking garage.
 17. Glass and mirror shops.
 18. Jewelry assembling from such prepared materials as the following: Precious or semi-precious metals or stones, bone, cellophane, feathers, glass and plastics.
 19. Lawn and garden shop.
 20. Lawnmower rentals and repair.
 21. Locksmith shops.
 22. Motorcycles, motor scooters, motor bikes, sales, rentals and repair of. Parking and storage of such vehicles shall be within the building.
 23. Motion pictures, television and recording studios (in wholly soundproof buildings).
 24. Parking lots, automobile—auxiliary or accessory to any CA, CB, or CC-Use.
 25. Picture framing—custom-made frames for retail to ultimate consumer.
 26. Printing shops and addressing.
 27. Private schools (not specifically designated as CB-Use).
 28. Publishing companies.
 29. Radiator cleaning—flushing and repair.
 30. Rental agency, personal property (such as office supplies, appliances, etc.)
 31. Rental of small power tools.
 32. Shops for repair of any merchandise permitted to be sold in any C-Use District.
 33. Slot racing.
 34. Storage in fireproof warehouses of clothing, dry goods, furniture, hardware and household goods.
 35. Sign painting shops, subject to approval of proper ventilation and paint booths by the Fire Department.
 36. Transfer companies.
 37. Wholesale outlets.
 38. Or other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the businesses or enterprises herein enumerated. These enterprises shall be determined by the Board of Adjustment upon application.
- (g) Permitted accessory uses and structures for all C-Use Districts (See Article V). Uses and structures customarily associated with and incidental to the permitted principal uses, such as:
1. Dining rooms, restaurants and retail stores in conjunction with hotels.
 2. Storage buildings.
 3. Recreational facilities in conjunction with mixed-use developments.
 4. Day-care facilities for children.
 5. Incidental assemblage complimentary to primary function, which does not constitute a source of nuisance, in full

- compliance with Building and Fire codes.
- (h) Special-uses and structures for all C-use Districts: (See Section 3-11).
 1. Golf or tennis grounds.
 2. Religious facilities.
 3. Private club.
 4. Public recreation building, park or playground.
 5. Community center building.
 6. Educational facilities.
 7. Municipal facilities.
 8. Hospital and accessory uses.
 - (i) 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, except as provided in Article 4.
 - (j) Setback requirements for buildings having a height of not more than three (3) stories or forty-five (45) feet in CA-use Districts—General. Except as provided for in Section 3-6(e) for hotels, the following general setbacks shall be required in CA-Use District.
 1. Front setback. A minimum front setback of ten (10) feet shall be maintained and required on any building site in CA-Use Districts for buildings constructed and used for S or CA-Uses.
 2. Side setback. No side setback shall be required on any building site in CA-use Districts for buildings constructed and used for S or CA-uses.
 3. Rear setback. No rear setback shall be required on any building site in CA-Use Districts for buildings constructed and used for S or CA-Uses, where such building sites abut upon an alley at the rear, but a minimum rear setback of ten (10) feet shall be maintained and required for such building when situated upon building sites not abutting upon an alley at the rear.
 - (k) Setback requirements for buildings having a height of not more than three (3) stories or forty-five (45) feet in CB and CC-use districts general. Except as provided for in Section 3-6(e) for hotels, the following general setbacks shall be required in CB and CC-Use Districts.
 1. Front setback. No front setbacks shall be required except at a corner lot which has no radii, in which case the building shall have a ten (10) foot setback from the corner between three (3) feet and eight (8) feet above the established grade.
 2. Side setback. No side setback shall be required except at a corner lot which has no radii, in which case the building shall have a ten (10) feet setback from the corner between three (3) feet and eight (8) feet above the established grade. Residential use buildings in commercial districts, shall provide a ten (10) foot side yard or court on either side above the first story.
 3. Rear setback. No rear setback shall be required where such building site abuts upon an alley at the rear, but a minimum rear setback of ten (10) feet shall be maintained and required for any building when situated upon a building site not abutting upon an alley at the rear. (3231)
 - (l) Setback requirements for apartment hotels and hotels in C-Use Districts. Apartment Hotels in C-Use Districts shall provide the same minimum setbacks as required for A-Use Districts as set forth in Section 3-4(k) and Section 3-6(n).
 - (m) Setback requirements--Motels. The following special setback requirements shall be required and maintained in connection with motels:
 1. Minimum front setback. Ten (10) feet.
 2. Minimum side setback. Ten (10) feet except where the building site is adjacent to property zoned for R, D or A-Uses, a minimum side setback of fifteen (15) feet shall be maintained from any side line that abuts upon a street.
 3. Minimum rear setback. Five (5) feet where the building site abuts upon an alley to the rear and ten (10) feet where the building site does not abut upon an alley to the rear.
 - (n) Setback requirements for buildings having a height of more than three (3) stories or forty-five (45) feet.
 1. Hotels in C-Use Districts.

- a. Front Setback. Twenty-five (25) feet minimum.
 - b. Side Setback from Inside Property Line. Ten (10) feet minimum, plus one additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet.
 - c. Side Setback from Side Street. Fifteen (15) feet minimum, plus one additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet.
 - d. Rear Setback. Ten (10) feet minimum, plus one additional foot setback for the entire building for each three (3) feet of the building height above forty-five (45) feet where an alley is located at the rear of the site, or twenty (20) feet plus one additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet where there is no alley at the rear of the site.
 - e. Balconies. Cantilevered open balconies having a height of not less than fifteen (15) feet above finished grade may project into the required setback areas a maximum of six (6) feet.
 - f. Parking Structures and Accessory decks.
 - 1. No setbacks shall be required for parking structures and accessory decks which are constructed completely below established grade.
 - 2. Parking structures and accessory decks which have a height of not more than three (3) feet six (6) inches above established grade shall provide and maintain the following minimum setbacks:
 - a. Front setback—20 feet minimum.
 - b. Side setback—10 feet minimum.
 - c. Side street setback—10 feet minimum.
 - d. Rear setback—20 feet minimum. Parking structures and accessory decks which have a height of more than three (3) feet six (6) inches above established grade shall provide and maintain the same setbacks as required for the principal building.
 - g. Uncovered parking. Uncovered parking shall maintain minimum setbacks of fifteen (15) feet on interior side yards and twenty (20) feet from the front and side street yards, except directly in front of the structure entrance; said uncovered parking shall be screened from pedestrian street view by a minimum four (4) foot high wall at parking level and landscaping treatment. There shall be a minimum two and one-half (2½) foot landscaped rear setback.
2. CA, CB, or CC-Use Districts—General, and Special –Uses in CA, CB, or CC-Use Districts.
- a. Front setback. Fifteen (15) feet shall be provided for first twenty-five (25) feet of building height plus one additional foot for each twenty-five (25) feet of building height over twenty-five (25) feet.
 - b. Side setback.
 - 1. Interior side.
 - (a) No interior side yard setback shall be required for buildings not exceeding thirty-five (35) feet in height.
 - (b) That portion of the building exceeding thirty-five (35) feet in height shall provide a ten (10) foot minimum interior side setback plus one foot for each twenty-five (25) feet of building height over thirty-five (35) feet.
 - 2. Side street: Minimum side setback of fifteen (15) feet shall be provided for the

first twenty-five (25) feet of building height plus one foot for each twenty-five (25) feet of building height over twenty-five feet.

- c. Rear setback.
 - 1. Where there is a dedicated alley in the rear, all buildings shall be set back five (5) feet up to the first fourteen (14) feet in height. For that portion of buildings above fourteen (14) feet in height, there shall be no setback requirements from the rear property line.
 - 2. Where there is no dedicated alley in the rear, a ten (10) foot minimum rear setback shall be provided.
 - 3. Parking garages shall be required to provide the same minimum setbacks as required for the main building provided however, that no setback shall be required for that portion of a parking garage which is located completely below grade.
- (o) Height of commercial and special-use buildings—General. Except as specifically set forth in Article 4, no commercial, or special-use buildings shall be constructed to a height of more than three (3) stories or forty-five (45) feet, whichever is less.
- (p) Height of buildings on property abutting, or across the street, waterway, or alley from single-family or duplex zoned property--General. Except as specifically set forth herein, no building shall be constructed to a height of more than three (3) stories or forty-five (45) feet, whichever is less, on property abutting or across the street, waterway, or alley from single-family or duplex-zoned property.
- (q) Exclusion from height. The following shall be excluded from computation of building height in C-Use Districts: (3373)
 - (1) Air-conditioning equipment room
 - (2) Elevator shafts.
 - (3) Elevator mechanical equipment rooms.
 - (4) Parapets.
 - (5) Roof structures used only for ornamental and /or aesthetic purposes
- not exceeding a combined area of twenty-five (25%) percent of the floor area immediately below. Such exclusion shall be subject to the provisions that no such structure shall exceed a height of more than twenty-five (25) feet above the roof, except in the Central Business District (C.B.D.) where no such structure shall exceed a height seventy-five (75) feet above the top floor.
- (r) Commercial buildings having a height of more than three (3) stories or forty-five (45) feet. No commercial building having a height of more than three (3) stories or forty-five (45) feet shall be located on a building site unless such building site abuts contiguously upon a street for a distance of not less than two-hundred (200) feet and has an area of not less than twenty-thousand (20,000) square feet. (2522)
- (s) Hotels, motels, and special-use buildings having a height of more than three (3) stories or forty-five feet (45). Building sites for buildings or structures for hotels, motels, and special-use having a height of more than three (3) stories or forty-five (45) feet shall have a street frontage of not less than one-hundred (100) feet and an area of not less than twenty-thousand (20,000) square feet, provided, however, that in that portion of the Douglas Section bounded on the west by Salzedo Street, on the north by Southwest Eighth Street (Tamiami Trail), on the east by Douglas road and on the south by Section K and Section L, apartment buildings may be constructed to a height not exceeding six (6) stories or seventy (70) feet, whichever is less, provided that such building sites and density conform to Section 3-4(v).
- (t) Height of buildings—Special conditions.
 - 1. Credit for first story parking—Hotels. Where the height of hotel buildings is limited by the Zoning Code to three (3) stories, an additional floor or story will be allowed under the following conditions, providing, however, that this provision shall not apply to the specific property as set forth under Article 4 hereof:
 - a. At least seventy-five (75%) percent of the gross floor area of the first story is used for off-street parking, access and circulation.

- b. Use of the remainder of the first story area is limited to Manager's office, necessary vertical building circulation, service facilities, and building access facilities, and building access facilities (which can include an entrance foyer or lobby).
 - c. Building shall not exceed fifty (50) feet in height.
 - d. Architectural treatment of first story parking area shall be integrated with that of the building as a whole.
 - e. First-story parking shall be screened, insofar as practicable, from street view.
 - f. Design of the first story shall be integrated with that of the building as a whole, and shall be approved by the Board of Architects.
 - g. The maximum lot coverage for the principal building shall not exceed twenty-eight (28%) percent.
 - h. The maximum lot coverage for the principal and accessory building shall not exceed thirty-four (34%) percent.
- (u) Landscaped open space. Landscaped open space for commercial buildings shall be provided as follows:
- 1. Buildings less than four (4) stories in height shall provide landscaped open space along the front of the building site of not less than five (5) feet and a landscaped open space along the side street of the building site of not less than three (3) feet.
 - 2. Buildings four (4) or more stories in height shall provide landscaped open space of not less than ten (10%) percent of the area of the building site. Such landscaped area shall not be less in width or depth than ten (10) feet.
 - 3. All such landscaped open space shall be appropriately landscaped with trees, shrubbery, hedges, and other acceptable landscaped material and shall be maintained in a neat and orderly appearance.
- (v) Minimum size building in C-Use Districts. Any building constructed in any C-Use District for any C-Use or occupancy shall have a minimum street frontage of twenty-five (25) feet, except when the same is constructed upon a lot less than twenty-five (25) feet platted shall cover the entire frontage of the lot and shall have a minimum depth of fifty (50) feet; any building in such areas having twenty-five (25) feet shall cover minimum of one-thousand two-hundred-fifty (1,250) square feet of ground area.
- (w) Minimum unit area C-Uses. Every part or unit on the ground floor of every building intended for separate use or occupancy for any C-Use shall have a minimum square foot floor area of not less than five hundred (500) square feet, provided, however, that this provision shall not apply to the following cases:
- 1. To Lease Departments, as defined and limited under Section 2-68 herein.
 - 2. Businesses of a professional or clerical nature.
 - 3. Auxiliary-use business establishments of a CA or CB-Use classification located within hotels containing one-hundred (100) or more guest rooms.
- (x) Minimum unit frontage C-Uses. Every part or unit upon the ground floor of every building intended for separate user occupancy for any C-Use shall have a minimum of at least ten (10) foot street frontage, such frontage being measured by the inside wall-to-wall dimension of the particular building of each separate unit concerned, provided, however, that this provision shall not apply in the following cases:
- 1. To units which are located upon a corridor and/or arcade.
 - 2. To Lease Departments, as defined and limited under Section 2-68 herein.
 - 3. To businesses of a professional or clerical nature.
 - 4. To auxiliary-use business establishments of a CA or CB-Use classification located within hotels containing one-hundred (100) or more guest rooms.
- (y) Floor area ratio (FAR). FAR provisions for buildings four (4) or more stories in height.
- 1. a. Maximum FAR for hotels in C-Use Districts:
- | Height of Principal Building in Stories | Maximum F.A.R. |
|---|----------------|
| 4 or more | 1.00 |
| 5 | 1.10 |
| 6 | 1.20 |
| 7 | 1.30 |

8	1.40
9	1.50
10	1.60
11	1.75
12	1.85
13	2.00

- b. Hotels in the Central Business District, as defined in this Code, shall be limited to a maximum floor area ratio (F.A.R.) of 3.0. (3410)
2. Maximum floor area ratio (F.A.R.) for C-Use Districts, Special-Uses in C-Use Districts, excluding buildings in Blocks 197, 198, 199, 201, 202, 203, 204 and 205, Riviera Section Part 14, that portion of the Callahan Tract bounded on the north by South Dixie Highway, on the east by Turin Street, on the south by Madruga Avenue and on the west by Mariposa Court, Lots 1 through 13, inclusive, Block 148; Lots 1, 17, 26 and 27 in Block 155; Lots 27, 28, 29, 30 and 31 in Block 156; and Tract A. Riviera Section Part 8, Lots 1 and 2, Block 5 and Lots 1, 2, 3, 4, Blocks 6, Riviera Waterways, apartments, apartment-hotels and hotels, except as permitted in subsection 1.b herein. (3410)

Height of Principal Building in Stories	Maximum F.A.R.
4	3.0

- (z) Computation of floor area ratio (F.A.R.) for off-street parking areas for commercial buildings. In computing the floor area ratio (F.A.R.) for commercial buildings, the site area used for off-street parking shall be included as part of the building site, provided that the off-street parking area commences within five-hundred (500) feet of the actual building site and is joined with the building site by a Unity of Title.
- (aa) Minimum floor area, hotels, hotel rooms, motel and motel units.
 1. Each motel building shall contain a minimum of twenty-four-hundred (2,400) square feet of floor area, exclusive of loggias, open porches, breezeways, porte-cocheres and garages.
 2. Each unit of any motel with the exception of the apartment for the

manager or caretaker, shall contain a minimum of three-hundred (300) square feet of floor area, exclusive of any connecting unit. The apartment of the manager or caretaker of a motel shall contain the minimum square foot floor area as set forth in this section for apartment units.

3. Each hotel building shall contain a minimum of twenty-five-hundred (2,500) square feet of floor area, exclusive of loggias, open porches, breezeways, porte-cocheres, and garages.
4. Each hotel guest room shall contain a minimum of two-hundred-fifty (250) square feet of floor area requirements.
- (bb) Exclusions from floor area ratio (F.A.R.). The following shall be excluded from floor area ratio (F.A.R.) computations in apartment-hotels and hotels in C-Use Districts:
 1. Unenclosed private balconies.
 2. Accessory decks.
- (cc) Front entrances—C-Use Districts. All units upon the ground floor of any buildings in C-Use Districts shall be required to have a front entrance.
- (dd) Commercial trash containers. Plans for new commercial construction or plans for renovation of an existing commercial structure where the cumulative cost of such renovation is in excess of twenty (20%) percent of the assessed value of the existing commercial structure shall make provisions for a trash container room or enclosure in accordance with the following provisions: (2648)
 1. All new commercial construction projects; all renovation projects having a setback of less than ten (10) feet on the side of the property best suited for the servicing of trash containers shall include a trash container room for the purpose of housing dumpsters or other trash receptacles.
 - a. The trash container enclosure may only be located on the rear yard, rear setback area, side yard or side setback area;
 - b. The trash container enclosure shall be placed at least five (5) feet from any property line, but not within the triangle of visibility.
 - c. The trash container enclosure shall be located such that garbage

- or trash trucks will not block the intersection of streets or alleys while servicing trash containers.
- d. The trash container enclosure shall consist of:
 1. A concrete pad or impervious pavers as a base.
 2. Five (5) foot high enclosure walls.
 3. An access gate.
 - e. An impervious surface shall be provided between the trash container enclosure and the street or alley from which the containers will be serviced.
 - f. Whenever possible, a hedge, or similar landscaping material, shall abut the enclosure walls.
3. Trash container rooms and enclosures shall be subject to review and approval by the Building and Zoning Department and the Public Service Director.
- (ee) Walls and fences. No wire fences may be erected in C-Use Districts except as provided for in Section 16.
- (ff) Extended-stay and suite hotels. Extended-stay and suite hotels as defined in this Code shall be permitted in all "C", Commercial zoned districts subject to all requirements established herein for the development of hotels, and the provision of the following additional conditions and restrictions. (3458)
1. Each living unit may have a kitchenette, consisting of a kitchen sink, counter and cabinets, two stove cook top burners (no conventional oven) and/or microwave oven and refrigerator.
 2. Main service and laundry facilities must be offered and available to extended stay hotel residents.
 3. Conference, meeting and workout/fitness facilities must be provided within the hotel and shall only be for use of hotel residents.
 4. A restaurant or dining/banquet facility must be provided within the hotel and may be for resident only, or public use.
 5. Hotel staff must be on premises and on duty at all times.
 6. No more than ten (10%) percent of individual guest shall register, reside, or occupy any room or rooms within the same licensed hotel for more than a 180 day period.
7. No business licenses shall be issued for any business operating from any guestroom of the hotel.
 8. No facility under this section may be converted to or used as an apartment or condominium.
 9. Each hotel building shall contain a minimum of twenty-five hundred (2,500) square feet of floor area, exclusive of loggias, open porches, breezeways, porte-cocheres, and garages.
 10. Each hotel guest room shall contain a minimum of two-hundred-fifty (250) square feet of floor area.
 11. Off-street parking shall be required at the following rate:
 - a. One (1) parking space for each sleeping room.
 - b. One (1) employee parking space for each eight (8) hotel sleeping rooms.
 - c. Required spaces for other uses in hotel shall be provided as required by Code.
 12. Each guest room having a stove top burner unit shall be required to include a sixty (60) minute (maximum time frame) automatic power off timer for each unit.
 13. A hard wire smoke detector shall be provided and installed in each guest room.
 14. Each hotel shall be protected with an alarm system and a sprinkler system meeting the requirements of the Life Safety Code.

Sec. 3-7 - M-Use districts.

M-Uses are intended to accommodate industrial uses within a limited geographic area. In an M-Use District only CA, CB, CC and M Uses as defined herein, and Special-Uses as defined in hereof, shall be permitted. For the purpose of this code M-Uses hereby are defined as follows: (2574)

- (a) Permitted principal uses and structures.
 1. Every use permitted in a CC-Use District.
 2. Arms, firearms sales (only upon special permission of the City Commission).
 3. Adult book store, adult motion picture theater and massage salon.

4. Animal hospital (see Veterinarian clinic).
5. Auto laundries (car wash).
6. Beauty shops (for dogs and cats, no boarding).
7. Beverages, bottling, such as Coca-Cola, 7-Up, Royal Crown Cola, Pepsi-Cola, etc., but not including any intoxicants.
8. Boat building.
9. Cabinet making, carpentry shops.
10. Carpet cleaning.
11. Car lots, used.
12. Cement products, such as concrete blocks, pipe, etc., provided the area is enclosed by a six (6) foot high wall. (Does not include manufacturing). Must have building for office.
13. Cigar and cigarette manufacturing.
14. Concrete products manufacturing (only upon special permission from the City Commission).
15. Contractors yards, lumber yards and building supplies, provided the area used is enclosed by a six (6) foot high wall.
16. Contractors shops including storage of supplies.
17. Electroplating.
18. Fortune tellers, clairvoyants, etc.
19. Furniture manufacturing.
20. Garment manufacturing.
21. Hat manufacturing.
22. Ice plants.
23. Importer-exporter-storage.
24. Laundries, commercial.
25. Leather goods manufacturing (excluding any tanning).
26. Machine shops.
27. Metal awning or metal canopy, (manufacturing or assembly).
28. Metal fabricating.
29. Musical instruments, toys, novelties, rubber and metal stamps, manufacturing of.
30. Nursery--growing trees, plants, flowers and the like must have building for office.
31. Ornamental iron and metal working shops (does not include foundry or blacksmith shops).
32. Paint mixing, wholesale, building to be used for such purpose must be approved by Fire Department.
33. Parking lots, automobile--auxiliary or accessory to any CA, CB, CC or M-Use.
34. Pawn shops, swap shops and trading posts.
35. Petroleum products dealers or distributors where products are stored on the premises.
36. Plastic articles, including novelties, manufacturing of.
37. Public utility service yards or electrical receiving or transformer stations, provided the area is enclosed by a six (6) foot high wall.
38. Quick freeze meat processing plant--no fish or live poultry.
39. Radio and television towers and transmitters--shall be approved by CAA, FCC and the structural engineer of the City of Coral Gables.
40. Rental of heavy and light machinery.
41. Research laboratories.
42. Screens for windows, patio, etc., assembling or manufacturing.
43. Second-hand dealers for the disposal of furniture, fixtures, tools, clothing, household appliances and the like.
44. The manufacture, compounding, processing, packaging or treatment of such products as cosmetics, perfumes, pharmaceuticals and toiletries, provided no toxic or corrosive fumes, offensive odors or dust are permitted to escape from the building.
45. The manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
46. Tinsmiths.
47. Tire, automobile, vulcanizing shops and recapping shops.
48. Tool and die shops.
49. Tour guide service with cars and buses (only upon special permission of the City Commission).
50. Venetian blind manufacturing.
51. Veterinarian clinics and animal hospitals, (including grooming and overnight boarding as an accessory use), provided the building is properly sound-proofed and the facility meets the requirements of the Board of Veterinary Medicine as

- defined by Florida State Statutes. (3105)
52. Warehouse establishments.
 53. Welding shops (does not include blacksmith shop).
 54. Wholesale outlets with storage facilities.
 55. Or other similar enterprises or businesses which are not more obnoxious or detrimental to the welfare of the particular community than the businesses or enterprises herein enumerated. These enterprises shall be determined by the Board of Adjustment.
- (b) Special uses and structures. (See Sec. 3 - 11)
1. Private club.
 2. Educational facilities.
 3. Municipal facilities.
 4. Library, museum or art gallery.
- (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 or commercial purposes shall be thirty five (35) feet from the canal, waterway, lake or bay as platted, except as provided in Article 4.
- (d) Setback requirements for buildings having a height of not more than three (3) stories or forty-five (45) feet in M-Use Districts--General.
1. Front setback. No front setback shall be required except at a corner lot which has no radii, in which case the building shall have a ten (10) foot setback from the corner between three (3) feet and eight (8) feet above the established grade.
 2. Side setback. No side setback shall be required except at a corner lot which has no radii, in which case the building shall have a ten (10) foot setback from the corner between three (3) feet and eight (8) feet above the established grade.
 3. Rear setback. No rear setback shall be required where such building site abuts upon an alley at the rear, but a minimum rear setback of ten (10) feet shall be maintained and required for any building when situated upon a building site not abutting upon an alley at the rear.
- (e) Setback requirements for buildings having a height of more than three (3) stories or forty-five (45) feet in M-Use Districts--General.
1. Front setback: Fifteen (15) feet shall be provided for the first twenty-five (25) feet of building height plus one additional foot for each twenty-five (25) feet of building height over twenty-five (25) feet.
 2. Side setback.
 - a. Interior side.
 - (1) No interior side yard setback shall be required for buildings not exceeding thirty-five (35) feet in height.
 - (2) That portion of the building exceeding thirty-five (35) feet in height shall provide a ten (10) foot minimum interior side setback plus one foot for each twenty-five (25) feet of building height over thirty-five (35) feet.
 - b. Side street.
 - (1) Minimum side setback of fifteen (15) feet shall be provided for the first twenty-five (25) feet of building height plus one foot for each twenty-five (25) feet of building height over twenty-five (25) feet.
 3. Rear setback.
 - a. Where there is a dedicated alley in the rear, all buildings shall be set back five (5) feet up to the first fourteen (14) feet in height. For that portion of the buildings above fourteen (14) feet in height, there shall be no setback requirements from the rear property line.
 - b. Where there is no dedicated alley in the rear a ten (10) foot minimum rear setback shall be provided.
 - c. Parking garages shall be required to provide the same minimum setbacks as required for the main building provided, however, that no setback shall

- be required for that portion of a parking garage which is located completely below grade.
- (f) Height of buildings in M-Use Districts.
1. No building and/or structure to be used for manufacturing purposes shall be erected or altered on M zoned property, to exceed three (3) stories or forty-five (45) feet in height, whichever is less.
 2. No commercial buildings and/or structures shall be erected or altered on M zoned property to exceed six (6) stories or seventy-two (72) feet in height, whichever is less.
- (g) Exclusion from height. The following shall be excluded from the computation of the building height in M-Use Districts:
1. Air-conditioning equipment rooms.
 2. Elevator shafts.
 3. Elevator mechanical equipment rooms.
 4. Parapets.
 5. Roof structures used only for ornamental and/or aesthetic purposes not exceeding a combined area of twenty-five (25%) percent of the floor area immediately below. Such exclusion shall be subject to the provisions that no such structure shall exceed a height of more than twenty-five (25) feet above the roof.
- (h) Minimum size building in M-Use Districts. Any building constructed in any M-Use District for any M-Use or occupancy shall have a minimum street frontage of twenty-five (25) feet, except when the same is constructed upon a lot of less than twenty-five (25) feet platted width, in which case the building shall cover the entire frontage of the lot and shall have a minimum depth of thirty (30) feet; any building in such areas having twenty-five (25) feet or more frontage shall cover a minimum of seven-hundred-fifty (750) square feet of ground area.
- (i) Minimum unit area for M-Uses. Every part or unit upon the ground floor of every building intended for separate use or occupancy for any M-Use shall have a minimum square foot floor area of not less than five-hundred (500) square feet, provided, however, that this provision shall not apply in the following cases:

1. To Lease Departments, as defined and limited under Section 2-68 herein.
 2. Businesses of a professional or clerical nature.
 3. Auxiliary-use business establishments of a CA or CB-Use classification located within hotels containing one hundred (100) or more guest rooms.
- (j) Minimum unit frontage for M-Uses. Every part or unit upon the ground floor of every building intended for separate use or occupancy for any M-Use shall have a minimum of at least ten (10) foot street frontage, such frontage being measured by the inside wall-to-wall dimension of the particular building of each separate unit concerned, provided, however, that this provision shall not apply in the following cases:
1. To units which are located upon a corridor and/or arcade.
 2. To Lease Departments, as defined and limited under Section 2-68 herein.
 3. To businesses of a professional or clerical nature.
- (k) Floor area ratio (F.A.R.) Provisions for buildings four (4) or more stories in height. Maximum floor area ratio (F.A.R.) for M-Use Districts and Special-Uses in M-Use Districts:

Height of Principal Building in Stories		Maximum F.A.R.
4 through 13.....		3.00

Sec. 3-8 - P-Use Districts.

A P-Use shall be 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. In Preservation or P-Use Districts no use shall be permitted other than a P-Use and any property designated as a preservation district shall be limited and restricted as follows:

- (a) The property, together with any black or red mangrove forest thereon, shall be kept

and preserved in its natural state as a natural wilderness and preserve.

- (b) The use of motor vehicles in a preservation area shall be prohibited except in cases of emergency involving public health.
- (c) No man-made alterations shall be made in a preservation area except:
 - 1. To protect the property and any black or red mangrove forest thereon from damage by natural elements; and/or,
 - 2. To protect or restore to its natural state any property damaged by the platting of adjoining properties and which is in danger of being eroded, or otherwise materially affected by natural elements,
 - 3. To provide, subject to the approval of the City Commission, passive support facilities within designated areas such as nature trails, walkways, bird watch areas, and restrooms, and then only after obtaining such permits as may be required by local, state and/or federal authorities and permission (whether permits are necessary or not) from the Board of Trustees of the Internal Improvement Trust Fund, the Department of Environmental Protection, or their successors in interest.
- (d) No building or structures shall be erected in a preservation area other than those associated with (c) 3 above.
- (e) A preservation area shall not be used for residential, commercial, or agricultural purposes. For the purpose of this code P-Uses are hereby defined as follows:
 - 1. Wetlands.
 - 2. Tidelands.
 - 3. Mangroves.
 - 4. Marine and wildlife habitats, and
 - 5. Such other areas or terrain which have qualities of scenic, natural and aesthetic value in its natural state.
 - 6. Passive support facilities as outlined in (c) 3 above.

Sec. 3-9 - Specific non-complying or qualified use without change of use district.

The City Commission may, by ordinance, after a public hearing having been held before the

Planning and Zoning Board, at which persons interested shall be accorded an opportunity to be heard, permit a specific use of a particular premises for a less restrictive or lower classification than that permitted in the Use District in which the premises are situated, without permitting any other uses of less restricted or lower Use classification upon the premises. In such cases the property shall be zoned and designated by the letter symbol X placed before the basic Use District symbol, i.e., premises zoned and designated XCB may be used for a specifically named use, such as automobile service station, but not for any other or lower classification than CB, and but for the specifically named use, the premises shall be restricted to CB-Use. The letter symbol X may also be used to designate some other deviation, restriction or qualification from or to the basic use requirement. The Commission may provide that upon cessation of the specific lower class use or deviation (designated by the letter symbol X as above provided) for a continuous period of six months, the use of the premises shall revert to the previous and more restricted use classification. (2625)

In granting the approval of an X-Use, the Planning and Zoning Board may recommend and the City Commission may prescribe appropriate conditions, restrictions or safeguards it deems to be in the best interest of the surrounding neighborhood and the general public.

Sec. 3-10 - Designation of historic landmarks and historic landmark districts.

(Rescinded 2/5/03 – Ordinance No. 2003-10)

Sec. 3-11 - Special-uses.

The uses as set forth herein below which do not fall within the definition of R, D, A, M or C-Uses may be permitted as a Special-Use, only after a special ordinance granting permission for such use shall have been passed and adopted by the City Commission, after a public hearing before the Planning and Zoning Board at which persons interested shall be accorded an opportunity to be heard. (2625, 2715)

- (a) Plans for construction of new buildings and additions to existing buildings associated with the uses listed below shall require the approval of the City Commission after a

public hearing before the Planning and Zoning Board at which persons interested shall be accorded an opportunity to be heard:

1. Golf or tennis grounds, or similar use.
2. Church, convent or parish house.
3. Private club as defined under Section 2-88 herein. The business of a club vendor as defined or classified under Section 2-34 herein may be conducted from and upon the premises of a private club which shall have been in continuous active existence and operation for a period of not less than two (2) years in Dade County. (See Section 21-6 for distance requirements). (3231)
4. Public recreation building, park or playground.
5. Community Center Building.
6. Music school, public school, private school, boarding school or college, unless such private school, boarding school or college is operated so as to bring it within the definition of a C-Use.
7. Police station, fire station or other municipal building or facility.
8. Public library, museum or art gallery.
9. 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, child care, administrative offices, data processing and printing.
 - j. Convenience facilities for hospital users such as: snack bar, gift shop, chapel and florist.
10. University and related facilities. (2829)

Any ordinance permitting special-uses as provided for hereinabove shall be construed as permitting only the specifically named or described special-

use, and not any other special-use. Any property or premises designated upon the Use and Area Map by the letter symbol S alone shall be restricted to the specific special-use permitted, and may be used for no other use whatsoever. Any property or premises designated by the letter symbol S before and in conjunction with the letter symbol for an R or D-Use District shall be restricted to use for the particular special-use specified or for use permitted in the designated Use District, i.e., the letter SR shall denote a special-use permitted in an R-Use District, and the premises so designated may be used only for the specific special-use permitted or for single family residences; and the letters SD shall denote a special-use permitted in a D-Use District, and the premises so designated may be used only for the specific special-use designated, or for single family or duplex residences. In granting the approval of a special-use, the Planning and Zoning Board may recommend and the City Commission may prescribe appropriate conditions, restrictions or safeguards it deems to be in the best interest of the surrounding neighborhood and the general public.

(b) Setback requirements, S-Use Districts--General.

1. Front setback. A minimum front setback of twenty-five (25) feet shall be maintained and required on all building sites in S-Use Districts, 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.
2. Side setback. Inside lots in R, D and S-Use Districts shall have 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. 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 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. Building sites where a reduction in the minimum square foot floor area of the building was permitted as set forth in Section 3-1(i), shall be required to maintain a minimum side setback of ten (10) feet on each side.
3. Rear setback. A minimum rear setback of five (5) feet shall be maintained and required on all buildings in S-Use Districts.
- (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, except as provided in Article 4.
 - (d) Height of special-used buildings--General. Except as specifically set forth in Article 4 no special-use buildings shall be constructed to a height of more than three (3) stories or forty-five (45) feet, whichever is less. (2829)
 - (e) Ground area coverage. S-Use Buildings which may be permitted by ordinance to be located in R, D, and A-Use Districts shall abide by the same minimum ground area coverage as set forth for R, D and A-Uses in such districts.
 - (f) Landscaped open space. Landscaped open space for special-use buildings shall be provided as follows: (2934)
 1. Single-family use buildings shall provide landscaped open space on not less than thirty-five (35%) percent of the area of the building site.

Sec. 3-12 - Group homes; Assisted Living Facilities (A.L.F.).

Group Homes and Assisted Living Facilities (A.L.F.) as defined in Section 2-58 and 2-5-1 herein shall be approved as a permitted use in Residential (Multi-family) Use and Commercial Use Districts which meet all other code requirements, subject to the following conditions and restrictions: (3358)

- (a) The architectural plans, including a site plan, shall have the approval of the Board of Architects. Such plans shall show the floor plan, size of units, elevations of the structures, setbacks, proposed open space and recreational space with dimensions, and landscaping.
- (b) The applicant shall include the following additional information:
 1. The name of the sponsoring organization, if any.
 2. The type of program to be offered by the facility.
 3. The type (i.e., elderly, physically disabled) and number of persons who will reside at the facility.
 4. The number of personnel assigned to the facility.
 5. State licensure type.
- (c) Each facility shall be in conformance with all applicable provisions of the South Florida Building Code, Dade County Health Code appropriate state agencies, standards and regulations of any other agency or department which has authority over facilities of this type.
- (d) All Assisted Living Facilities (A.L.F.) in Residential (Multi-family) or Commercial Districts shall not exceed a F.A.R. of 3.0. Mediterranean bonuses shall apply as permitted in this Code. Maximum permitted number of living units shall be calculated according to the following table (two (2) persons max/unit):

Comprehensive Plan Designated Land Use*	Maximum ALF Living Units/Acre
Commercial	
Low-Rise Intensity	60
Mid-Rise Intensity	120
High-Rise Intensity	180
Residential (Multi-family)	
Low Density	60
Medium Density	120
High Density	180

* As shown on City's adopted Future Land Use Map

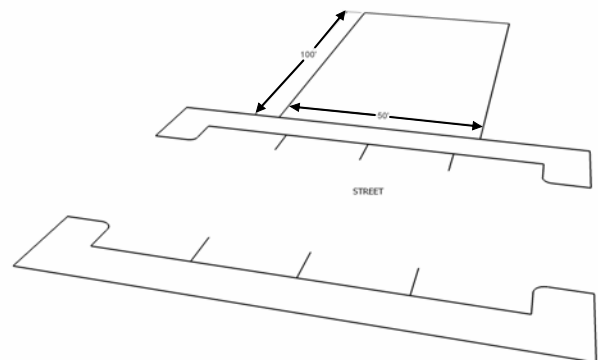
- (e) Each facility shall be licensed by appropriate state agencies.
- (f) Separately licensed facilities shall be spaced at least one-thousand and two-hundred (1,200) feet apart, measured from front door to front door.

- (g) No more than two (2) persons per bedroom, (excluding staff), shall be allowed as a means of determining maximum occupant density per dwelling unit. There shall also be a minimum of eighty (80) square feet per person of bedroom space for each dwelling unit.
- (h) Minimum off-street parking shall be provided at 0.5 spaces per unit per A.L.F.'s. Group homes shall provide off-street parking according to the requirements established in Section 13-6, Table 3 of this Code.
- (i) Recreational space shall be provided at a minimum of one-hundred (100) square feet per resident, of which thirty (30%) percent shall be interior space. Exterior recreational space shall be properly landscaped and buffered for the benefit of both the residents and adjacent properties. A portion of required exterior space shall be provided on the building's front façade to allow for the passive observation of common outdoor areas and public right-of-way by residents.
- (j) Facilities shall be aesthetically compatible with the surrounding neighborhood and adjacent properties.
- (k) Group homes and A.L.F.'s shall meet all applicable state staffing and operational standards, and shall be subject to review and approval by the City.
- (l) Assisted Living Facilities (A.L.F.) abutting or across the street or alleyway from single-family zoned property shall only be permitted as a conditional use, requiring the submittal of appropriate site plans, recommendation by the Planning and Zoning Board and approval by the City Commission at a public hearing.

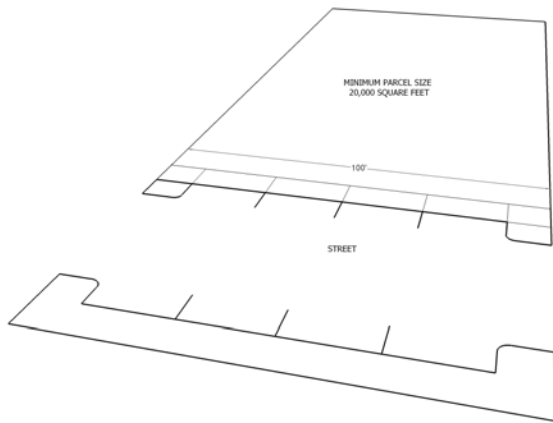
Sec. 3-13 – A District/Special Area

- (a) Purpose. The purpose of the A District/Special Area is to accommodate various forms of multi-family housing to meet the housing needs of a diverse community, while ensuring that there is a transition to single-family neighborhoods which protects the integrity of those neighborhoods.
- (b) Permitted uses.
 - 1. Multi-family dwelling units.
 - 2. Accessory uses.
- (c) Conditional uses.

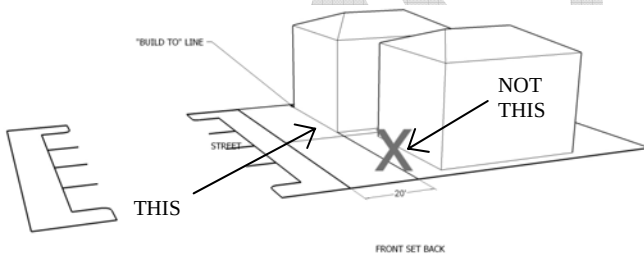
- 1. Assisted living facilities, subject to the standards in Section 3-12.
- 2. Hotels provided that the parcel proposed for development is not adjacent to parcels of land designated as residential use - single family, low density land use designation.
- 3. Municipal buildings and facilities.
- 4. Family day care homes provided that the parcel proposed for development is not adjacent to parcels of land designated as residential use - single family, low-density land use designation.
- 5. Group homes.
- 6. Religious facilities.
- (d) Performance standards.
 - 1. Minimum parcel of land. Multi-family dwellings shall be constructed on a parcel of land of not less than five thousand (5,000) square feet.
 - 2. Minimum parcel dimensions.
 - a. Buildings with a height of less than seventy (70) feet. Multi-family dwellings shall be constructed on a parcel of land with a width of not less than fifty (50) feet or a depth of not less than one hundred (100) feet.



- b. Buildings with a height of seventy (70) feet or greater. Multi-family dwellings with a height of seventy (70) feet or greater shall be constructed on a parcel of land with an area of not less than twenty thousand (20,000) square feet and at least one hundred (100) feet of frontage on a public road.



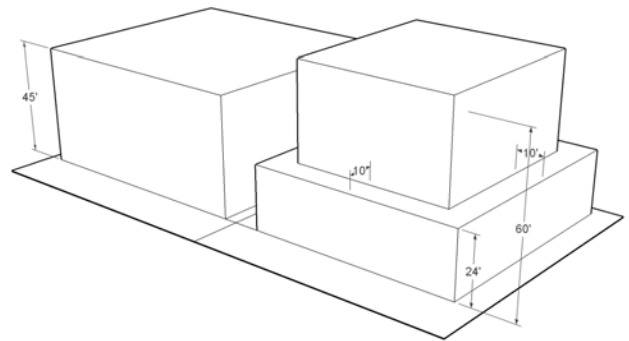
- c. Townhouses. Minimum townhouse parcel width of sixteen (16) feet.
3. Maximum density. Sixty (60) dwelling units per acre or the density provided in the Comprehensive Land Use Plan, with architectural incentives, whichever is less.
4. Coral Gables Mediterranean Style Design Bonus Regulations. Except as provided in Section 3-13(d)(11)(l) of these provisions, Article 28, Coral Gables Mediterranean Style Design Bonus Regulations do not apply in the A-District.
5. Build to line. The front setback shall be a build to line for the ground level of any building.



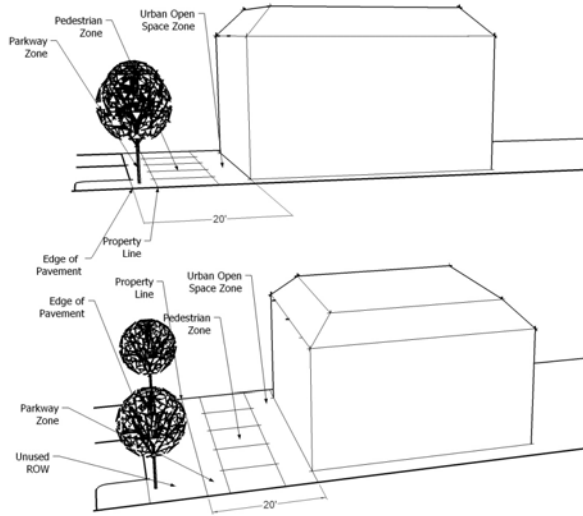
6. Minimum setbacks.
 - a. Measurement of setback. Except as provided in subsection (a)(5) of these provisions, setbacks shall be measured from the applicable property line.
 - b. Front setback.
 - (1) Townhouses with a height of forty-five (45)

feet or less. Ten (10) feet.

- (2) Buildings with a height of forty-five (45) feet or less. Twenty (20) feet.
- (3) Buildings with a height greater than forty-five (45) feet. Twenty (20) feet, provided however, that any portion of a building which has a height of greater than twenty-four (24) feet, shall be set back an additional ten (10) feet.



- (4) Site specific standards. Buildings located on lots in Block 1 and 2 of the Biltmore Section which front on Coral Way: twenty-five (25) feet.
- (5) Adjustment to front setback. In the event that there is public right-of-way between the edge of street pavement and the front property line of the parcel proposed for development, the required front setback shall be reduced by the distance between the edge of pavement and the front property line; provided however, that in no case shall a building be constructed within five (5) feet of the front property line.



c. Side setbacks.

(1) Interior property line and abutting alley side setback.

- (a) Townhouses with a height of forty-five (45) feet or less. None
- (b) Buildings with a height of forty-five (45) feet or less. Five (5) feet.
- (c) Buildings with a height of greater than forty-five (45) feet. Ten (10) feet, provided however, that any portion of a building which has a height of greater than twenty-four (24) feet, shall be set back an additional ten (10) feet.

(2) Abutting a public street.

- (a) Buildings with a height of forty-five (45) feet or less. Ten (10) feet.
- (b) Buildings with a height of greater than forty-five (45) feet. Ten (10) feet, provided however, that any portion of a building which

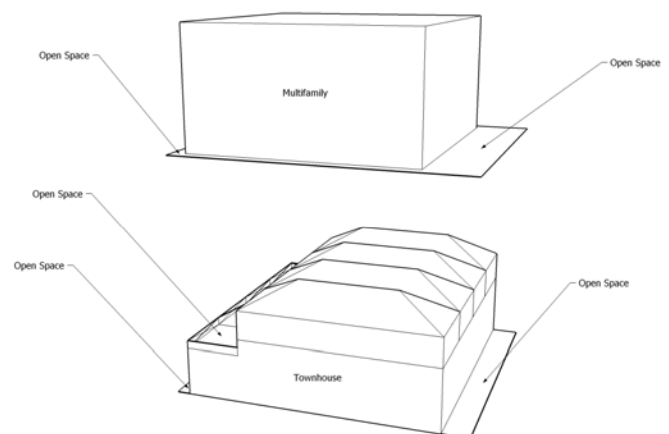
has a height of greater than twenty-four (24) feet, shall be set back an additional five (5) feet.

d. Rear setback.

- (1) Buildings with a height of forty-five (45) feet or less. Ten (10) feet or five (5) feet if rear property line abuts an alley.
- (2) Buildings with a height of greater than forty-five (45) feet. Ten (10) feet or five (5) feet if rear property line abuts an alley, provided however, that any portion of a building which has a height of greater than twenty-four (24) feet, shall be set back an additional ten (10) feet.

7. Required open space.

- a. Buildings other than townhouses. At least twenty-five percent (25%) of the parcel proposed for development shall be maintained as landscaped or urban open space.
- b. Townhouses. At least twenty-five percent (25%) of the parcel shall be maintained as landscaped or urban open space, or courtyards, elevated decks, and other amenities which are open to the sky.



8. Floor area ratio. Maximum floor area ratio (FAR) shall not exceed 2.0.
9. Height.
 - a. Parcels of land abutting or contiguous to R-Use Districts. Forty-five (45) feet, except that no portion of any building within fifty (50) feet of any property line which abuts or is contiguous to land designated as R-Use District shall have a height in excess of thirty-five (35) feet.
 - b. Parcels of land adjacent to R-Use Districts. Forty-five (45) feet.
 - c. Parcels of land which are contiguous or adjacent to D-Use Districts or land designated as public buildings and grounds. Forty-five (45) feet.
 - d. Parcels of land designated residential use - multi-family low density.
 - (1) Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family low-density land use designations: forty-five (45) feet.
 - (2) Parcels of land which are contiguous or adjacent to other parcels designated residential use - multi-family medium density land use designations: forty-five (45) feet.
 - (3) Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family high density or commercial use high-rise intensity land use designations: sixty (60) feet.
 - e. Parcels of land designated residential use - multi-family medium density.
 - (1) Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family low-density land use designations: sixty (60) feet.
 - (2) Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family medium density land use designations: sixty (60) feet or seventy (70) feet if a parcel of land has an area of 20,000 square feet or more.
 - (3) Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family high density or commercial use high-rise intensity land use designations: sixty (60) feet or one-hundred (100) feet if a parcel of land has an area of 20,000 square feet or more.
 - f. Parcels of land designated residential use - multi-family high density.
 - (1) Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family low-density land use designations: sixty (60) feet or seventy (70) feet if a parcel of land has an area of 20,000 square feet or more.
 - (2) Parcels of land which are contiguous or adjacent to parcels designated residential use - multi-family medium density land use designations:
 - (a) Sixty (60) feet if a parcel of land is less than 10,000 square feet, or seventy (70) feet if a parcel of land has an area of 10,000 square feet or greater but less than 20,000 square feet, or

(b) One hundred (100) feet if a parcel of land has an area of 20,000 square feet or more.

(3) Parcels of land which are contiguous or adjacent to other parcels designated residential use - multi-family high density or commercial use high-rise intensity land use designations: sixty (60) feet or one hundred fifty (150) feet if a parcel of land has an area of 20,000 square feet or more.

- g. Parcels of land abutting existing buildings with non-conforming heights. Notwithstanding any other provision of this Subsection 9, a parcel of land which is proposed for development which abuts parcels of land on three sides improved with existing buildings with heights exceeding the maximum permitted height shall have a maximum permitted height of: the lowest height of the three buildings on the parcels abutting the parcel proposed for development.
- h. Height summary. The following matrix summarizes the provisions of Subsection 9, a-f:

MAXIMUM HEIGHT						
	PARCEL SIZE	R	D	MF L	MF M	MF H
MF L		35'	45'	45'	45'	60'
MF M	<20 K	35'	45'	60'	60'	60'
	>20 K	35'	45'	60'	70'	100'
MF H	<10 K	35'	45'	60'	60'	60'
	10K – 20K	35'	45'	60'	70'	70'
	>20 K	35'	45'	70'	100'	150'

“R” means any of the R-Use Districts in the Zoning Code.

“D” means any of the D-Use Districts in the Zoning Code.

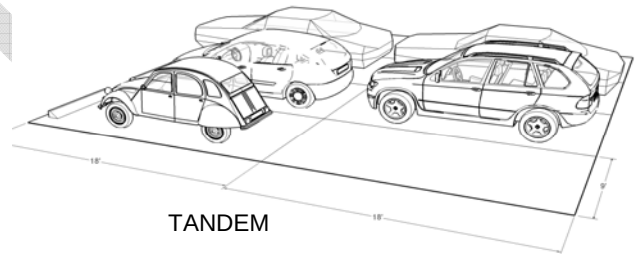
“MF L” means the residential multi-family low density category in the Comprehensive Land Use Plan.

“MF M” means the residential multi-family medium density category in the Comprehensive Land Use Plan.

“MF H” means the residential multi-family high density category in the Comprehensive Land Use Plan.

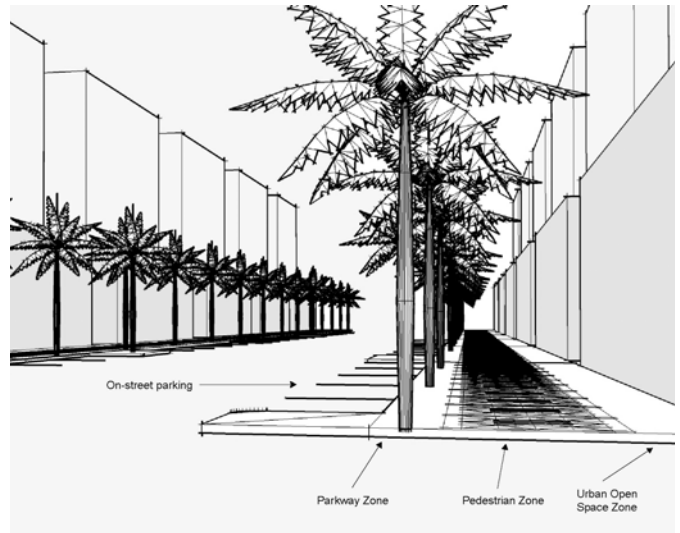
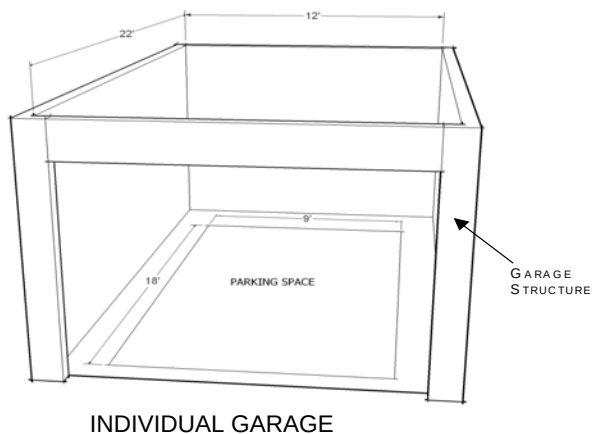
10. Off-street parking.

- a. Parcels of land proposed to be developed as multi-family dwelling units and/or townhouses. Two (2) parking spaces per unit.
- b. Tandem spaces. Tandem spaces are permitted as required parking.



c. Minimum dimensions.

- (1) Parking spaces.
- (a) Width: Nine (9) feet.
- (b) Length: Eighteen (18) feet.
- (2) Individual garage.
- (a) Width: Twelve (12) feet.
- (b) Length: Twenty-two (22) feet.



11. Streetscape standards.

- a. Streetscape required. The developer of all new residential buildings shall be responsible for the improvement of the area between the front set back and edge of pavement as an urban or suburban streetscape. If the parcel of land proposed for development is adjacent to parcels of land designated multi-family high density or multi-family medium density, then an urban streetscape shall be required. If the parcel of land proposed for development is designated multi-family low density and is adjacent to parcels of land designated multi-family low density, then a suburban streetscape shall be required. Any improvements constructed within the public right of way shall be dedicated to and maintained by the City.
- b. Minimum width of required streetscape. An urban streetscape shall have a minimum width of twenty-nine (29) feet. A suburban streetscape shall have a minimum width of fifteen (15) feet.

- c. Required urban streetscape elements. The required urban streetscape shall be comprised of four zones:
 - (1) On-street parking zone.
 - (2) A parkway zone of at least four (4) feet in width.
 - (3) A pedestrian zone of at least eight (8) feet in width.
 - (4) An urban open space zone located between the building and the pedestrian zone, except that no urban open space zone shall be required for townhouses.
- d. Required suburban streetscape elements. The required suburban streetscape shall be comprised of two zones:
 - (1) A parkway zone of at least four (4) feet in width.
 - (2) A pedestrian zone of at least six (6) feet in width.
- e. On-street parking requirements. Parallel parking spaces shall be provided within the public right of way with dimensions of nine (9) feet by twenty (20) feet. Parallel parking spaces shall be separated with "landscape bulb outs" or pedestrian crosswalks

so that no more than six (6) spaces shall be contiguous to one another.

- f. Parkway zone requirements.
 - (1) At least twenty-five percent (25%) of the parkway zone shall be landscaped with groundcover, flower planters or tree grates.
 - (2) Street trees shall be located in the parkway zone on thirty (30) foot centers.
 - (3) Portions of the parkway zone which are not landscaped shall be improved with pavers.
 - (4) Planters shall not be located in those portions of the parkway zone which are contiguous to parking spaces in an on street parking zone.

- g. Pedestrian zone requirements.
 - (1) The pedestrian zone shall be pavers or Coral Gables beige with neutral borders and internal patterns.
 - (2) The pedestrian zone shall be free of obstacles such as street furniture and landscaping.

- h. The urban open space zone.
 - (1) The urban open space zone shall be improved with:
 - (a) Landscape, hardscape or a mix of landscape and hardscape material.
 - (b) Water features, fountains, planters, street lighting and street furniture.
 - (c) Entrance features including steps may be located within the zone.
 - (2) If the urban open space zone is located on private property, the zone may be enclosed with ornamental fencing not to

exceed five (5) feet in height. No more than thirty five percent (35%) of the fencing shall be solid and the fencing shall have gates to allow residents to access the pedestrian zone of the required streetscape.

- (3) Include one (1) tree of at least fourteen (14) feet in overall height per one hundred twenty-five (125) square feet of required open space area.

- i. Building facades. Building facades abutting the required streetscape shall be animated by windows, shutters, planters, columns, relief elements, and other architectural detail to give character to the street. All windows shall have a casing depth of at least four (4) inches.

- j. Parking garages.

- (1) No portion of a building which is above grade and within twenty (20) feet of the front setback line shall be used for the storage of vehicles or off-street parking unless the façade is treated with a decorative wall or fence of four and one-half (4½) feet in height along the portion of the building used for off-street parking, with landscaping and urban open space which screens the building to a height of at least seven (7) feet at time of planting.



ALTERNATIVE SCREENING

- (2) In the event that structured parking is to be constructed above grade, the facades of the garage shall be designed and improved so that the use of the building as a garage is not readily apparent.
- (3) Parking garages shall reflect the architectural character and exterior finishes of building which is to be served by the garage.
- k. Refuse and waste disposal facilities. Refuse and waste disposal facilities shall be enclosed within a building or structure which reflects the architectural character and exterior finishes of the building which is to be served by the facilities. An enclosure used exclusively for refuse and waste facilities may be located in a required front setback area.
- l. Architectural standards. All development shall comply with Article 28, Coral Gables Mediterranean Architectural Style Bonus Regulations, Required Standards for residential uses which are set out in Table 1 of Section 28-7 and five (5) of ten (10) of the standards in Table 2 of Section 28-7 and the provisions of Section 28-9; however, the bonus intensity and heights shall not apply.
12. Additional definitions applicable to the A-District/Special Area:
- “Abuts or abutting” means parcels of land which share a property line or are separated by an alley.
- “Accessory use or structure” means a use which: 1) is subordinate to and serves a principal use; 2) is subordinate in area, extent, and purpose to the principal use served; 3) contributes to the comfort,

convenience or necessities of the users or occupants of the principal use; and 4) is located on the same lot as the principal use.

“Adjacent” means across a street, or waterway from a parcel of land. Where a parcel of land is adjacent to more than one parcel of land, the term adjacent is intended to require compliance with the most restrictive standard with regard to the land use designation or use of adjacent property.

“Build to line” means a line with which at least 50% of the front exterior wall of the principal building is required to coincide.

“Contiguous” means parcels of land which share a property line or are separated by an alley. Where a parcel of land is contiguous to more than one parcel of land, the term contiguous is intended to require compliance with the most restrictive standard with regard to the land use designation or use of contiguous property.

“Dwelling unit” means a building or portion of a building providing independent living facilities for one family including provision for living, sleeping, and complete kitchen facilities.

“Height” means the vertical distance measured from the established grade at the center of the front of the building to the level of the highest point of the building if a flat roof, and to the mean heights between eaves and ridges for gable, hip and gambrel roofs, excluding parapets that extend no more than four (4) feet above the height of the building, and excluding air-conditioning equipment rooms, elevator shafts and mechanical equipment rooms, and ornamental roof structures not exceeding a combined area of twenty-five percent (25%) of the total area of the roof and not exceeding twenty-five (25)

feet above the maximum permitted height of the building.

“Multi-family” dwelling means a dwelling unit that shares common walls with at least one (1) other dwelling unit. For the purposes of the A-District/Special Area regulations in this Section, the term multi-family dwelling shall include the uses in single-family high density as provided for in the Comprehensive Land Use Plan.

“Multi-family high density” means land designated residential multi-family high density by the City’s Comprehensive Land Use Plan.

“Multi-family low density” means land designated residential multi-family low density by the City’s Comprehensive Land Use Plan.

“Multi-family medium density” means land designated residential multi-family medium density by the City’s Comprehensive Land Use Plan.

“Parcel of land” means one or more lots which is proposed for development for a single development.

“Parkway zone” means an area which is immediately adjacent to parallel parking which serves as a safety zone between the area of pavement and pedestrian zone. The parkway zone is the location for street trees and annual and perennial plantings.

“Pedestrian zone” is the portion of the streetscape which is designed for pedestrian movements.

“Public buildings and grounds” means land designated public buildings and grounds by the City’s Comprehensive Land Use Plan.

“Special area” means for the purposes of this Section 3-13, the area bounded by Biltmore Way to the North, Bird Road to the South,

Granada Boulevard to the West and LeJeune Road to the East in the City of Coral Gables, Florida.

“Streetscape” is the area along the public street between the street and buildings which defines the character of the street at the pedestrian level.

“Tandem parking spaces” means two (2) parking spaces arranged one behind the other.

“Townhouse” means a dwelling unit with a primary access on a first floor at grade level.

“Urban open space” means an area, which is open from the land to the sky predominantly improved with and paved with bricks, pavers or other similar material (not including concrete or asphalt) for pedestrian use or an area where no structures or buildings other than landscape features, fountains, benches, arcades and objects of art are located.

Article 4. SITE SPECIFIC REGULATIONS

Sec. 4-1 - General.

The following general regulations shall apply to all specific sites in this section:

- (a) **Building Sites.** Regulations governing building sites shall apply in connection with any building or structure erected, constructed or designed for R, D or A-Use at or upon the specific locations and properties within the City as herein described.
- (b) **Facing of Lots and Buildings--General.** Except for specific deviations or exceptions prescribed herein, 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. Whenever a lot is so shaped or situated that its facing may be uncertain, or the specific restrictions herein provided may be ambiguous when applied hereto, the Board of Adjustment shall determine the facing of the lot.
- (c) **Facing in specific cases.**
 - 1. On certain streets. Except as provided to the contrary in the following subsections hereof, all lots at a corner on:
 - a. Alhambra Circle and South Alhambra Circle.
 - b. Country Club Prado.
 - c. DeSoto Boulevard.
 - d. Indian Mound Trail except in Block 20, Section D.
 - e. Maynada Street.
 - f. Ponce de Leon Boulevard.
 - g. East Ponce de Leon Boulevard shall be deemed to face on said Circle, Boulevard, Trail, Prado and Street, as the case may be.
 - 2. On Ponce de Leon Boulevard. All lots in the one-hundred (100) foot strip on either side of Ponce de Leon Boulevard shall be governed by restrictions for lots facing that boulevard.
 - 3. On Red Road. All lots abutting upon Red Road, from Coral Way to

Southwest Eighth Street, shall be deemed to face both Red Road and Country Club Prado, and residences erected upon such lots may face either of such streets.

- (d) **Setbacks--Minimum front.** Minimum front setback requirements hereby are established for all building sites specifically designated or described herein. Unless otherwise specified herein, setback distances are to be measured from front line of the site. Such requirements shall prevail and govern over general minimum front setback requirements established in several Use Districts.
- (e) **Setbacks--Minimum side.** Minimum side setback requirements hereby are established for all building sites specifically designated or described herein. Unless otherwise specified setback distances herein are to be measured from side lot lines of the site. Such requirements shall prevail and govern over general minimum side setback requirements established in the several Use Districts.
- (f) **Setbacks--Minimum rear.** Minimum rear setback requirements hereby are established for all building sites specifically designated or described herein. Unless otherwise specified setback distances herein are to be measured from rear lot lines of the site. Such requirements shall prevail and govern over general minimum rear setback requirements established in the several Use Districts.
- (g) **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 or commercial purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted, or as prescribed herein.

Sec. 4-2 - Acreage.

- (a) **Setbacks--Minimum side.** In that part of the NW 1/4 of the SE 1/4 of Section 20, Township 54 South, Range 41 East, lying between U. S. Highway No. 1 (South Dixie Highway) and the Rapid Transit--thirty-five (35) feet from the East and West center line

of Section 20-54 South, 41 East on Grand Avenue.

Sec. 4-3 - Section A.

- (a) Building sites.
 - 1. No building site facing upon Anderson Road, DeSoto Boulevard, Granada Boulevard, Coral Way or Plaza Columbus shall contain less than two (2) platted lots, where such lots are less than fifty-five (55) feet in width.
- (b) Setbacks--Minimum front.
 - 1. Facing upon Granada Boulevard or Coral Way--50 feet.
- (c) Setbacks--Minimum side.
 - 1. East line of Lot 5, Block 18--10 feet.

Sec. 4-3-1 – Alvarido Estates (3313).

- (a) Facing of Lots.
 - 1. Lot 1 shall be deemed to face Wallace Street.
 - 2. Lot 2 shall be deemed to face Pinero Avenue.
- (b) Minimum Setbacks.
 - 1. Lot 1 - 25 foot front.
 - 25 foot adjacent to side street.
 - 5 foot interior side.
 - 5 foot rear.
 - 2. Lot 2 - 25 foot front.
 - 5 foot interior side.
 - 5 foot rear.

Sec. 4-4 - Annie Clarke Subdivision. (2949).

- (a) Facing of lots.
 - 1. Lot 1, Block 1 shall be deemed to face onto Frow Street.
 - 2. Lot 2, Block 1 shall be deemed to face onto Jefferson Street.
- (b) Setbacks--Minimum front.
 - 1. Lot 1, Block 1--20 feet.
 - 2. Lot 2, Block 1--15 feet.
- (c) Setbacks--Minimum side.
 - 1. Lot 1, Block 1--5 feet (interior) 10 feet (corner).
 - 2. Lot 2, Block 1--5 feet (interior) 10 feet (corner).
- (d) Setbacks--Minimum rear.
 - 1. Lot 1, Block 1--5 feet.
 - 2. Lot 2, Block 1--5 feet--5 feet (U. S. 1) - 30 feet (Frow Street).

Sec. 4-5 - Asa Washington Smith Subdivision (2949).

- (a) Facing of lots.
 - 1. Lots 1 through 7, inclusive, Block 1 and,
 - 2. Lots 1 through 7, inclusive, Block 2, shall be deemed to face onto Industrial Avenue.
- (b) Setbacks--Minimum front.
 - 1. Lots 1 through 7, Block 1--20 feet.
 - 2. Lots 1 through 7, Block 2--15 feet.
- (c) Setbacks--Minimum side.
 - 1. Lots 1 through 7, Block 1--71/2 feet (interior and corner).
 - 2. Lots 1 through 7, Block 2--5 feet (interior) --71/2 feet (corner).
- (d) Setbacks--Minimum rear.
 - 1. Lots 1 through 7, Block 1--8 feet.
 - 2. Lots 1 through 7, Block 2--10 feet.

Sec. 4-6 - Avocado Land Company Subdivision--Tract 7.

- (a) Setbacks--Minimum front.
 - 1. Red Road--100 foot minimum for a private school.
- (b) Setbacks--Minimum side.
 - 1. Avenue Campamento--80 feet minimum for a private school.
 - 2. North property line--100 foot minimum from present property line for a private school.
- (c) Setbacks--Minimum rear.
 - 1. Bernal Street--275 foot minimum except for the south 150 feet, which shall be 475 foot minimum, for a private school.

Sec. 4-7 - Section B.

- (a) Building sites.
 - 1. No building site facing upon Granada Boulevard, North Greenway Drive, South Greenway Drive, Coral Way or LeJeune Road shall contain less than two platted lots where such lots are less than fifty-five (55) feet in width.
 - 2. Lots 1, 2, 3 and 24, Block 20 shall be considered as three building sites as follows: (2530)
 - a. One building site to consist of Lot 24;

- b. One building site to consist of Lot 1 and the western one-half ($\frac{1}{2}$) of Lot 2;
 - c. One building site to consist of Lot 3 and the eastern one-half ($\frac{1}{2}$) of Lot 2.
- 3. Lots 10 and 11, Block 5 shall be considered two (2) building sites as follows: (2739)
 - a. One building site to consist of Lot 10.
 - b. One building site to consist of Lot 11.
- (b) Height of buildings. Buildings constructed on Lot 12, less that part described as beginning at the southwest corner, thence run northerly along the west line of said lot, to the northwest corner, thence easterly along the north line of said lot seven and thirteen-hundredths (7.13) feet thence southwesterly one hundred and ten and twenty-one hundredths (110.21) feet of the POB, all of Lot 13 and the east twenty (20) feet of Lot 14, Block 8, are not to exceed a height of forty-four (44) feet.
- (c) Setbacks--Minimum front.
 - 1. Facing upon North Greenway Drive or South Greenway Drive (except building sites in Block 33)--35 feet.
 - 2. Facing upon Coral Way in Blocks 34 and 35 Anderson's Resubdivision of Lot C--50 feet.
 - 3. Facing upon Coral Way in Block 8 and 9--25 feet (except Lot 13 and east 20 feet of Lot 14, Block 8, which shall be 12 feet).
 - 4. Facing upon Granada Boulevard (except building sites in Block 35)--50 feet.
 - 5. Facing upon Granada Boulevard, in Block 35--35 feet.
- (d) Setbacks--Minimum side.
 - 1. On all lots abutting LeJeune Road--71/2 feet from LeJeune Road except Block 8.

Sec. 4-8 - Baker Homestead.

- (a) Facing of lots.
 - 1. Lot 1 shall be deemed to face north.
 - 2. Lot 2 shall be deemed to face east.
 - 3. Lot 3 shall be deemed to face north.
 - 4. Lot 4 shall be deemed to face west.
 - 5. Lot 5 shall be deemed to face south.
 - 6. Lot 6 shall be deemed to face north.
 - 7. Lot 7 shall be deemed to face north.

- 8. Lot 8 shall be deemed to face west or south.
- (b) Setbacks--Minimum front.
 - 1. Lot 3--20 foot minimum.
 - 2. Lot 5--65 foot minimum from waterway.
 - 3. Lot 8--25 foot minimum from south.
 - 4. Lot 8--20 foot minimum from west.
- (c) Setbacks--Minimum side.
 - 1. Lot 1--55 foot minimum from west. Lot 1--25 foot minimum from east.
 - 2. Lot 2--20 foot minimum from north. Lot 2--55 foot minimum from south.
 - 3. Lot 3--25 foot minimum.
 - 4. Lot 4--25 foot minimum from south. Lot 4--20 foot minimum from north.
 - 5. Lot 5--25 foot minimum.
 - 6. Lot 6--25 foot minimum.
 - 7. Lot 7--30 foot minimum from east. Lot 7--20 foot minimum from west.
 - 8. Lot 8--30 foot minimum from east.
- (d) Setbacks--Minimum rear.
 - 1. Lot 1--20 foot minimum.
 - 2. Lot 2--55 foot minimum.
 - 3. Lot 3--6 foot minimum.
 - 4. Lot 4--25 foot minimum.
 - 5. Lot 5--25 foot minimum.
 - 6. Lot 6--50 foot minimum.
 - 7. Lot 7--20 foot minimum.
 - 8. Lot 8--20 foot minimum from north.
- (e) Setback from canal, waterway, lake or bay.
 - 1. Lot 5--65 feet.

Sec. 4-9 - Banyan Tree.

- (a) Facing of lots.
 - 1. Lot 1 and 2, Block 1 shall be deemed to face Old Cutler Road.
- (b) Setbacks--Minimum front.
 - 1. Lots 1 and 2, Block 1--35 feet.
- (c) Setbacks- Minimum side.
 - 1. Lots 1 and 2, Block 1 shall provide a minimum setback from the inside lot line of fifteen (15) feet.
 - 2. Lots 1 and 2, Block 1 shall provide a minimum setback from the side street of twenty-five (25) feet.
- (d) Setbacks--Minimum rear
 - 1. Lots 1 and 2, Block 1--15 feet.

Sec. 4-10 - Bay Bluff.

- (a) Facing of lots.
 - 1. Lots 1 and 2, Block 1 shall be deemed to face north on Davis Road.

2. Lots 3, 4 and 5, Block 1 and Lots 1, 2, 3, and 4, Block 2 shall be deemed to face on Calatrava.
- (b) Setbacks--Minimum side.
 1. Lots adjacent to Old Cutler Road--25 feet.

Sec. 4-11 - Biltmore Addition.

- (a) Setbacks--Minimum front.
 1. Facing upon Avenue Catalonia in Block 39 of Resubdivision, P. B. 42, Page 50--20 feet.

Sec. 4-12 - Biltmore Section.

- (a) Building sites.
 1. No building site facing upon Avenue Anastasia or Coral Way shall contain less than two (2) platted lots where such lots are less than sixty (60) feet in width.
 2. Lot 1, the north half of Lot 2, and Lot 5, Block 24, shall be considered two building sites as follows: (3323)
 - a. One building site to consist of Lot 1 and the north half of Lot 2.
 - b. One building site to consist of Lot 5.
 - c. Lot 1 and the north half of Lot 2 shall include garage.
- (b) Height of buildings.
 1. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy (70) feet in height, whichever is less:
 - a. Lots 3 through 15, inclusive, Block 11.
 - b. Lots 1, 2, 3 and 4, Block 12.
 - c. Lots 1 through 19, inclusive, Block 13.
 2. No apartment buildings and/or structure shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less: (3465)
 - a. All lots and tracts in Blocks 2, 3, 6 and 7.
 - b. All of Block 8.
 - c. Lots 4 through 32, inclusive, Block 1.
 - d. Lots 19 through 32, inclusive, Block 1.

- e. Lots 3 through 41, inclusive Block 10.
3. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
 - a. Lots 12 through 34, inclusive, Block 3.
 - b. Lots 15 through 26, inclusive, Block 4.
 - c. Lots 1 through 24, inclusive, Block 6.
 - d. Lots 1 through 23, inclusive, Block 7.
4. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed one hundred and sixty-two (162) feet in height: (2677)
 - a. Lots 1 through 15, inclusive, Block 7.
5. Lot 5, Block 24 shall be limited to a one-story structure with architectural character and massing similar to the surrounding neighborhood. (3323)
6. All of Block 4 shall be limited to commercial buildings not to exceed four (4) stories in height and six (6) stories with Mediterranean design bonuses. (3465)
- (c) Setbacks--Minimum front. (Including Resubdivision Block 4) (3465)
 1. Facing upon Coral Way in Blocks 1 and 2--Twenty-five (25) feet.
 2. Facing upon Coral Way in Lots 2 through 11, inclusive Block 3--Fifteen (15) feet.
 3. Facing upon Coral Way in Block 4--Ten (10) feet.
 4. Facing upon Biltmore Way in Blocks 3 and 7; Lots 1 through 16, inclusive, Block 6; Lots 15 through 26, inclusive--Ten (10) feet.
 5. Facing upon Biltmore Way in Block 4--Five (5) feet.
 6. Facing upon Hernando Street in Block 4--Five (5) feet.
 7. Facing upon Avenue Andalusia Lots 17 through 24, inclusive, Block 6--Ten (10) feet.
- (d) Setbacks--Minimum side.
 1. Lot 1, Block 3--4 feet from Segovia Street.

- (e) Setbacks--Minimum interior side and rear alleyway.
All of Block 4.....Zero feet.

Sec. 4-12-1 - Biltmore View. (3474)

- (a) Minimum Setbacks. All four building sites shall have the following setbacks:
1. Front setback . . . 25-feet.
 2. Rear setback . . . 10-feet.
 3. Side setback . . . 10-feet.
- (b) Facing lots. Lots 1 through 4 shall be deemed to face Mariola Way.

Sec. 4-13 - Biscayne Bay Section.

- (a) Building sites.
1. Lots 1 through 8, inclusive, and Lot 5A, Block 82 shall be restricted to two (2) building sites having a street frontage of one-hundred-twelve and one-half (112½) feet each.
 2. Lots 4-13 and the north 1/2 of the vacated street in Block 85 shall be considered three building sites with two building sites facing onto Sunset Road and one building site facing onto Almansa Street with the following frontages: (3222)
 - a. The two sites facing Sunset Road shall have a frontage of one-hundred twenty-five 125 feet and one-hundred forty-five 145 feet.
 - b. The one site facing Almansa Street shall have a frontage of one-hundred forty 140 feet.
 3. Lots 1, 2, 3 and 4, less the East thirty-eight (38) feet thereof, Block 94 shall be considered as two (2) building sites only, one such site consisting of Lot 1 and the West twenty-seven (27) feet of Lot 2, and the other building site consisting of Lot 2, less the West twenty-seven (27) feet thereof, all of Lots 3 and Lot 4, less the East thirty-eight (38) feet thereof.
 4. Lots 9 and the East eighteen (18) feet of Lot 10, Block 94 shall be considered as one building site having a street frontage of eighty-eight (88) feet.
 5. No building site in or upon the following properties shall contain less than ten-thousand-eight-hundred

(10,800) square feet area nor shall any such building site have less than one-hundred (100) feet street frontage:

- a. Lots 18 through 21, inclusive, Block 82, and vacated alley therein.
 - b. South one-half of Tract 83.
 - c. Lots 17 through 32, inclusive, Block 84, and vacated alley therein.
 - d. Lots 9 through 16, inclusive, Block 85.
 - e. All of Block 89.
 - f. All of Block 90, and vacated alley therein.
 - g. Lots 1 through 18, inclusive, and Lots 28 through 42, inclusive, Block 91, and vacated alley therein.
 - h. All of Wheeler's Resubdivision of Block 92.
 - i. All of Block 93 and vacated alley therein.
 - j. The west twelve (12) feet of Lot 13 and Lots 14 through 16, inclusive, Block 94.
- (b) Percentage reduction on seventy-five (75) and one-hundred (100) foot building sites. (See Section 3-1(i)).
- (c) Setbacks--Minimum front.
1. Facing upon Ridge Road, Block 61--30 feet.

Sec. 4-14 - Bruno Estates.

- (a) Facing of lots.
1. Lots 4 and 5 shall be deemed to face south, Lots 1, 2, 3, 6 and 7 shall be deemed to face north.
- (b) Setbacks--Minimum side.
1. Lots adjacent to Old Cutler Road--25 feet.

Sec. 4-15 - Section C.

- (a) Building sites.
1. No building site facing upon Alhambra Circle, Granada Boulevard, Columbus Boulevard, Coral Way, North Greenway Drive and South Greenway Drive East of Alhambra Circle, shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width.

- (b) Setbacks--Minimum front.
 1. Facing upon Granada Boulevard or Coral Way--50 feet.
 2. Facing upon North Greenway Drive or South Greenway Drive--35 feet.

Sec. 4-16 - Callahan Tract.

- (a) Floor Area Ratio (F.A.R.) Provisions for buildings four (4) or more stories in height.
 1. Refer to Section 3-6(w).
 2. Maximum floor area ratio (F.A.R.) for C-Use buildings four (4) stories in height located on that portion of the Callahan Tract bounded on the north by South Dixie Highway, on the east by Turin Street, on the south by Avenue Madruga and on the west by Mariposa Court shall not exceed 1.5. (2829)
- (b) Height of buildings.
 1. No commercial building shall be constructed or erected on the following described property to exceed four (4) stories or forty-five (45) feet in height, whichever is less:
That portion bounded on the north by South Dixie Highway, on the east by Turin Street, on the south by Avenue Madruga and on the west by Mariposa Court.

Sec. 4-17 - Caravel Estates.

- (a) Facing of lots.
 1. Lot 1 shall be deemed to face Avenue Lugo.
- (b) Setbacks--Minimum side.
 1. Lot 1--25 feet from Red Road --9 feet from east lot line.
 2. Lot 2--10 feet.
- (c) Setbacks--Minimum rear.
 1. Lots 1 and 2--10 feet.

Sec. 4-18 - Coconut Grove Manor.

- (a) Setbacks--Minimum front.
 1. Facing upon Manor Place in Block 5--20 feet.

Sec. 4-19 - Coconut Grove Section.

- (a) Building sites.

1. With the exception of Lot 30, Block 6; Lot 18, Block 7; Lot 17, Block 10; Lot 32, Block 11; Lot 12, Block 25; and Lot 19, Block 29; no building site shall contain less than two (2) platted lots.
2. Lots 4, 5, 6, 7 and 8, Block 22 shall be considered as two (2) building sites as follows: (2538)
 - a. One building site to consist of Lots 4 and 5.
 - b. One building site to consist of Lots 6, 7 and 8.
3. Lots 3, 4, 5 and 6, Block 21, shall be considered as two (2) building sites as follows: (2633)
 - a. One building site to consist of Lots 3 and 4.
 - b. One building site to consist of Lots 5 and 6.

(b) Facing of lots.

1. Lots 51 through 55, inclusive, Block 30, shall be deemed to face Bird Road.

(c) Setbacks--Minimum front.

1. Lots 41 and 42, Block 16--20 feet.

Sec. 4-20 - Coconut Grove Terrace.

(a) Building sites.

1. The north seventy-one and three tenths (71.3) feet of Lots 1, 2 and 3, shall be considered as one building site. (2834)

(b) Setbacks--Minimum front.

1. Facing upon east side of Harlano Street--35 feet.

Sec. 4-21 - Coconut Grove Warehouse Center.

(a) Facing of lots.

1. Lots 58 through 71, inclusive, shall be deemed to face upon both Industrial Avenue and Short Avenue.

(b) Height of buildings.

1. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy-two (72) feet in height, whichever is less:
 - a. Lots 1 through 27, inclusive.
2. No building and/or structure to be used for manufacturing purposes shall be erected or altered on the following described property, to exceed three

(3) stories of forty-five (45) feet in height, whichever is less:

a. Lots 1 through 27, inclusive.

(c) Roofs--Pitched roof material.

1. Pitched roofs may be covered with roofing material meeting the requirements of Class A or B specifications of the Underwriters Laboratories, Incorporated. (See Section 14-5)

(d) Setbacks--Minimum front.

1. On Lots 31 through 57 inclusive--15 feet from Industrial Avenue.
2. All other building sites in R-Use Districts--15 feet.

(e) Setbacks--Minimum rear.

1. Lots 31 through 57, inclusive--15 feet from Industrial Avenue.

(f) Walls and fences--Materials and specifications. Wood picket fences shall be permitted on residential lots, subject to the following conditions:

1. Such fences shall be of cedar, cypress, or redwood, with four (4) inch by four (4) inch terminal posts, two (2) inch by four (4) inch intermediate posts, wood rails and pickets one inch thick. Pickets shall be placed so as to provide a space between of not less than one-half ($\frac{1}{2}$) the width of the picket.
2. All such fences shall be painted on each side with an appropriate and harmonious color, and shall be maintained and kept in repair by replacing all rotting wood. Construction and painting shall be completed within a reasonable time after issuance of a permit therefore, to be determined by the Building Official.

Sec. 4-22 - Cocoplum Section One.

(a) Facing of lots.

1. Lot 21, Block 1, shall be deemed to face Casuarina Concourse.
2. Lots 1 and 11, Block 11, shall be deemed to face Los Pinos Boulevard.
3. Lot 8, Block 7, shall be deemed to face Los Pinos Boulevard.
4. Lot 1, Block 9, shall be deemed to face Los Pinos Boulevard.
5. Lots 1 and 2, Block 2, shall be deemed to face Ridge Road and Old Cutler Road.

6. Lot 2, Block 3, shall be deemed to face Davis Road.

7. Lot 3, Block 3, shall be deemed to face Avenue Puerto.

8. Lot 11, Block 5, shall be deemed to face Avenue Santurce.

9. Lots 1, 2 and 3, Block 5, shall be deemed to face Robles Street and Old Cutler Road.

10. Lot 43, Block 5, shall be deemed to face Robles Street.

11. Lot 8, Block 8, shall be deemed to face Robles Street.

12. Lots 17 and 25, Block 5, shall be deemed to face Monaco Street.

13. Lots 1 and 7, Block 7, shall be deemed to face Monaco Street.

14. Lot 5, Block 6, shall be deemed to face Los Pinos Court.

15. Lot 11, Block 9, shall be deemed to face Los Pinos Court.

16. Lot 1, Block 6, shall be deemed to face Los Pinos Court.

17. Lots 11 and 16, Block 8, shall be deemed to face Vistamar Street.

18. Lot 19, Block 9, shall be deemed to face Los Pinos Circle.

19. Lot 1, Block 8, shall be deemed to face Cocoplum Road.

20. Lot 4, Block 10, shall be deemed to face Cocoplum Road.

21. Lot 1, Block 11, shall be deemed to face Cocoplum Road.

(b) Setbacks--Minimum front.

1. Lots facing upon Casuarina Concourse--50 feet.

2. Lots facing upon Old Cutler Road--35 feet.

3. Lots facing upon Avenue Puerta, Ridge Road and Avenue Santurce--35 feet.

4. Lots facing upon Davis Road--35 feet.

5. Lots facing Calatrava Court--35 feet.

(c) Setbacks--Minimum side.

1. All lots fronting upon Casuarina Concourse--20 feet.

2. All other lots in Blocks 1 through 11, inclusive--15 feet.

3. All corner lots which have one side abutting a side street shall provide the minimum side setback from such side street as required for lots facing upon such street.

(d) Setbacks--Minimum rear.

1. All lots which have a rear lot line abutting upon a street which other lots

face shall provide the minimum rear setback required for lots facing upon such street.

2. All other lots in Block 1 through 11, inclusive--25 feet.

Sec. 4-23 - Cocoplum Section Two.

(a) Docks, wharves, mooring piles.

1. Docks, wharves or similar structures may be constructed over or in canals and waterways abutting the following lots at a distance extending outward from the property line not more than ten (10) feet:
 - a. Lots 1 through 9, inclusive, Block 12, Plat A.
 - b. South fifty (50) feet of Lot 5, Lots 6 through 19, inclusive, and the southerly portion of Lot 20, Block 16, Plat C.
 - c. Lots 1, 2, 5, 6, 7, 10, 11, 12, 13, 16, 17, 18 and 19, Block 19, Plat D.
 - d. Lots 18 through 28, inclusive, and Lots 40 through 43, inclusive, Block 24, Plat F.
 - e. Lots 4, 5, 8, 9, 11, 12 and 14, Block 26, Plat G. (2777)
2. Docks, wharves or similar structures may be constructed over or in the canals and waterways abutting the following lots at a distance extending outward from the property line not more than twenty-five (25) feet:
 - a. Lots 18 through 26, inclusive and the southwesterly portion of Lot 27, Block 13, and Lots 1 and 2 and Lots 5 through 13, inclusive, Block 14, Plat B.
 - b. Lot 9, Block 15, the westerly portion of Lot 20, Lots 21 and 22, southwesterly portion of Lot 23, northeasterly portion of Lot 25, Lot 26, Lots 32 through 38, inclusive, Lot 43, southwesterly portion of Lot 44 and Lots 46 through 52, inclusive, Block 16, Plat C.
 - c. Lots 6, 7, 8, 11, 12, 13, 14, 17, 18, 19 and 20, Block 18, Plat D.
3. Docks, wharves or similar structures may be constructed over or in canals and waterways abutting the following lots at a distance extending outward

from the property line not more than fifteen (15) feet: (2725)

- a. Lots 4 through 17, inclusive, Block 24, Plat F.
- b. Lots 6, 7, 13 and 15 through 18, inclusive, Block 26, Plat G. (2677) The design of such docks in (a) 1 and (a) 2 above shall be in accordance with plans entitled Cocoplum Section Two Typical Dock Plans, dated October 5, 1982, on file in the Office of the City Clerk.

4. All mooring piles, docks and/or similar structures shall maintain the same minimum setback from the adjacent owner's property line extended as established for the main structure permitted on each building site, except as follows:

- a. On Lots 32, 37 and 43, Block 24, Plat F, the minimum side setback from the adjacent owner's property line extended shall be five (5) feet. (2777)
- b. On Lot 33, Block 24, Plat F, the minimum side setback from the adjacent owner's property line extended shall be two and one-half (2½) feet. (2777)
- c. On Lots 8, 9, 11 and 12, Block 26, Plat G, the minimum side setback from the adjacent owner's property line extended shall be five (5) feet. (2777)

5. The mooring of boats within Blocks 18 and 19, Cocoplum Section Two, Plat D shall be parallel to the shoreline.

(b) Facing of lots.

Plat B

1. Lots 1, 36 and 39, Block 13 and Lots 4 and 22, Block 14, shall be deemed to face Mira Flores Avenue.
2. Lots 4, 10 and 11, Block 13 shall be deemed to face Lago Drive east.
3. Lots 31 and 32, Block 13, shall be deemed to face Lago Drive West.
4. Lot 6, Block 13, shall be deemed to face southwest on Lago Drive east.
5. Lot 35, Block 13, shall be deemed to face northwest on Lago Drive west.
6. Lots 1 and 3, Block 14, shall be deemed to face Vera Court.
7. Lots 14, 17, 18 and 20, Block 14, shall be deemed to face Tulipan Court.

Plat C

1. Lot 1, Block 15, Lots 29, 36, 39 and 40, Block 16 and Lot 12, Block 17, shall be deemed to face Isla Dorada Boulevard.
2. Lots 1 and 52, Block 16, and Lots 5 and 19, Block 17, shall be deemed to face Costanera Road.
3. Lot 28, Block 16, shall be deemed to face west on Costanera Road.
4. Lot 1, Block 17, shall be deemed to face east on Costanera Road.
5. Lot 13, Block 17, shall be deemed to face Costa Brava Court.

Plat D

1. Lots 4 and 9, Block 18, shall be deemed to face Veleros Court.
2. Lots 10 and 15, Block 18, shall be deemed to face Galeon Court.
3. Lots 16 and 21, Block 18, shall be deemed to face Marinero Court.
4. Lot 2, Block 19, shall be deemed to face West.
5. Lots 4 and 8, Block 19 shall be deemed to face Las Brisas Court.
6. Lots 9 and 14, Block 19 shall be deemed to face Carabela Court.
7. Lots 15 and 20, Block 19, shall be deemed to face Rada Court.

Plat E

1. Lot 1, Block 20, shall be deemed to face Isla Dorada Boulevard.
2. Lot 1 and 6, Block 21, shall be deemed to face Bahia Vista Terrace.
3. Lot 7, Block 21, shall be deemed to face Bahia Vista Court.
4. Lot 1, Block 22, shall be deemed to face Bahia Vista Boulevard.

Plat F

1. Lots 36 and 48, Block 24, shall be deemed to face Paloma Drive.
2. Lot 3, Block 25, shall be deemed to face Caoba Court.

Plat G

1. Lots 1, 10, 23 and 28, Block 26, shall be deemed to face Rosales Court.
2. Lots 20, 29 and 30, Block 26, shall be deemed to face Orquidea Court.

Plat H

1. Lots 1 and 2 shall be deemed to face Paloma Drive.

(c) Setbacks--Minimum front.

Plat A

1. All lots--50 feet.

Plat D

1. All lots in Blocks 18 and 19--25 feet.

Plat E

1. All lots in Blocks 20, 21, 22 and 23--2 feet.

Plat F

1. All lots in Blocks 24 and 25--25 feet.

Plat G

1. All lots in Blocks 26--25 feet.

(d) Setbacks--Minimum side.

Plat A

1. All lots shall provide a minimum setback from the inside lot line of twenty (20) feet.

Plat B

1. All lots shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting side street shall provide a minimum setback from the side street of twenty-five (25) feet.

Plat C

1. All lots in Block 15, 16 and 17 shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting a side street shall provide a minimum setback from the side street of twenty-five (25) feet.

Plat D (2675)

1. All lots in Blocks 18 and 19, shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting a side street shall provide a minimum setback from the side street of twenty-five (25) feet.

Plat E (2685)

1. All lots in Blocks 20, 21, 22 and 23 shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting a side street shall provide a minimum set-back from the side street of twenty-five (25) feet.
3. A gazebo structure on Tract L shall provide a minimum side setback of ten (10) feet.

Plat F (2725)

1. All lots in Blocks 24 and 25, shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots which have one side abutting a side street shall provide a minimum setback from the side street of twenty-five (25) feet.

Plat G (2777)

1. All lots in Block 26 shall provide a minimum setback from the inside lot line of fifteen (15) feet.
2. All corner lots with the exception of Lot 30 which have one side abutting a side street shall provide a minimum setback from the side street of twenty-five (25) feet.
3. Lot 30 shall provide a minimum setback from the side street of fifteen (15) feet.

(e) Setbacks--Minimum rear.

Plat B

1. All lots not abutting upon a waterway or canal in the rear--15 feet.

Plat C

1. All lots in Blocks 15 and 17--15 feet.
2. All lots in blocks not abutting upon a waterway or canal in the rear--15 feet.

Plat D (2675)

1. All lots in blocks not abutting upon a waterway or canal in the rear--15 feet.

Plat E (2685)

1. All lots in blocks not abutting upon a waterway or canal in the rear--15 feet.

Plat F (2725)

1. All lots in blocks not abutting upon a waterway or canal in the rear--15 feet.

Plat G (2777)

1. All lots in blocks not abutting upon a waterway or canal in the rear--15 feet.

(f) Setback from canal, waterway, lake or bay.

1. The minimum setback from the waterway or canal line as platted shall be thirty-five (35) feet, except as follows:

- a. A gazebo structure on Tract L, Plat E, which has a minimum ten (10) feet.

- b. Tract I (Private Yacht Basin) which shall be as follows: (2675, 2685, 2725, 2777, 2867).

- (1) Building setback shall be thirty-five (35) feet from any main building along the portion of Lago Monaco Waterway that lies within the yacht basin and the western boundary line of Canal B (Arroyo Sereno).

- (2) Building setback shall be twenty-five (25) feet for any main building along the westerly boundary of Arroyo Sereno.

- (3) Remote facility type No. 1 (located at the east end of dock six (6) as shown on the Private Yacht Basin Master Development Plan) shall be set back a minimum of six (6) feet. All other buildings shall have a minimum setback of twenty (20) feet within the private yacht basin.

- a. For Tract 1 (Private Yacht Basin) the minimum setback from the west property line of Tract H and Tract I shall be:

- i. Building setback shall be twenty (20) feet excepting the storage area (stairway to gate keeper area) north of the Yacht Basin entrance which shall be a minimum of five feet, six inches (5' 6") from the west property line of Tract I (Private Yacht Basin).

Sec. 4-24 - Coga Subdivision.

(a) Facing of lots.

1. Lot 1, Block 1, shall be deemed to face Avenue Madruga.
2. Lot 3, Block 1, shall be deemed to face both Avenue Mariposa and Turin Street.
3. Lot 5, Block 1, shall be deemed to face Avenue Mariposa.
4. Lot 11, Block 4, shall be deemed to face Avenue Mariposa.
5. Lots 1 and 3, Block 2, shall be deemed to face Turin Street.
6. Lot 13, Block 3, shall be deemed to face Turin Street.
7. Lot 6, Block 2, shall be deemed to face Avenue Cotorro.
8. Lots 14 and 20, Block 3, shall be deemed to face Maynada Street.
9. Lot 29, Block 3, shall be deemed to face Hardee Road.

10. Lot 1, Block 4, shall be deemed to face Avenue Mariposa.
- (b) Height of buildings.
 1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one-story in height:
 - a. Lots 1 through 13, inclusive, Block 3.
 2. Apartment buildings constructed on the following described property shall be restricted to not more than two (2) stories in height:
 - a. Lot 7, Block 2.
 - b. Lot 5, Block 4.
- (c) Off-street parking.
 1. Off-street parking for the apartments constructed in Blocks 2 and 4 shall be located in the rear of the property; all entrances and exits to such parking shall be to and from the alley in each of said blocks.
- (d) Setbacks Minimum front.
 1. Lots 1 and 2, Block 1--25 feet.
 2. Lot 7, Block 2--15 feet.
 3. Lots 5 through 11, Block 4--15 feet.
 4. Lot 2, Block 4--22 feet.
 5. Lot 3, Block 4--20 feet.
 6. Lot 4, Block 4--18 feet.
- (e) Setbacks--Minimum side.
 1. Lot 2, Block 1--10 feet.
 2. Lots 2, 4 and 5, Block 2--10 feet.
 3. Lots 1, 7, 8 and 15 through 19, inclusive, Block 3--10 feet.
 4. Lots 5 through 10, inclusive Block 4--10 feet.
 5. Lot 4, Block 1--8 feet.
 6. Lots 2 through 6, inclusive and 21 through 28 inclusive, Block 3--9.5 feet.
 7. Lots 9 through 12, inclusive, Block 3--9 feet.
 8. Lot 2, Block 4--7.5 feet.
 9. Lots 3 and 4, Block 4--6.5 feet.
 10. Lot 1, Block 1--10 feet from N.E. side.
 11. Lot 1, Block 1--15 feet from side street.
 12. Lot 3, Block 1--8 feet from S.W. side.
 13. Lot 5, Block 1--15 feet from side street.
 14. Lot 5, Block 1--8 feet from N.E. side.
 15. Lot 1, Block 2--15 feet from side street.
 16. Lot 1, Block 2--10 feet from south side.
 17. Lot 3, Block 2--25 feet from side street.
18. Lot 3, Block 2--10 feet from north side.
19. Lot 6, Block 2--8 feet from east side.
20. Lot 7, Block 2--10 feet.
21. Lot 13, Block 3--15 feet from north side and 6 feet from south side.
22. Lot 14, Block 3--15 feet from north side.
23. Lot 14, Block 3--10 feet from south side.
24. Lot 20, Block 3--10 feet from north side.
25. Lot 20, Block 3--25 feet from south side.
26. Lot 29, Block 3--15 feet from N.W. side.
27. Lot 29, Block 3--7.5 feet from east side.
28. Lot 1, Block 4--10 feet from N.E. side.
29. Lot 11, Block 4--15 feet from N.E. side.
30. Lot 11, Block 4--10 feet from S.W. side.
- (f) Setbacks--Minimum rear.
 1. Lots 1 through 5, inclusive, Block 1--6 feet.
 2. Lots 1, 2, 4 and 5, Block 2--6 feet.
 3. Lots 1 through 28, inclusive, Block--6 feet.
 4. Lot 3, Block 2--8 feet.
 5. Lot 6, Block 2--15 feet from Avenue Mariposa.
 6. Lot 7, Block 2--15 feet from Avenue Mariposa.
 7. Lot 29, Block 3--15 feet from Avenue Mariposa.
 8. Lots 1 through 11, inclusive, Block 4--5 feet.

Sec. 4-25 - Coral Bay Section A.

- (a) Facing of lots.
 1. Lot 2, Block 1, shall be deemed to face west.
 2. Lot 8, Block 1, shall be deemed to face east.
 3. Lot 40, Block 2, shall be deemed to face north.
 4. Lot 53, Block 2, shall be deemed to face north.
 5. Lot 69, Block 2, shall be deemed to face west.
 6. Lot 73, Block 2, shall be deemed to face west.
 7. Lot 77, Block 2, shall be deemed to face north.

- (b) Setbacks--Minimum front.
 1. Where the front lot line is formed partially by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of fifteen (15) feet.
- (c) Setbacks--Minimum side.
 1. Lot 14, Block 2--10 feet from each side line.
 2. Lot 17, Block 2--10 feet from each side line.
- (d) Setbacks from canal, waterway, lake or bay. The minimum setback from waterway line, canal line or bay shore line as platted, shall be twenty-five (25) feet for main residence buildings and twenty (20) feet for screened patios and/or swimming pools.

Sec. 4-26 - Coral Bay Section B.

- (a) Building sites.
 1. One building site to consist of Lot 15.
 2. One building site to consist of Lot 16.
- (b) Facing of lots.
 1. Lots 1 and 61, Block 4, shall be deemed to face Avenue San Pedro.
- (c) Setbacks--Minimum front.
 1. Lots 43 and 45, Block 3 and Lots 29 and 31, Block 4, shall have a minimum front setback from the most southerly and northerly portion of the arcs of twelve and one-half (12½) feet.
- (d) Setbacks--Minimum side.
 1. Lots 1 and 61, Block 4, shall have a minimum side setback from Avenue Lugo of twenty-five (25) feet and a minimum side setback from the inside lot line of ten (10) feet.
 2. Lots 1 through 55, inclusive, Block 3 and Lots 2 through 60, inclusive, Block 4 shall have a minimum side setback from each side line of ten (10) feet.
- (e) Setback from canal, waterway, lake or bay. The minimum setback from waterway line, canal line or bay shore line, as platted shall be twenty-five (25) feet for main residence buildings and twenty (20) feet for screened patio and/or swimming pools on Lots 2 to 55, inclusive, all in Block 3, and all lots in Block 4.

Sec. 4.27 - Coral Bay Section C.

- (a) Facing of lots.

1. Lot 16, Block 5; Lot 1, Block 6; Lot 18, Block 6; Lot 1, Block 7; Lot 18, Block 7; Lot 20, Block 7 shall face on Red Road.
2. Lot 5, Block 8 shall face east.
3. Lot 22, Block 8 and Lots 2 and 17, Block 9 shall face south.

- (b) Setbacks--Minimum front.
 1. Where the front lot line is formed partially by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of seven and one-half (7½) feet.
 2. Where the front lot line is formed completely by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of fifteen (15) feet.

- (c) Setbacks--Minimum side.
 1. All lots shall have a minimum side setback from the side lot line of ten (10) feet except that on a corner lots where two streets intersect, in this event the minimum side setback from the side street shall be a minimum of twenty-five (25) feet. (For the purpose of determining the side setbacks, the lot lines extending from the street to the waterway shall be deemed side lot lines).

- (d) Setback from canal, waterway, lake or bay. The minimum setback from waterway line, canal line or bay shore line, as platted shall be twenty (20) feet for main residence buildings and screened enclosures.
- (e) Setback requirements--Swimming pools minimum side. A minimum side setback of twenty (20) feet shall be required from one side line and a minimum setback of thirteen (13) feet shall be required from the other side line on the following properties:

Lots	Block
a. 15, 16, 17.....	5
b. 1, 2, 17, 18, 19.....	6
c. 1, 2, 17, 18, 19, 20, 21.....	7
d. 4, 5, 6, 21, 22	8
e. 1, 2, 3, 16, 17.....	9

Sec. 4.28 - Coral Bay Section D.

- (a) Facing of lots.
 1. Lot 12, Block 16; Lots 1 and 18, Block 17; Lots 1 and 22, Block 18; Lots 1 and 21, Block 19; Lots 1 and 18, Block 20; Lot 16, Block 21; Lots 1 and 16,

- Block 22; Lots 1 and 16, Block 23; Lots 1 and 16, Block 24; Lot 1, Block 25 shall face north.
2. Lot 2, Block 10; Lot 1, Block 21; Lots 25 and 27, Block 15, shall face east. (2593).
 3. Lot 15, Block 10; Lot 2, Block 11; Lots 2 and 15, Block 12; Lots 2 and 15, Block 13; Lots 2 and 15, Block 14; Lots 13 and 15, Block 15 shall face south.
 4. Lot 15, Block 11; Lot 5, Block 15; Lot 2, Block 16; Lot 1, Block 26; Lot 47, Block 28 shall face west. (2593)
- (b) Height of buildings.
1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one story in height:
 - a. Lots 46 and 47, Block 28.
 2. Apartment buildings constructed on the following described property shall be restricted to two (2) and three (3) stories in height, as per drawings on file in the office of the City Clerk, said drawings having been prepared by Radar & Associates, engineers and architects, and designated as Job Number 4892, dated July 1962 and noted as being issued by Radar & Associates on January 4, 1963:
 - a. Tract A, according to Plat Book 76, at Page 69 of the Public Records of Miami-Dade County, Florida.
- (c) Off-street parking requirements.
1. Off-street parking spaces shall not be permitted in any yard or area facing, fronting or abutting upon the waterway, canal or bay on Tract A and Lots 9A and Lots 10 through 45, inclusive, Block 28.
 2. Off-street parking spaces are permitted on Tract A and Lots 9A and Lots 10 through 45, inclusive, Block 28, in the area between the structure and the required front setback line.
- (d) Setbacks--Minimum front.
1. Where the front lot line is formed partially by the arc of the cul-de-sac, in this event the setback from the arc shall be a minimum of seven and one-half (7½) feet.
 2. Where the front lot line is formed completely by the arc of the cul-de-sac, in this event the setback from the

- arc shall be a minimum of fifteen (15) feet.
3. All A-Use lots in Block 28 shall have a minimum setback of fifteen (15) feet.
 4. All apartment buildings in Tract A shall have a minimum setback of twenty-five (25) feet.
 5. Lots 1 through 15, inclusive, Block 1--25 feet. (2593)
- (e) Setbacks--Minimum side.
1. In Tract A there shall be required and there shall be provided a minimum of 25 feet between apartment buildings. All other lots, except Lot 9A, Block 28, shall have a minimum side setback from each side lot line of ten (10) feet except that on the corner lots where two (2) streets intersect, the minimum side setback from the side street shall be twenty-five (25) feet.
 2. Lot 9A, Block 28, shall have a minimum side setback from the inside lot line of ten (10) feet and have a minimum side setback from the side street of fifteen (15) feet.
- (f) Setback from canal, waterway, lake or bay. The minimum setback from a canal, waterway, lake or bay shore line, as platted, for buildings or portions thereof, designed or used for occupancy as residential, duplex, or apartment purposes, shall be twenty (20) feet for all lots in Blocks 10 to 26, inclusive, and Blocks 28 and 29. (2593)
- (g) Setback requirements--Swimming pools--Minimum side.
1. On the following described properties a minimum setback of twenty (20) feet shall be required from one side line and a minimum setback of thirteen (13) feet shall be required from the other side line:

Lots	Block
a. 1, 2	1
b. 1, 2, 3, 14, 15	10
c. 1, 2, 3, 14, 15	11
d. 1, 2, 3, 14, 15	12
e. 1, 2, 3, 14, 15	13
f. 1, 2, 3, 14, 15	14
g. 4, 5, 6, 12, 13, 14, 15, 16	15
h. 20, 21, 22, 22, 24, 25, 26	15
i. 1, 2, 3, 5, 6, 7, 11, 12, 13	16
j. 1, 2, 6, 7, 8, 9, 17, 18, 19	17
k. 1, 2, 21, 22, 23	18
l. 1, 2, 20, 21, 22	19
m. 1, 2, 17, 18, 19	20

n. 1, 15, 16, 17	21
o. 1, 2, 15, 16, 17..	22
p. 1, 2, 15, 16, 17	23
q. 1, 2, 15, 16, 17	24
r. 1, 2.	25
s. 46, 47.	28

- (h) Building Sites. Lots 1 and 2, Block 12, shall be considered two building sites as follows: (3356)
1. One building site to consist of Lot 1.
 2. One building site to consist of Lot 2.

Sec. 4-28-1 - Coral Ridge Acre Estates. (3558)

Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Sec. 4-28.2 Coral Waterway. (2004-47)

- (a) Code compliance agreements at time of annexation (Resolution No. 28844).
1. All construction prior to annexation which has been properly permitted by Dade County, will be allowed to continue as is.
 2. Any construction prior to annexation allowed by the Dade County Code, which did not require a permit, will be allowed to continue as is.
 3. If it is determined at a future date that construction prior to annexation was built without the proper and required permits from Dade County, that construction element cannot be allowed to continue as is, and the property owner shall be required to apply for an after-the-fact permit from Coral Gables.
 4. Compliance is required with all City and zoning regulations for all new construction, additions or remodeling initiated after annexation as included herein.
 5. For the purpose of this section, the date of annexation shall be September 2, 2002, which is the service date that services were transferred from Miami-Dade County to the City.
- (b) Architectural type. Coral Waterway is a neighborhood of single-family residences which have been developed with the character, materials and physical massing similar to those constructed within the City

of Coral Gables north of Sunset Drive. It shall be the duty of the Board of Architects to insure that any addition to an existing structure in Coral Waterway be consistent with the existing architecture of the structure and any new building must be compatible with the architecture of neighboring structures.

- (c) Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.
- (d) Building sites. No new building site shall contain less than one fully platted lot and have an area of less than 15,000 square feet. The minimum lot width of any new building site shall be one hundred and twenty (120) feet.
- (e) Ground coverage. No single-family residence shall occupy more than thirty (30) percent of the ground area of the building site upon which the residence is erected. In addition, up to twenty (20) percent of the rear yard may be used for accessory uses and structures.
- (f) Height of buildings. No new single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed 35' above established grade including ridgeline, dome, steeples, towers, and such other similar structures. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site.
- (g) Height of walls and fences. Walls and fences may have a maximum height of six (6) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements of this code.
- (h) Roof-materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for the existing buildings in the Coral Waterway area.
- (i) Setbacks. Principal building.
1. All lots shall provide a minimum front setback of twenty-five (25) feet.
 2. All lots shall provide a minimum side setback of fifteen (15) feet.
 3. All lots which have a side street shall provide a minimum side street setback of twenty five (25) feet.
 4. All lots shall provide a minimum rear setback of twenty-five (25) feet.
 5. All lots located on a waterway shall

provide a minimum rear setback of twenty-five (25) feet.

(j) Setbacks. Accessory buildings general.

1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
2. All accessory buildings shall provide a minimum side setback of twenty (20) feet.
3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
4. All accessory buildings shall provide a minimum rear setback of seven feet six inches (7'6").
5. All accessory buildings on lots located on a waterway shall provide a minimum water front setback of seven feet six inches (7'6").

(k) Setbacks. Swimming pools.

1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
4. Swimming pools shall provide a minimum rear setback of seven feet six inches (7'6").
5. All swimming pools on lots located on a waterway shall provide a minimum setback of seven feet six inches (7'6").

(l) Setbacks. Tennis courts.

1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
2. Tennis courts shall provide a minimum side setback of fifteen (15) feet.
3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of fifteen (15) feet.
4. Tennis courts shall provide a minimum rear setback of seven feet six inches (7'6").
5. All tennis courts on lots located on a waterway shall provide a minimum setback of seven feet six inches (7'6").

(m) Setbacks. Screened enclosures.

1. Screened enclosures shall provide a minimum front setback of twenty-five

(25) feet.

2. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
4. Screened enclosures shall provide a minimum rear setback of six (6) feet.
5. All screened enclosures on lots located on a waterway shall provide a minimum setback of seven feet six inches (7'6").

(n) As according to the Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any 12 month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

(o) For the purposes of this section, all setbacks from a waterway shall be taken from top of slope, which shall be defined as the tie line as indicated on the property survey.

Sec. 4-29 - Cortez Place.

(a) Setbacks--Minimum front.

1. Facing upon Catalina Place, Avenue Angelo and Avenue Trascoro--15 feet.

Sec. 4-30 - Country Club Section Part 1.

(a) Building sites.

1. No building site facing upon Alhambra Circle, Columbus Boulevard, Granada Boulevard, Avenue Sevilla West of Alhambra Circle or abutting upon a golf course, shall contain less than two (2) platted lots.
2. Lots 11 through 16, inclusive, Block 1 shall be considered as two (2) building sites as follows: (2868)
 - a. One building site to consist of Lots 11 through 14.
 - b. One building site to consist of Lots 15 and 16.
3. Lots 4, 5, 6 and 7, Block 7 shall be considered as two (2) building sites as follows: (2944)
 - a. One building site to consist of Lots 4 and 5.

- b. One building site to consist of Lots 6 and 7.
- (b) Setbacks--Minimum front.
 - 1. Facing upon Granada Boulevard or upon the east side of Alhambra Circle--50 feet.
 - 2. Facing upon Avenue Anastasia in Blocks 8, 9, 10, 11, 12 and 22--35 feet.
 - 3. Facing upon Avenue Anastasia in Block 7--50 feet.
- (c) Setbacks--Minimum rear.
 - 1. Lots 8 and 9, Block 10--15 feet from the west lot line.

Sec. 4-31 - Country Club Section Part 2.

- (a) Building sites.
 - 1. No building site facing upon Avenue Anastasia, Anderson Road or Granada Boulevard, shall contain less than two (2) platted lots, where such lots are less than fifty-five (55) feet in width.
- (b) Setbacks--Minimum front.
 - 1. Facing upon Granada Boulevard--50 feet.

Sec. 4-32 - Country Club Section Part 3.

- (a) Building sites.
 - 1. No building site facing upon University Drive or Granada Boulevard, shall contain less than two (2) platted lots where such lots are less than fifty-nine (59) feet in width; no building site elsewhere in Country Club Section Part Three shall contain less than two (2) platted lots where such lots are less than fifty (50) feet in width.
- (b) Setbacks--Minimum front.
 - 1. Facing upon Granada Boulevard (except Lots 15 through 20, inclusive, Block 45)--50 feet.
 - 2. Lots 15 through 20, inclusive, Block 45 as follows: Lot 15--44 feet Lot 16--45 feet Lot 17--46 feet Lot 18--47 feet Lot 19--48 feet Lot 20--49 feet.

Sec. 4-33 - Country Club Section Part 4.

- (a) Building sites.
 - 1. No building sites abutting a golf course shall contain less than two (2) platted lots, and no building site elsewhere in Country Club Section

Part Four shall contain less than two (2) platted lots where such lots are less than fifty (50) feet in width.

- (b) Setbacks--Minimum front.
 - 1. Facing upon Granada Boulevard--50 feet.
 - 2. Facing upon Alhambra Circle, Alhambra Court, Mariola Court and Bird Road in Block 50 (including portions thereof replatted as part of Miami Biltmore Hotel and Country Club P. B. 40, Page 1, except that portion of Tract 1 abutting Bird Road)--50 feet.
 - 3. Facing upon Avenue Anastasia (including any portions of Country Club Section, Part 4 replatted as part of Miami Biltmore Hotel and Country Club, except that portion designated as Veterans Hospital, P. B. 40, Page 1)--35 feet.
 - 4. Facing upon Avenue Anastasia in that portion designated as Veterans Hospital and shown on P. B. 40, Page 1 as Miami Biltmore Hotel and Country Club Grounds--setbacks similar to those now existing.

Sec. 4-34 - Country Club Section Part 5.

- (a) Building sites.
 - 1. Lot 15 less the west ten (10) feet of the north twenty (20) feet thereof, Lot 1, less the north twenty (20) feet and all of Lot 17, Block 112, shall be considered as two (2) separate building sites as follows:
 - a. One building site to consist of Lot 15 less the west ten (10) feet of the north twenty (20) feet thereof and the east one-half (1/2) of Lot 16, less the north twenty (20) feet thereof; and,
 - b. One building site to consist of Lot 17 and the west one-half (1/2) of Lot 16 less the north twenty (20) feet thereof.
 - 2. Lot 20, less a portion beginning at the north east corner of the lot running southwesterly seventy-five (75) feet, thence running southeasterly twenty (20) feet, thence running northeasterly eighty-two (82) feet, thence running northwesterly ten (10) feet to POB, of

Block 47 shall be considered a separate building site. (2788)

3. The west ten (10) feet of Lot 34, and Lots 35 and 36, Block 82, shall be considered one building site. (2860)

(b) Setbacks--Minimum front.

1. Facing upon San Amaro Drive in Block 90--30 feet.
2. Facing upon Blue Road in Tract 1--30 feet.
3. Facing upon Granada Boulevard--35 feet.
4. Facing upon Avenue Mendavia in Blocks 90, 93, 96 and Tracts 1 and 4--30 feet.
5. Facing upon Pinta Court in Block 3--30 feet.
6. Facing upon University Drive in Block 97--30 feet.
7. Facing upon University Drive in Block 98--35 feet.
8. Facing upon Santa Maria--30 feet.

(c) Setbacks--Minimum side.

1. Lot 20, Block 93, 10 feet from south line.

Sec. 4-35 - Country Club Section Part 6.

(a) Building sites.

1. No building site facing upon Avenue Anastasia, University Drive or Riviera Drive shall contain less than two (2) platted lots where such lots are less than sixty (60) feet in width.
2. Lot 5, Block 143 shall be considered as one building site. (2834)
3. Lots 15 and 16, Block 119, shall be considered as two (2) building sites as follows: (2921)
 - a. One building site to consist of Lot 15.
 - b. One building site to consist of Lot 16.

(b) Setbacks--Minimum front.

1. Facing upon Avenue Cadima in Block 144--20 feet.
2. Facing upon Avenue Candia in Block 152--20 feet.
3. Facing upon Avenue Fluvia in Block 145--20 feet.
4. Facing upon Riviera Drive in Blocks 143 and 149--15 feet.

Sec. 4-36 - Crafts Section.

(a) Building sites.

1. All of Block 38 is restricted to two building sites to permit the construction of two bungalow-type duplexes.
2. Lots 1 to 11, inclusive, Block 39 shall be restricted to six building sites as follows:
 - a. Lot 1 and the west 10 feet of Lot 2.
 - b. Lot 3 and the east 30 feet of Lot 2.
 - c. Lots 4 and 5
 - d. Lots 6 and 7.
 - e. Lots 8 and 9.
 - f. Lots 10 and 11.
3. Lots 8, 9 and 10, Block 44, shall be considered as two (2) building sites as follows: (2978)
 - a. One building site to consist of Lot 8 and the west half of Lot 9.
 - b. One building site to consist of Lot 10 and the east half of Lot 9.

(b) Height of buildings.

1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one-story in height:
 - a. Lots 16 through 21, inclusive, Lots 24 through 30, inclusive, and the west one-half ($\frac{1}{2}$) of Lot 23, all in Block 36.
 - b. Lots 1 through 4, inclusive, Block 38.
 - c. Lots 1 through 11, inclusive, Block 39.
2. No building or structure shall be constructed or erected on the following described property to exceed three (3) stories or forty-five (45) feet in height, whichever is less:
 - a. Lots 1, 2, 3 and 4, in Blocks 9, 16 and 17.
 - b. Lots 45, 46, 47 and 48, in Blocks 8, 9, 16 and 17.
3. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
 - a. All lots in Blocks 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 15 and 18.
 - b. Tracts A and B of Pages Replat of Block 4.

- c. Lots 1 through 44, inclusive, Block 8.
- d. Lots 5 through 44, inclusive, in Blocks 9, 16 and 17.
- 4. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
 - a. Lots 1 through 44, inclusive, Block 8.
 - b. Lots 5 through 44, inclusive, in Blocks 9, 16 and 17.
 - c. All lots in Blocks 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 15 and 18.
 - d. Tracts A and B of Pages Replat of Block 4.
- 5. A multi-story building thirteen (13) stories in height, as per submitted plans for use as an office building may be constructed on Lots 1, 2, 3, 4, 33, 34, 35 and 36, Block 20, according to Plat Book 10, Page 40 of the Public Records of Miami-Dade County, Florida.
- (c) Off-street parking.
 - 1. For the percentage of the area of Block 8, to be used for off-street parking, please refer to the deed restriction.

Sec. 4-37 - Cutler Oak Estates. (2845, 2856)

- (a) Facings.
 - 1. Lot 6 shall be deemed to face south.
 - 2. Lots 1, 2 and 5 shall be deemed to face Destacada Avenue.
- (b) Setbacks--Minimum front.
 - 1. Lots 1, 2, 5, 6, 11, 12, 13, 14 and 15, Block 1--25 feet.
 - 2. Lots 3, 4, 7, 8, 9 and 10, Block 1--25 feet (on cul-de-sac--15 feet).
- (c) Setbacks--Minimum side.
 - 1. Lot 1, Block 1--15 feet (abutting Old Cutler Road)--35 feet.
 - 2. Lots 2 through 15, including Block 1--15 feet.
- (d) Setbacks--Minimum rear.
 - 1. Lots 1, 3, 4, 7, 8, 9 and 10 Block 1--25 feet.
 - 2. Lots 2, 5, 6, 11, 12, 13, 14 and 15, Block 1--15 feet.
- (e) Setback from canal, waterway, lake or bay.
 - 1. The minimum setback from a canal or waterway line, as platted, shall be

thirty-five (35) feet for Lots 8, 9, 10 and 11, Block 1.

Sec. 4-38 - Section D.

- (a) Building sites.
 - 1. No building site facing upon Avenue Sevilla between San Domingo Street and Red Road, of upon Alhambra Circle, Coral Way and Indian Mound Trail, shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width and no building site facing upon Country Club Prado shall have less than seventy-five (75) feet street frontage.
 - 2. Lots 3 through 8, inclusive, and 19 through 24, inclusive, Block 15, shall be considered two building sites as follows: (2761)
 - a. One building site to consist of Lots 3 through 8, inclusive.
 - b. One building site to consist of Lots 19 through 24, inclusive.
- (b) Facing of lots.
 - 1. Lots in the south one-hundred-fifty (150) feet of Blocks 10, 13 and 14, shall be governed by restrictions for other lots facing on Avenue Sevilla, west of San Domingo Street.
 - 2. Lots 3 through 8, inclusive, Block 20, shall be deemed to face on San Domingo Street.
- (c) Setbacks--Minimum front.
 - 1. Facing upon Coral Way--50 feet.
 - 2. Lots 19 through 24, inclusive, Block 15-75 feet. (3309)

Sec. 4-39 - Deering Bay.

The Deering Bay Section is that neighborhood which is commonly known as Deering Bay and which was annexed into the City on July 18, 1996. (3246)

- (a) Approved Planned Area Development (PAD) Site Plan. Development of the Deering Bay Section shall be in accordance with the PAD site plan approved by Metro-Dade County and submitted to and on file with the City, prepared by Bermello, Ajamil and Partners, Inc., dated April 18, 1990, and last revised on July 11, 1995. Amendment to the approved Development Plan shall be subject to the procedures stated in Article 9, "Planned Area Development" of this Code.

- (b) Approved Planned Area Development (PAD) Building Program. Development of the Deering Bay Section shall be in accordance with the following building program which is presented on the site plan referenced in subsection (a) of this section, and approved by Miami-Dade County prior to annexation of Deering Bay by the City:

Development Tract A (Condominiums).

Gross Area 16.20 Acs.
 Net. 16.20 Acs.
 Number of Residential Units. 255
 Number of Bedrooms:
 3 Bedrooms Units 115
 4 Bedrooms Units 140
 Gross Density.....15.74 Units/Acre
 Net Density. 15.74 Units/Acre
 Area of Condominiums..... 331,672 S.F.
 Area of Pool Cabanas.....1,200 S. F.
 Area of Road & Ramps 28,990 S. F.
 Options 18,093 S. F.
 Lot Coverage.....379,995 S.F. = 8.72 Acs.
 Open Space Required..... 46%
 Open Space Required. 46%
 Parking Required.....510 Spaces
 Parking Provided 625 Spaces
 Maximum Height of Condo Buildings*...13 Stories
 Residential Above
 One Level of Parking
 Not to Exceed
 one-hundred fifty-five (155) feet of Height
 Population Projection..... 765
 * Chimney Stacks, Elevator Towers and LR.
 Volumes Extend Above Roof.

Development Tract B (Villas). (3421)

Gross Area 12.41 Acs.
 Net Area 12.41 Acs.
 Number of Villas Units 31
 Number of Bedrooms:
 5 Bedroom Units**.....31
 **Excludes Guest House
 Gross Density 2.50 Units/Ac.
 Net Density 2.50 Units/Ac.
 Lot Coverage S. F.
 Villas.....97,091
 Road & Surface Parking..... 45,594
 Total.....143,715=3.29 Acs.
 Total Open Space..... 9.12 Acs.
 Maximum Height of Building*. 2 Stories
 Population Projection 111
 Parking
 Garages. 62 Spaces

Driveways 62 Spaces
 Guest Parking..... 20 Spaces
 Total. 144 Spaces

*Chimney Stacks and Elevator Towers Extend Above Roof.

Development Tracts C & E (Marina, Including Limited Convenience Area).

Gross Area 9.5 Acs.
 Density. N/A
 Building 0.5 Acs.
 Number of Boat Slips. 114
 Number of Parking Spaces.....40
 Open Space. 9.0 Acs.
 Population Projection..... 0

Development Tracts D (Golf Course).

Gross Area 111.18 Acs.
 # Residential Units 0
 # Bedrooms 0
 Density. 0
 Lot Coverage 0.01%
 Area of Buildings..... 43,000 S.F.
 Clubhouse Areas:
 Administration/Sales Office.....1,200 S.F.
 Dining/Kitchens 8,500 S.F.
 Locker Rooms/Fitness Area.....12,000 S.F.
 General Maintenance Area..... 2,500 S.F.
 Pro-Shops 2,600 S.F.
 Golf Cart Storage..... 6,000 S.F.
 Underground Parking..... 8,700 S.F.
 Roads & Parking 3.5 Acs.
 Open Space. 106.68 Acs.
 Maximum Ht. of Building 4 Stories
 Marina Facilities
 Proposed Island Slips. 16
 Proposed Bulkhead Docking..... 8
 Future Marina 40

Development Tract F (Leasehold for Miami-Dade County).

Gross Area 71.87 Acs.
 Density 0
 Area of Gatehouse & Maintenance
 Building 10,000 S.F.
 Area of Entry Road 1.43 Acs.
 Open Space (Golf Course & Water).....70.15
 Population Projection 0

Total Development Summary (Tracts A, B, C, D & E Only Leasehold Not Included).

Gross Area 149.29 Acs.
 Net Area Proposed. 96.15
 Dwelling Units Condominiums (Tract A)..... 255

Villas (Tract B).....	31
Total.....	286
Gross Density.....	1.92 Units/Ac.
Net Density	2.97 Units/Ac.
Bedrooms	
3 Bedroom Units	127
4 Bedroom Units	150
5 Bedroom Units.	9
Total Land Coverage All Bldgs.....	12.15 Acs.
Total Area of Non-Residential.....	2.31 Acs.
Total Area of Public Roads	0
Total Area of Private Roads & Surface Parking	3.58 Acs.
Parking Required:	
Condominiums	510
Villas	62
Clubhouse.....	192
Golf House	76
Combined Marinas.....	117
Total.....	957
Parking Provided:	
Condominiums	625
Villas	144
Clubhouse	90
Golf Course	0
Combined Marinas	81
Total.	940
Total Population Projection.....	876

Sec. 4-39-1 - Deering Bay North.

All site development shall be in accordance with the adopted Planned Area Development for Deering Bay prepared by Bermello, Ajamil and Partners, Inc. and dated April 16, 1990, and site specific zoning regulations specified for Tract A or Ordinance No. 3246 as presented in section 4-39 of the Zoning Code. (3451)

Sec. 4-40 - Douglas Section.

(a) Building sites.

1. No building site facing upon Ponce de Leon Boulevard or east Ponce de Leon Boulevard shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width.
2. Building sites for buildings or structures for apartments, apartment-hotels, hotels, motels and special-use buildings having a height of more than three (3) stories or forty-five (45) feet shall have a street frontage of not less than one-hundred (100) feet and an

area of not less than twenty thousand (20,000) square feet, provided, however, that in that portion of the Douglas Section bounded on the west by Salzedo Street, on the north by Southwest Eighth Street (Tamiami Trail), on the east by Douglas Road and on the south by Section K and Section L, apartment buildings may be constructed to a height not exceeding six (6) stories or seventy (70) feet, whichever is less, provided that such building sites and density conform to Section 3-4(v). (2829)

- (b) Density requirements. The density requirements for apartment buildings having a height of not more than six (6) stories or seventy (70) feet, whichever is less, located in that area of the Douglas Section bounded on the west by Salzedo Street on the north by Southwest Eighth Street (Tamiami Trail), on the east by Douglas Road and on the south by Section K and Section L, shall be as follows:

Min. Frontage	Min. Depth	Min. Bldg.Site Area	Max.No. of Apt. Units
50 ft	100 ft.	5,000 sq. ft.	3
--	--	10,000 sq. ft.	7
--	--	15,000 sq. ft.	11
--	--	19,999 sq. ft.	15

The number of units permitted between increments shall be increased or decreased proportionally.

(c) Height of buildings.

1. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy (70) feet in height, whichever is less:
 - a. Lots 1 through 8, inclusive, Block 1.
 - b. Lots 1 through 6, inclusive, Block 10.
 - c. Lots 8, 9 and 10, Block 10.
 - d. Lots 1 through 10, inclusive, Block 18.
 - e. Lot A between Blocks 10 and 18.
 - f. Lot B between Blocks 1 and 10.
 - g. Lot C between Blocks 18 and 27.
 - h. Lots 1 through 5, inclusive, Block 27.

- i. Lots 7, 8, 9 and 10, Block 27.
 - j. Lots 1 through 5, inclusive, Block 34.
 - k. Lots 7 through 12, inclusive, Block 34.
2. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
- a. Lots 9 and 10, Block 1.
 - b. All lots in Blocks 2, 3, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 26, 28, 29, 30, 31, 32, 33, 35, 36, 38, 39, 40, 41, 42, 43 and 44.
3. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
- a. Lots 9 and 10, Block 1.
 - b. Lots 1 through 11, inclusive, Block 2.
 - c. Lots 1 through 11, inclusive, Block 3.
 - d. Lots 21 and 22, Block 3.
 - e. Lots 8, 9, 10, 11, in Blocks 9, 11, 17, 19, 26, 28, 33, 35 and 40.
 - f. Lots 8 and 9, Block 41.
 - g. Lots 1, 2, 21 and 22, Block 8.
 - h. Lots 1, 2, 18 and 19, Block 12.
 - i. Lots 1, 2, 10 and 11, Block 16.
 - j. Lots 1, 18, 19 and 20, Block 29.
 - k. Lots 1, 2, 21 and 22, in Blocks 32, 36 and 39.
 - l. Lots 1 and 2, Block 42.

Sec. 4-41 - Revised plat of Douglas Section.

- (a) Height of buildings.
 - 1. No apartment building and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
 - a. All of the Revised Plat of Douglas Section, Plat Book 34, Page 32.

Sec. 4-42 - Section E. (3606)

- (a) Building sites.

- 1. No building sites facing upon South Greenway Drive, Columbus Boulevard, south of South Greenway Drive, or upon North Greenway Drive, Coral Way or Plaza Columbus, shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width; and no building site facing upon Country Club Prado shall have less than seventy-five (75) feet street frontage.
- 2. Lot 21, Block 5 shall be considered a building site (1215 Asturia Ave.).
- 3. Lot 22, Block 5 shall be considered a building site (1221 Asturia Ave.).
- 4. Lot 23 and the south one-half (½) of Lot 24, Block 23, shall be considered one building site. (2733)
- 5. Lots 5 and 6, Block 27 shall be considered a building site.
- 6. Lots 7, 8 and 9, Block 27 shall be considered as two (2) building sites as follows: (3132)
 - a. One building site to consist of Lots 7 and 8, with a one-hundred (100) foot frontage.
 - b. One building site to consist of Lot 9, with a fifty (50)-foot frontage.
- (b) Facing of lots.
 - 1. Lot 15, Block 23, shall be deemed to face Country Club Prado.
- (c) Setbacks--Minimum front.
 - 1. Facing upon Coral Way--50 feet.
 - 2. Facing upon Country Club Prado--35 feet.
 - 3. Facing upon North Greenway Drive in Blocks 4, 13, 14 and 15--35 feet.
 - 4. Facing upon South Greenway Drive in Blocks 5 and 12--35 feet.

Sec. 4-43 - Erin Subdivision.

- (a) Facing of lots.
 - 1. Lot 4 shall be deemed to face Old Cutler Road.

Sec. 4-44 - Fairchild Manors.

- (a) Facing of lots.
 - 1. Lot 1, Block 1; Lot 1, Block 3 and Block 4 shall be deemed to face west.
 - 2. Lot 3, Block 1 shall be deemed to face south.

3. Lot 3, Block 3, shall be deemed to face Sierra Circle.
- (b) Setbacks--Minimum front.
 1. Lot 1, Block 1 and Lot 1, Block 3--35 feet from Old Cutler Road.
- (c) Setbacks--Minimum side.
 1. Lot 1, Block 1 and Lot 1, Block 3--35 feet from side street.
 2. Lot 3, Block 1--25 feet from the easterly property line.
 3. Lot 3, Block 3--25 feet.
 4. All lots in Blocks 1, 2 and 3--10 feet from inside property line.
 5. Block 4--15 feet from side streets.
- (d) Setbacks--Minimum rear.
 1. All lots in Blocks 1, 2 and 3--10 feet. (NOTE: For the purpose of determining the ten (10) foot rear setback, the west line of Lot 2, Block 1 and of Lot 2, Block 3, shall be considered as the rear lot line of Lot 1, Block 1 and Lot 1, Block 3, respectively.)
 2. Block 4--25 feet from rear street.

Sec. 4-45 - Fairchild Oaks Subdivision. (2824)

- (a) Facings.
 1. Lot 3, Block 1 and Lot 1, Block 2 shall be deemed to face Old Cutler Road.
 2. Lot 4, Block 1 shall be deemed to face east on Girasol Avenue.
- (b) Setbacks--Minimum front.
 1. Lots 1, 2 and 3, Block 1--50 feet.
 2. Lot 1, Block 2--50 feet.
 3. Lots 2 and 3, Block 2--40 feet.
 4. Lots 4 and 5, Block 1--30 feet.
 5. Lots 4 and 5, Block 2--30 feet.
 6. Lots 6 and 7, Block 1--25 feet.
 7. Lots 6 and 7, Block 2--25 feet.
- (c) Setbacks--Minimum side.
 1. Lot 1, Block 1--15 feet.--20 feet (south).
 2. Lot 2, Block 1--15 feet.
 3. Lot 3, Block 1--15 feet.--25 feet (corner).
 4. Lot 4, Block 1--12 feet (south).
 5. Lots 5 and 6, Block 1--12 feet.
 6. Lot 7, Block 1--12 feet.--20 feet (south).
 7. Lot 1, Block 2--25 feet.
 8. Lots 2, 3, 4, 5 and 6, Block 2--12 feet.
 9. Lot 7, Block 2--12 feet.--20 feet (south).
- (d) Setbacks--Minimum rear.

1. Lots 1, 2 and 3, Block 1--25 feet.
2. Lots 4, 5, 6 and 7, Block 1--20 feet.
3. Lot 1, Block 2--25 feet.
4. Lots 2, 3, 4, 5 6 and 7, Block 2--20 feet.

Sec. 4-46 - F. H. Dunbar Tract.

- (a) Facing of lots.
 1. Lot 8 shall be deemed to face Old Cutler Road.

Sec. 4-47 - Flagler Street Section.

- (a) Building sites.
 1. No building site facing upon Ponce de Leon Boulevard shall contain less than two (2) platted lots, where such lots are less than fifty-five (55) feet in width.
 2. The west one-half (½) of Lot 46 and all of Lots 47 through 51, inclusive, Block 11, shall be considered as two (2) building sites as follows: (2853)
 - a. One building site to consist of the west one-half (½) of Lot 46, Lots 47, 48 and the east one-half (½) of Lot 49.
 - b. One building site to consist of the west one-half (½) of Lot 49 and Lots 50 and 51.
- (b) Facing of lots.
 1. Lots in Block 7 shall be deemed to face Ponce de Leon Boulevard.
- (c) Setbacks--Minimum front.
 1. All building sites abutting Flagler Street--35 feet from center line of Flagler Street.
- (d) Setbacks--Minimum side.
 1. All building sites abutting Flagler Street--35 feet from center line of Flagler Street.

Sec. 4-47-1 - French Estates. (3558)

Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Sec. 4-48 - French Village.

- (a) Architectural style. On lots 1, 2, 3 and 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, all new buildings and any additions and alterations to the existing buildings shall be of French

Normandy Village type architecture to conform with existing types of architecture in the blocks. Specific reference should be made to the review guide portion of the Designation Report for the French Normandy Village Historic Landmark District, adopted by ordinance of the City Commission. (2726)

(b) Building sites.

1. Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6 are determined to be building sites for the construction of residences.

(c) Courtyards.

1. Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 and Lots 11 through 16, inclusive, Block 6, shall be required to provide and maintain an open courtyard in the front yard area having an area of not less than one-hundred (100) square feet.

(d) Facing of lots.

1. The facings of residences constructed on Lots 1, 2, 3, 6 and 7, Block 4, shall conform to the facings of the other buildings in said Block 4.

(e) Floor area factor--Maximum.

1. On Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, the maximum floor area factor shall not exceed 1.22. The maximum square foot floor area shall be computed as set forth under Section 3-1(n) herein.

(f) Ground area coverage.

1. On Lot 5 and Lots 8 through 12, inclusive, Block 4, and Lots 12 through 16, inclusive, Block 6; the ground area coverage occupied by the main building and auxiliary structures shall not exceed a maximum of fifty-four (54%) percent and further providing that any increase of ground area coverage for existing buildings shall be carried out simultaneously with appropriate facade renovation and shall not exceed said maximum of fifty-four (54%) percent. Appropriate street facade renovation shall be approved by the Historic Preservation Board and by the Board of Architects and shall be in accordance with specific facade improvement guidelines established by the Historic

Preservation Board. (2506) (See Resolution No. 26248)

2. On Lots 1, 2, 3, 6 and 7, Block 4, and Lot 11, Block 6, the maximum ground area coverage occupied by the main building and auxiliary structures shall not exceed fifty-four (54%). (2711) (See Resolution No. 26248)

(g) Height of buildings.

1. All buildings constructed on Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 and Lots 11 through 16, inclusive, Block 6, shall not exceed a height of thirty-two (32) feet above the elevation of the sidewalk.

(h) Off-street parking.

1. There shall be provided one off-street parking space per lot for Lots 1, 2, 3, 6 and 7, Block 4.
2. All buildings constructed on Lots 5, 8, 9, 10, 11 and 12, Block 4, and Lots 11 through 16, inclusive, Block 6, shall be exempt from the off-street parking requirements contained in Section 13-6 (a) of this Code, unless the cost of improvements and/or modifications to the property exceed fifty (50%) percent of the assessed value of the property, at which time one off-street parking space would have to be provided. (2977)

(i) Roofs.

1. On Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, all roofs shall be pitched and the roof material shall be a terra-cotta colored clay tile/shingle or a concrete tile/shingle having a similar appearance as approved by the Historic Preservation Board and the Board of Architects. (2756)
2. Flat Roofs Without a Parapet (See Section 14)
3. Flat Roofs With An Eighteen (18) Inch Parapet. (See Section 14)

- (j) Septic tanks. Any new installation of septic tanks in connection with construction of new structures or additions to existing structures, shall be located and installed in the front or side yards where such structures are located, provided, however, that on Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, septic tanks may be permitted to be located in the rear yard.

- (k) Setbacks--Minimum front.
 1. The front setbacks for Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4, shall be zero (0) feet minimum.
 2. The front setbacks for Lots 11 through 16, inclusive, Block 6, shall be 0 feet minimum.
- (l) Setbacks--Minimum side.
 1. The side setbacks for Lots 1, 2, 3, and Lots 5 through 12, inclusive, Block 4 shall be zero (0) feet minimum.
 2. The side setbacks for Lots 11 through 16, inclusive, Block 6, shall be zero (0) feet minimum.
- (m) Setbacks--Minimum rear.
 1. The rear setbacks for Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 shall be twelve (12) foot minimum.
 2. The rear setbacks for Lots 11 through 16, inclusive, Block 6, shall be twelve (12) foot minimum.
- (n) Walls, fences shrubbery and hedges.
 1. Height.
 - a. No walls shall be permitted in the street side of Lots 1, 2, 3 and 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6.
 - b. Walls constructed in the rear and side yards on Lots 1, 2, 3, and 5 through 12, inclusive, Block 4, and Lots 11 through 16, inclusive, Block 6, may be erected to a maximum height of eight (8) feet provided, however, that no walls shall be permitted on the side street.
 2. Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls in the respective blocks:
 - a. Lots 1 through 12, inclusive, Block 4.
 - b. Lots 11 through 16, inclusive, Block 6.

Sec. 4-48-1 Gables Estates. (3384)

The following site specific regulations shall apply to the Gables Estates neighborhood.

- (a) Height of residences in flood hazard district. That portion of a single-family residence located above the garage in the coastal flood hazard district may in no case be more

than one story in height, and may be one story in height, subject to the following conditions and restrictions:

1. That the residence shall not exceed two and one-half (2½) stories in height.
 2. That the residence shall not exceed a height of forty-two (42) feet above established grade including ridgeline, domes, steeples, towers, cupolas, chimneys, decorative features, and other similar structures.
 3. That the additional building height from thirty-nine (39) feet to forty-two (42) feet shall be limited to properties with a minimum required side setback of thirty (30) feet or greater.
 4. That Lots 17 and 22 through 26, Block A and Lots 7, 16, 24 and 54, Block B shall be exempt from the thirty (30) foot side setback limitation required in item 3 of this subsection.
- (b) Determination of maximum square foot floor area. In addition to the general requirements for the determination of the maximum square foot floor area found in Section 3-1(n), the following shall not be computed in the determination of the maximum square foot floor area:
 1. Floor space in carports and porte-cocheres.
 - (c) Garage, private or garage apartment. A private garage, or garage apartment providing living quarters for the use only of members of the family living in the main residence building or servants employed on the premises, will be permitted as an auxiliary-use. Occupancy of garage apartments shall be limited to members of the family living in the main residence or to servants employed on the premises. Only one private garage or garage apartment attached to the main residence and one detached private garage or garage apartment shall be permitted upon the building site occupied or used by the main residence. No kitchen or cooking facilities shall be permitted in private garage or garage apartment. Garage doors shall not be permitted on the front elevation of a residence.
 - (d) Davits – Number. Two (2) sets of davits shall be permitted, subject to complying with all other requirements of Section 5-16 "Davits, Boat Lifts and Floating Boat Lifts." The second set of davits shall only be

permitted on properties with water frontage of one hundred (100) feet or more.

- (e) Cabana – Size. A Cabana may have a maximum area of three-hundred (300) square feet, subject to complying with all other requirements of Section 5-17 “Cabana.”
- (f) Tennis Courts – Setbacks. Subject to complying with all other requirements of Section 5-18 “Tennis Courts” the setbacks for illuminated tennis courts and non-illuminated tennis courts shall be as follows.
 - 1. Illuminated tennis courts are restricted from front and side street yards, and shall be required to comply with the minimum setback requirements required for the principal building.
 - 2. Non-illuminated tennis courts are restricted from front and side street yards. Non-illuminated tennis courts shall have a minimum side setback of ten (10) feet for each interior side, and shall comply with the rear setback requirements for the principal building. In those cases where the back nets of the tennis courts are retractable, a minimum setback of ten (10) feet, from the rear and waterway will be permitted. All retractable back nets shall be retracted when the tennis court is not in use.
- (g) Entry gates and columns – height. Entry gates and columns shall not exceed a height of eight (8) feet.
- (h) Mooring piles – height. Mooring piles shall not exceed a height of fourteen (14) feet over the mean water line, or as required by the Federal Emergency Management Agency (FEMA).

Sec. 4-49 - Gables Estates No. 2.

- (a) Setbacks--Minimum front.
 - 1. Lots 17 and 22 through 26, inclusive, Block A, and Lots 7, 16, 23, 24 and 54, Block B--35 feet.
 - 2. Lots 1 through 16, inclusive; Lots 18 through 21, inclusive; and Lots 27 through 38, inclusive, all in Block A and Lots 1 through 6, inclusive; Lots 8 through 15, inclusive; Lots 17 through 22, inclusive; Lots 25 through 53, inclusive; and Lot 56, all in Block B and Lots 1 and 2, Block C--50 feet.
- (b) Setbacks--Minimum side.

- 1. Lot 1, Block A--50 feet from Arvida Parkway (side street)--30 feet from inside property line.
- 2. Lot 5, Block A--50 feet from Casuarina Concourse (side street)--30 feet from inside property line.
- 3. Lots 2, 3, 4 and 6 through 16, inclusive; Lots 18 through 21, inclusive; Lots 27 through 38, inclusive, all in Block A, Lots 1 through 6, inclusive; Lots 8 through 15, inclusive; Lots 17 through 22, inclusive; Lots 25 through 53, inclusive; and Lot 56, all in Block B, and Lot 1, Block C--30 feet.
- 4. Lot 2, Block C--50 feet from Leucadendra Drive (side street)--30 feet from inside property line.
- (c) Setbacks--Minimum rear.
 - 1. Lot 5, Block A--30 feet from east property line.
 - 2. Lot 56, Block B--30 feet.
- (d) Setback from canal, waterway, lake or bay.
 - 1. The minimum setback from a waterway line, canal line or bay shore line, as platted, for Lots 1 through 16, inclusive; Lots 18 through 21, inclusive; and Lots 27 through 38, inclusive, all in Block A and Lots 1 through 6, inclusive; Lots 8 through 15, inclusive; Lots 17 through 22, inclusive; and Lots 25 through 53, inclusive, all in Block B, and Lots 1 and 2 in Block C shall be fifty (50) feet.
- (e) Required conditions. Lots 14 and 15, Block B, located at 325 Leucadendra Drive be considered two (2) building sites, subject to certain conditions: (3269)
 - 1. That owner shall be required to remove the existing encroachments unto Lot 15 of the subject property, including patio, gate, wrought-iron fence, parking court, and boat davits.
 - 2. That the driveway and the concrete seawall along the entire perimeter of the property be retained, if possible.
 - 3. That all setback requirements shall be required to be met.
 - 4. That a restrictive covenant shall be executed by the owner in a manner acceptable to the City Attorney and duly recorded, in exchange for the existing restrictive covenant.

Sec. 4-50 - Gables Estates No. 3.

- (a) Building sites. Lots 21 and 22, Block C, shall be considered as two (2) building sites as follows: (2861)
 - 1. One building site to consist of Lot 21.
 - 2. One building site to consist of Lot 22.
- (b) Setbacks--Minimum front.
 - 1. All lots--50 feet.
 - 2. Parcel C to be established.
- (c) Setbacks--Minimum side.
 - 1. All lots--30 feet.
 - 2. Parcel C to be established.
- (d) Setback from canal, waterway, lake or bay.
 - 1. The minimum setback from waterway line, canal line or bay shore line, as platted, shall be fifty (50) feet.

Sec. 4-51 - Gables Estates No. 4.

- (a) Facing of lots.
 - 1. Tract E and Lots 1A, 1B, 2 and 3, Block G shall be deemed to face both Old Cutler Road and Arvida Drive.
- (b) Setbacks--Minimum front.
 - 1. Tract E and all lots in Blocks F and G--50 feet.
- (c) Setbacks--Minimum side.
 - 1. Tract E--50 feet from Arvida Parkway.
 - 2. Lots 1A, 1B, 2, 3, 4 and 7, Block G, and all lots in Block F--30 feet.
- (d) Setbacks--Minimum rear.
 - 1. Lots 4 and 7, Block G--50 feet.
- (e) Setback from canal, waterway, lake or bay.
 - 1. The minimum setback from a waterway line, canal line or bay shore line, as platted, shall be fifty (50) feet for all buildings or portions thereof designed and used for residential purposes.

Sec. 4-52 - Golden Gate Section.

- (a) Architectural style. In the Golden Gate Subdivision, such type of architecture shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.
- (b) Setbacks--Minimum front.
 - 1. All building sites abutting Grand Avenue--5 feet from Grand Avenue.
 - 2. All building sites in R-Use Districts--15 feet.
- (c) Roofs--Pitched roof materials.
 - 1. Pitched roofs may be covered with roofing material meeting the

requirements of Class A or B specifications of the Underwriters Laboratories, Incorporated.

- (d) Walls and fences--Materials and specifications.
 - 1. Wood picket fences shall be permitted on residential lots, subject to the following conditions:
 - a. Such fences shall be of cedar, cypress, or redwood, with four (4) inch by four (4) inch terminal posts, two (2) inch by four (4) inch intermediate posts, wood rails and pickets one inch thick. Pickets shall be placed so as to provide a space between of not less than one-half (½) the width of the picket.
 - b. All such fences shall be painted on each side with an appropriate and harmonious color, and shall be maintained and kept in repair by replacing all rotting wood. Construction and painting shall be completed within a reasonable time after issuance of permit therefore, to be determined by the Building Official.

Sec. 4-53 - Granada Section.

- (a) Building sites.
 - 1. No building site facing upon Granada Boulevard shall contain less than two (2) platted lots where such lots are less than fifty-five (55) feet in width; and no building site in Granada Section facing upon Country Club Prado shall have less than seventy-five (75) feet street frontage.
 - 2. Lots 14 and 15, Block 80 shall be considered as two (2) building sites as follows:
 - a. Lot 14 shall be subject to use for a single-family residence.
 - b. Lot 15 shall be subject to use for off-street parking in connection with the funeral chapel located on Lots 1, 2 and 3, Block 80.
 - c. That should the off-street parking be discontinued on said Lot 15, said Lots 14 and 15 shall be subject to the provisions of Section 3(b) of Ordinance No. 2469.

3. Lot 20 and the east 6.36 feet of Lots 21 and 22, Block 8, shall be considered as one building site. (2606)
 4. Lot 5, Block 4F, shall be considered as a separate building site. (2762)
 5. The north half of Lot 19 and all of Lots 20, 21 and 22, Block 72, shall be considered as two (2) building sites as follows: (2970)
 - a. One building site to consist of the north half of Lot 19 and all of Lot 20;
 - b. One building site to consist of Lots 21 and 22.
 6. Lots 11, 12, 13, 20, 21, 22 and the south 15 feet of Lots 10 and 23, Block 77, shall be considered as three (3) building sites as follows: (2993)
 - a. One building site to consist of the north half of Lot 12, Lot 11 and the south 15 feet of Lot 10.
 - b. One building site to consist of Lot 13 and the south half of Lot 12.
 - c. One building site to consist of Lots 20, 21, 22 and the south 15 feet of Lot 23.
- (b) Facing of lots.
1. All lots in Block 36 shall be deemed to face Venetia Avenue.
 2. Lot 7, Block 1F, shall be deemed to face Granada Boulevard.
- (c) Height of buildings.
1. Buildings constructed on Lot 3, Block 81, shall be restricted to one story in height.
- (d) Setbacks--Minimum front.
1. Facing upon Algeria Avenue in Lots 11 through 14, inclusive, Block 15--15 feet.
 2. Facing upon Country Club Prado--35 feet.
 3. Facing upon Granada Boulevard in Block 4F--15 feet.
- (e) Setbacks--Minimum side.
1. Lot 3, Block 81--12 feet from the south property line.

Sec. 4-54 - Guma Subdivision.

- (a) Setbacks--Minimum side.
1. Lot 1, Block 1--25 feet from Avenue Coruna--10 feet from the south lot line.
 2. Lot 2, Block 1--10 feet.

- (b) Setbacks--Minimum rear.
1. Lot 1, Block 1--10 feet.
- (c) Setback from canal, waterway, lake or bay.
1. The minimum setback from a canal or waterway line, as platted, shall be twenty-five (25) feet for Lot 2, Block 1.

Sec. 4-55 - Hammock Heights.

- (a) Facing of lots.
1. Lot 3, Block 1 shall be deemed to face south.
 2. Lot 1, Block 2 shall be deemed to face south.
 3. Lot 2, Block 3 shall be deemed to face north.
 4. Lots 1 and 6, Block 4 shall be deemed to face north.
- (b) Setbacks--Minimum front.
1. Lot 1, Block 4--35 feet.
- (c) Setbacks--Minimum side.
1. Lot 1, Block 1--25 feet from west lot line.
 2. Lot 1, Block 1--20 feet from east lot line.
 3. Lot 2, Block 1--10 feet.
 4. Lot 3, Block 1--10 feet from west lot line.
 5. Lot 3, Block 1--15 feet from east lot line.
 6. Lot 1, Block 2 and Lot 1, Block 3--15 feet from west lot line.
 7. Lot 1, Block 2, and Lot 1, Block 3--10 feet from east lot line.
 8. Lot 1, Block 4--35 feet from west lot line.
 9. Lot 1, Block 4--20 feet from east lot line.
 10. Lots 2, 3, 4 and 5, Block 4--10 feet.
 11. Lot 6, Block 4--10 feet from west lot line.
 12. Lot 6, Block 4--15 feet from east lot line.
- (d) Setbacks--Minimum rear.
1. Lots 1, 2 and 3, Block 1--10 feet.
 2. Lot 1, Block 2--10 feet.
 3. Lot 1, Block 3--10 feet.
 4. Lots 1, 2, 3, 4, 5 and 6, Block 4--10 feet.

Sec. 4-56 - Hammock Lakes.

The Hammock Lakes area is that neighborhood which is commonly known as Hammock Lakes and which was annexed into the City on July 31, 1996. (3247, 3495)

- (a) Architectural type. The primary architectural feature of Hammock Lakes is the landscape, which includes irregular topography, two lakes, stands of gumbo limbos, oaks, and other native vegetation. A predominant part of the landscape is the use of native coral rock in slabs as fence material or as individual landscape boulder type decoration. Homes are built in the classical contemporary style; however, there are homes built in other classical styles. It shall be the duty of the Board of Architects to insure that any addition to an existing structure in the Hammock Lakes area be consistent with the existing architecture of the structure and any new buildings must be compatible with the landscape environs and the architecture of neighboring structures.
- (b) Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.
- (c) Building sites. No new building site shall contain less than one fully platted lot and have an area of less than one (1) acre. The minimum lot width of any new building site shall be one-hundred and twenty-five (125) feet. All existing building sites shall be as existing at the time Hammock Lakes was annexed into the City on July 31, 1996 and shall be deemed in conformity with this Ordinance.
- (d) Ground coverage. No single-family residence shall occupy more than fifteen (15%) percent of the ground area of the building site upon which the residence is erected. In addition, up to five (5%) percent of the rear yard may be used for accessory uses and structures.
- (e) Height of buildings. No single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site.
- (f) Height of walls and fences. Walls and fences may have a maximum height of six (6) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements of this code.
- (g) Roof--Materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for the existing buildings in the Hammock Lakes area.
- (h) Setbacks--Principal building.
1. All lots shall provide a minimum front setback of fifty (50) feet.
 2. All lots shall provide a minimum side setback of fifteen (15) feet.
 3. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
 4. All lots shall provide a minimum rear setback of twenty-five (25) feet.
 5. All lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of thirty-five (35) feet.
 6. All lots located on Hammock Lake No. 2 shall provide a minimum waterfront setback which coincides with the building line as shown on the plat.
- (i) Setbacks--Accessory buildings general.
1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
 2. All accessory buildings shall provide a minimum side setback of twenty feet (20) feet.
 3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
 4. All accessory buildings shall provide a minimum rear setback of seven feet six inches (7' 6").
 5. All accessory buildings on lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of seven feet six inches (7' 6"). No accessory building shall be built closer to the water in Hammock Lake No. 2 than the building line as shown on the plat.
- (j) Setbacks--Swimming pools.
1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
 2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
 3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.

4. Swimming pools not located on a water body shall provide a minimum rear setback of seven feet, six inches (7' 6").
 5. Swimming pools on lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of seven feet, six inches (7' 6").
 6. Decks on lots located on Hammock Lake No. 2 shall provide a minimum rear setback of forty (40') feet and swimming pools a minimum rear setback of forty-five (45) feet.
- (k) Setbacks--Tennis courts.
1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
 2. Tennis courts shall provide a minimum side setback of twenty (20) feet.
 3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
 4. Tennis courts shall provide a minimum rear setback of seven feet six inches (7' 6").
 5. Tennis courts on lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of seven feet, six inches (7' 6").
 6. Tennis courts on lots located on Hammock Lake No. 2 shall provide a minimum waterfront setback which coincides with the building line as shown on the plat.
- (l) Setbacks--Screened enclosures.
1. Screened enclosures shall provide a minimum front setback of seventy-five (75) feet.
 2. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
 3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
 4. Screened enclosures shall provide a minimum rear setback of six (6) feet.
 5. Screened enclosures on lots located on Hammock Lake No. 1 (Hammock Lake Park Subdivision) shall provide a minimum waterfront setback of seven feet, six inches (7' 6").
 6. No screened enclosure shall be built closer to the water on Hammock Lake No. 2 than the building line as shown on the plat.
- (m) As according to the South Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any 12 month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.
- (n) No boathouse or other structure shall be erected on the shore of lakes or extended into the waters thereof unless the same shall be approved by a majority of the owners of other property fronting on said lake.
- (o) No encroachments of imported earth, sand, gravel or fill of any kind and no petroleum based fuel motors of any kind shall be allowed on Hammock Lake No. 2.
- (p) No grading or filling shall be allowed closer to the water on Hammock Lake No. 2 than the minimum rear setback of forty feet (40') provided for decks on lots on Hammock Lake No. 2.
- Sec. 4-56-1 - Hammock Lake No. 2. (3558)**
- Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.
- Sec. 4-56-2 - Hammock Lake Park. (3558)**
- Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.
- Sec. 4-56-3 - Hammock Park. (3558)**
- Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.
- Sec. 4-56-4 - First Addition Hammock Park. (3558)**
- Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.
- Sec. 4.57 - Hammock Oaks Harbor.**
- (a) Facing of lots.

1. Lots 1 and 7, Block 1 shall be deemed to face north.
 2. Lot 15, Block 1 shall be deemed to face east.
 3. Lot 16, Block 1 shall be deemed to face west.
- (b) Setbacks--Minimum front.
1. Lots 1 through 23, inclusive, Block 1--35 feet.
 2. Lots 24 through 31, inclusive, Block 1--30 feet.
- (c) Setbacks--Minimum side.
1. Lot 1, Block 1--30 feet from Old Cutler Road--10 feet from inside lot line.
 2. Lot 7, Block 1--35 feet from Monfero Street--10 feet from inside lot line.
 3. Lots 15 and 16, Block 1--15 feet from Avenue Neda--10 feet from inside lot line.
 4. Lots 2 through 6, inclusive; Lots 8 through 14, inclusive; and Lots 17 through 31, inclusive, all in Block 1--10 feet from each side lot line.
- (d) Setbacks--Minimum rear.
1. A minimum rear setback of ten (10) feet shall be maintained and required on all lots.

Sec. 4-58 - Hammock Oaks Harbor Section 2.

- (a) Facing of lots.
1. Lot 8, Block 3 shall be deemed to face east.
 2. Lot 22, Block 3 shall be deemed to face south.
 3. Lot 45, Block 3 shall be deemed to face north.
- (b) Setbacks--Minimum front.
1. Lots 1 through 12, inclusive, Block 2--35 feet.
 2. Lots 1 through 39, inclusive, Block 3--35 feet.
 3. Lots 40 through 45, inclusive, Block 3--30 feet.
 4. Lot 46, Block 3--35 feet.
- (c) Setbacks--Minimum side.
1. Lots 1 through 12, inclusive, Block 2--10 feet from each side lot line.
 2. Lots 1 through 44, inclusive, and Lot 46, all in Block 3--10 feet from each side lot line.
 3. Lot 8, Block 3--35 feet from Avenue Campana.
 4. Lot 22, Block 3--35 feet from Avenue Monfero.

5. Lot 45, Block 3--35 feet from Avenue Monfero.
- (d) Setbacks--Minimum rear.
1. Lots 1 through 12, inclusive, Block 2--10 feet.
 2. Lot 45, Block 3--25 feet.
- (e) Setbacks from canal, waterway, lake or bay.
1. The minimum setback from a waterway line as platted, shall be twenty-five (25) feet for Lots 1 through 46, inclusive, Block 3.

Sec. 4-59 - Hammock Oaks Harbor Section 3.

- (a) Facing of lots.
1. Lot 22, Block 2 shall be deemed to face north.
 2. Lot 1, Block 4 shall be deemed to face west.
 3. Lot 3, Block 4 shall be deemed to face east.
 4. Lot 4, Block 4 shall be deemed to face west.
- (b) Setbacks--Minimum front.
1. Lots 13 through 26, inclusive, Block 2--35 feet.
 2. Lots 1 through 5, inclusive, Block 4--35 feet.
- (c) Setbacks--Minimum side.
1. Lots 13 through 21, inclusive, Block 2--10 feet.
 2. Lot 22, Block 2--10 feet from inside line--35 feet from side street.
 3. Lots 23, 24, 25 and 26, Block 2--10 feet.
 4. Lot 1, Block 4--10 feet from inside lot line. --25 feet from side street.
 5. Lot 2, Block 4--10 feet.
 6. Lots 3 and 4, Block 4--10 feet from inside line.
 7. Lot 5, Block 4--10 feet.
- (d) Setbacks--Minimum rear.
1. Lots 13 through 18, inclusive, Block 2--10 feet.
 2. Lot 22, Block 2--10 feet.
 3. Lot 1, Block 4--35 feet.
 4. Lots 2, 3, 4 and 5, Block 4--10 feet.
- (e) Setbacks from Canal, Waterway, Lake or Bay.
1. The minimum setback from the waterway line, canal line or lake, as platted, shall be twenty-five (25) feet for Lots 19 through 26, inclusive, Block 2.

Sec. 4-60 - H. H. B. Property.

(a) Building sites.

1. Lot 1 less a .0263 acre triangular portion of land extending along the southern property line and more fully described in Warranty Deed No. 114721683 recorded in Miami-Dade County on June 17, 1982, of Block 1, shall be considered as one building site. (2657)

(b) Facing of lots.

1. Lot 1, Block 1 shall be deemed to face both Arvida Parkway on the north and Arvida Parkway on the southeast.

(c) Setbacks--Minimum front.

1. Lots 1, 2, and 3, Block 1--50 feet.

(d) Setbacks--Minimum side.

1. Lot 1, Block 1--30 feet from lot line abutting Lot 2 on the south.
2. Lot 2, Block 1--30 feet from lot line abutting Lot 1 on the north. --30 feet from lot lines abutting Lot 3 on the south and east.
3. Lot 3, Block 1--30 feet from lot lines abutting Lot 2 on the north and west. -30 feet from the easterly lot line.

(e) Setback from canal, waterway, lake or bay.

1. The minimum setback from a waterway line, canal line or bay shore line, as platted, shall be fifty (50) feet for Lots 1, 2 and 3, Block 1.

Sec. 4-61 - Industrial Section.

(a) Architectural style.

1. In the Industrial Section such type of architecture shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.

(b) Height of buildings.

1. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy-two (72) feet in height whichever is less.
 - a. Lots 7 through 21, inclusive, Block 1.
 - b. Lots 5 through 38, inclusive, Block 2.
 - c. Lots 5 through 38, inclusive, Block 3.
 - d. Lots 1 through 38, inclusive, Block 4.

- e. All lots and tracts in Blocks 5, 6, 7, 12, 13, 14, 16 and 17.

- f. All in Block 8.

- g. Lots 1 through 11, inclusive, Block 9.

- h. Lots 21 through 46, inclusive, Block 10.

- i. All of the Replat of Blocks 10 and 11.

- j. Lots 3 through 39, inclusive, Block 5.

- k. All of Block 18 east of a line extending from the southeast corner of Lot 20, Block 10 south to the northeast corner of Lot 3, Block 15.

2. No building and/or structure to be used for manufacturing purposes shall be erected or altered on the following described property, to exceed three (3) stories or forty-five (45) feet in height, whichever is less:

- a. Lots 7 through 21, inclusive, Block 1.

- b. Lot 5 through 38, inclusive, Block 2.

- c. Lots 5 through 38, inclusive, Block 3.

- d. Lots 22 through 38, inclusive, Block 4.

- e. Lots 44 through 63, inclusive, Block 5.

- f. Lots 12 through 22, inclusive, Block 6.

- g. All lots and tracts in Blocks 7, 12, 13 and 14.

- h. All of Block 8.

- i. Lots 1 through 11, inclusive, Block 9.

- j. Lots 21 through 46, inclusive, Block 10.

- k. All of the Replat of Blocks 10 and 11 less east one-hundred-ten (110) feet.

- l. Lots 4 through 39, inclusive, Block 15.

- m. All of Block 18 east of a line extending from the southeast corner of Lot 20, in Block 10, south to northeast corner of Lot 3, Block 15.

- n. Tracts A, B and C of Replat of Block 16.

- o. Lots 1 through 83, inclusive, Block 17.

(c) Roofs.

1. Pitched Roof Material. Pitched roofs may be covered with roofing material meeting the requirements of Class A or B specifications of the Underwriters Laboratories, Incorporated. (See Section 14)
- (d) Signs--Location Upon buildings, cantilevers and marquees. (See Section 18-5)
- (e) Walls and fences.
 1. Wire fences may be erected provided that such wire fences are not located closer than one-hundred (100) feet to Bird Road, LeJeune Road or Ponce de Leon Boulevard.
 2. Height. Wire fences may be erected to a maximum height of eight (8) feet. Not more than three (3) strands of barbed wire may be attached to the top of such eight (8) foot high fence at a forty-five (45) degree angle facing toward the inside of the property.

Sec. 4-61-1 - Journey's End Addition. (3558)

Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Sec. 4-62 - Journey's End Estates.

- (a) Facing of lots.
 1. Lot 1 shall be deemed to face north.
 2. Lot 5 shall be deemed to face north.
 3. Lot 8 shall be deemed to face west.
 4. Lot 12 shall be deemed to face west.
 5. Lots 13 and 14 shall be deemed to face east.
 6. Lot 15 shall be deemed to face south.
- (b) Setbacks--Minimum front.
 1. Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16 and 17--75 feet.
 2. Lot 11--75 feet from cul-de-sac.
 3. Lot 12--125 feet.
 4. Lot 18--210 feet from cul-de-sac.
- (c) Setbacks--Minimum side.
 1. Lot 1--30 feet from inside line--50 feet from Old Cutler Road.
 2. Lots 2, 3, 4, 6, 7, 9, 10, 14, 16 and 17--30 feet.
 3. Lot 5--30 feet from west--75 feet from east.
 4. Lot 8--30 feet from inside line--75 feet from side street.
 5. Lot 11--30 feet from south.

6. Lot 12--30 feet from inside line--75 feet from side street.
7. Lot 13--30 feet from inside line--75 feet from side street.
8. Lot 15--30 feet from south. --30 feet from east. --50 feet from Old Cutler Road.
- (d) Setbacks--Minimum rear.
 1. Lots 1, 2, 3 and 4--50 feet.
 2. Lot 5--60 feet from south.
 3. Lots 13 and 14--50 feet from Old Cutler Road.
 4. Lot 15--30 feet from north.
- (e) Setback from canal, waterway, lake or bay.
 1. The minimum setback from a canal or waterway line, as platted, shall be as follows:
 - a. Lot 6--50 feet from east 30 feet.
 - b. Lots 7, 8, 9, 10, 11, 12, 16, 17 and 18--50 feet.

Sec. 4-63 - Section K.

- (a) Height of buildings.
 1. No buildings and/or structures shall be constructed or erected on the following described property, to exceed three (3) stories or forty-five (45) feet in height, whichever is less:
 - a. Lots 1, 2, 3 and 4 in Blocks 8, 9, 18, 19, 26, 27, 35 and 36.
 - b. Lots 45, 46, 47 and 48 in Blocks 8, 9, 18, 19, 26, 27 and 35.
 2. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy (70) feet in height, whichever is less:
 - a. Lots 1 through 24, inclusive, Block 1.
 3. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
 - a. Lots 5 through 44, inclusive, in Blocks 8, 9, 18, 19, 26, 27 and 35.
 - b. Lots 5 through 45, inclusive, Block 36.
 - c. All lots in Blocks 2, 7, 10, 17, 20, 25, 28, 34 and 37.
 4. No commercial buildings and/or structures shall be erected or altered on the following described property to

exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:

- a. Lots 21, 22, 23 and 24, Block 2.
- b. Lots 21 through 28, inclusive, Block 7.
- c. Lots 20 through 28, inclusive, Block 10.
- d. Lots 21 through 48, inclusive, Block 17.
- e. Lots 25 through 44, inclusive, Block 18.
- f. Lots 5 through 44, inclusive, in Blocks 19, 26, 27 and 35.
- g. Lots 5 through 45, inclusive, Block 36.
- h. All lots in Blocks 20, 25, 28, 34 and 37.

5. A multi-story building approximately one-hundred-fifteen (115) feet in height, consisting of seven (7) floors of general office with the erection of a penthouse on top of such building, may be constructed on Lots 39 through 48, inclusive, Block 27, Section K, according to Plat Book 8, Page 33 of the Public Records of Miami-Dade County, Florida.

(b) Setbacks--Minimum side.

1. Lot 25, Block 27--5 feet from Salzedo Street.

Sec. 4-63.1 - Kerwood Oaks. (3558)

Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Sec. 4-63.2 - Kings Bay. (2004-48)

(a) Code compliance agreements at time of annexation (Resolution No. 28970).

1. All construction prior to annexation which has been properly permitted by Dade County will be allowed to continue as is.
2. Any construction prior to annexation allowed by the Dade County Code, which did not require a permit, will be allowed to continue as is.
3. If it is determined at a future date that construction prior to annexation was built without the proper and required permits from Dade County, that construction element cannot be

allowed to continue as is, and the property owner shall be required to apply for an after-the-fact permit from Coral Gables.

4. Compliance is required with all City and zoning regulations for all new construction, additions or remodeling initiated after annexation as included herein.
5. For the purpose of this section, the date of annexation shall be October 1, 2003, which is the service date that services were transferred from Miami-Dade County to the City.

(b) Architectural type. Kings Bay is a neighborhood of single-family residences which have been developed with the character, materials and physical massing similar to those constructed within the City of Coral Gables east of Old Cutler Road. It shall be the duty of the Board of Architects to insure that any addition to an existing structure in Kings Bay be consistent with the existing architecture of the structure and any new building must be compatible with the architecture of neighboring structures.

(c) Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.

(d) Building sites. No new building site which faces S.W. 67th Avenue (Ludlam Road) shall contain less than one fully platted lot and have an area of not less than 1 acre (gross acreage - as measured to adjacent street centerline), and the minimum lot width of any new building site shall be one-hundred and twenty-five (125) feet. No new building site which does not face S.W. 67th Avenue (Ludlam Road) shall contain less than one fully platted lot and have an area of less than fifteen thousand (15,000) square feet (gross acreage - as measured to adjacent street centerline) and the minimum lot width of any new building site shall be one-hundred and twenty (120) feet.

(e) Ground coverage. No single-family residence facing S.W. 67th Avenue (Ludlam Road) shall occupy more than fifteen (15) percent of the ground area of the building site upon which the residence is erected and upto five (5) percent of the rear yard may be used for accessory uses and structures. No single-family residence not facing S.W. 67th Avenue (Ludlam Road)

- shall occupy more than thirty (30) percent of the ground area of the building site upon which the residence is erected and up to twenty (20) percent of the rear yard may be used for accessory uses and structures.
- (f) Height of buildings. No new single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site.
 - (g) Height and Materials of Walls and fences. Walls and fences may be constructed of wood and all other materials permitted by this code, have a maximum height of six (6) feet; provided that in no case shall a wall or fence violates the triangle of visibility requirements of this code.
 - (h) Roof-Materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for other existing buildings in the Kings Bay area, as determined by the City's Building and Zoning Director and approved by the Board of Architects. Roofs of existing structures shall be permitted to remain and be re-roofed and/or repaired in the same type as at time of annexation.
 - (i) Chickee Huts. All chickee huts existing at the time of annexation shall be permitted to remain, and shall be allowed to be rethatched and maintained as required and necessary.
 - (j) Prefabricated Chimneys. Prefabricated chimneys shall be permitted, and shall require review and approval by the Board of Architects.
 - (k) Finger Piers. Finger Piers are allowed for Lots 75 through 95 on the Kings Bay turning basin only, and a maximum of two per property shall be permitted not to exceed or extend more than twenty-five (25) feet from bank or sea wall of the turning basin. Vessels shall be permitted to be moored perpendicular to the bank or sea wall within the turning basin.
 - (l) Setbacks. Principal Building.
 1. All lots facing S.W. 67th Avenue (Ludlam Road) shall provide a minimum front setback of fifty (50) feet.
 2. All lots not facing S.W. 67th Avenue (Ludlam Road) shall provide a minimum front setback of twenty-five (25) feet.
 3. All lots shall provide a minimum side setback of fifteen (15) feet.
 4. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
 5. All lots shall provide a minimum rear setback of twenty-five (25) feet.
 6. All lots located on a waterway shall provide a minimum water front setback of twenty-five (25) feet.
 - (m) Setbacks. Accessory buildings general.
 1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
 2. All accessory buildings shall provide a minimum side setback of twenty (20) feet.
 3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
 4. All accessory buildings shall provide a minimum rear setback of seven feet six inches (7'6").
 5. All accessory buildings on lots located on a waterway shall provide a minimum water front setback of seven feet six inches (7'6").
 - (n) Setbacks. Swimming pools.
 1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
 2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
 3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
 4. Swimming pools shall provide a minimum rear setback of seven feet six inches (7'6").
 5. All swimming pools on lots located on a waterway shall provide a minimum setback of seven feet six inches (7'6").
 - (o) Setbacks. Tennis courts.
 1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
 2. Tennis courts shall provide a

- minimum side setback of fifteen (15) feet.
- 3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of fifteen (15) feet.
- 4. Tennis courts shall provide a minimum rear setback of seven feet six inches (7'6").
- 5. All tennis courts on lots located on a waterway shall provide a minimum setback of seven feet six inches (7'6").
- (p) Setbacks. Screened enclosures.
 - 1. Screened enclosures of lots which face S.W. 67th Avenue (Ludlam Road) shall provide a minimum front setback of fifty (50) feet.
 - 2. Screened enclosures of lots which do not face S.W. 67th Avenue (Ludlam Road) shall provide a minimum front setback of twenty-five (25) feet.
 - 3. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
 - 4. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
 - 5. Screened enclosures shall provide a minimum rear setback of six (6) feet.
 - 6. All screened enclosures on lots located on a waterway shall provide a minimum setback of seven feet six inches (7'6").
- (q) As according to the Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any 12 month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.
- (r) For the purposes of this section, all setbacks from a waterway shall be taken from the top of slope, which shall be defined as the tie line as indicated on the property survey.

Sec. 4-64 - Section L.

- (a) Height of building.
 - 1. No apartment building and/or structures shall be erected or altered to exceed thirteen (13) stories or one-

- hundred-fifty (150) feet in height, whichever is less:
 - a. All lots, blocks and parcels.
- 2. No commercial buildings and/or structures shall be erected or altered to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
 - a. All lots in Blocks 3, 6, 11, 16, 21, 23, 24, 29, 30, 31, 32, 33, 38, 39, and replat of Blocks 32 and 39.
- (b) Off-street parking.
 - 1. There shall be required and there shall be provided and maintained off-street parking for Lots 1 through 8, inclusive, and Lots 43 through 48, inclusive, Block 30, as stipulated in Ordinance No. 1273.
- (c) Setbacks--Minimum front.
 - 1. Lots 16 through 40, inclusive, Block 22--10 feet.
 - 2. Lots 1 through 8, inclusive, Block 30--3 feet.
 - 3. Lots 9 through 25, inclusive, Block 30--10 feet.

Sec. 4-65 - Leyshon Property (Tract One).

- (a) Facing of lots.
 - 1. Parcel 1 shall be deemed to face Old Cutler Road.
 - 2. Parcels 2 and 5 shall be deemed to face east.
 - 3. Parcels 3 and 4 shall be deemed to face west.
- (b) Setbacks--Minimum front.
 - 1. Parcel 1--35 feet from Old Cutler Road.
 - 2. Parcels 2 and 5--55 feet from east lot line.
 - 3. Parcels 3 and 4--55 feet from west lot line.
- (c) Setbacks--Minimum side.
 - 1. Parcels 1, 2, 3, 4, and 5--10 feet.
- (d) Setbacks--Minimum rear.
 - 1. Parcels 1, 2, 3, 4, and 5--15 feet.

Sec. 4-66 - MacFarlane Homestead.

- (a) Architectural style.
 - 1. In the MacFarlane Homestead Section, such type of architecture shall be permitted as approved by the Board of Architects as being

- harmonious with the immediate neighborhood.
- (b) Building sites.
1. Lot 2, Block 2B, having a frontage of forty-five (45) feet shall be considered a building site.
 2. Lot 3, Block 2B, having a frontage of forty-five (45) feet shall be considered a building site. (2800)
- (c) Height of buildings.
1. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed six (6) stories or seventy-two (72) feet in height, whichever is less: MacFarlane Homestead and St. Albans Park.
 - a. Tracts A and B, Block 5.
 - b. Tract 1.
 2. No buildings and/or structures to be used for manufacturing purposes shall be erected or altered on the following described property, to exceed three (3) stories or forty-five (45) feet in height, whichever is less: MacFarlane Homestead and St. Albans Park
 - a. Tracts A and B, Block 5.
 - b. Tract 1.
- (d) Roofs.
1. Pitched roofs may be covered with roofing material meeting the requirements of Class A or B specifications of the Underwriters Laboratories, Incorporated. (See Section 14)
- (e) Setbacks--Minimum front.
1. On all building sites abutting Grand Avenue--20 feet from Grand Avenue.
 2. On all building sites in R-Use Districts--15 feet.
- (f) Walls and fences--Materials and specifications.
1. Wood picket fences shall be permitted on residential lots subject to the following conditions:
 - a. Such fences shall be of cedar, cypress, or redwood with four (4) inch by four (4) inch terminal posts, two (2) inch by four (4) inch intermediate posts, wood rails and pickets one inch thick. Pickets shall be placed so as to provide a space between of not less than one-half ($\frac{1}{2}$) the width of the picket.

- b. All such fences shall be painted on each side with an appropriate and harmonious color, and shall be maintained and kept in repair by replacing all rotting wood. Construction and painting shall be completed within a reasonable time after issuance of permit thereof, to be determined by the Building Official.

Sec. 4-67 - Mahi Canal. (3204)

- (a) Setbacks from Mahi Canal.
1. The minimum setback from the north side of Mahi Canal, as dug, shall be thirty-five (35) feet for screened enclosures.
 2. The minimum setback from the south side of the Mahi Canal, as platted, shall be twenty-five (25) feet for screen enclosures.
- (b) Docks, wharves, davits, boat lifts and mooring piles, and the mooring of boats.
1. No dock, wharf, davits, boat lifts, or similar structure shall be constructed over or in the Mahi Canal or on land abutting thereon which permanently extends more than five (5) feet outward from the bank of such canal.
 2. Floating boat lifts shall not be permitted.
 3. Where there is a reasonable area along the shore of the Mahi Canal which is at such a level as to provide a natural landing stage or platform for persons embarking on or debarking from boats, then fender or mooring piles may be placed at a distance not greater than eighteen (18) inches from the bank or shore.
 4. Mooring piles shall be Venetian type and ornamentally capped.
 5. No dock, wharf, davits, boat lifts, or similar structure, and boat moored thereto shall in total protrude into or over the water more than twenty-five (25%) percent of the width of the waterway where such dock, wharf or similar structure and moored boat or boats on davits or boat lifts are located; except as follows:
 - a. The twenty-five (25%) percent in which a dock, wharf, davits, boat lifts, or similar structure, and

boat moored thereto may in total protrude into or over the water shall be proportionately reduced for the properties on each side of the waterway where there will be less than thirty (30) feet of open and unobstructed navigable waterway at mean high tide. The center of the thirty (30) feet of open and unobstructed navigable waterway shall be measured from the center of the Mahi Canal.

- b. That in no case shall the distance between boats moored on opposing banks leave less than a minimum of thirty (30) feet of open and unobstructed navigable waterway at mean high tide, except as follows:
 - i. That any boat owned by the property owner of property on the Mahi Canal as of November 12, 1996 and which has a minimum twenty-five (25) feet of open and unobstructed navigable waterway at mean high tide, may continue to be moored at the property until such time as the property and/or the non-conforming boat is sold. Any new boat or property owner who purchases property on the Mahi Canal after November 12, 1996 will have to comply with all of the requirements of this Section for the mooring of boats along the Mahi Canal.
 - c. That in no case shall any dock, wharf, davits, boat lifts, or similar structure, and boat moored thereto protrude more than twenty-five (25) feet into or over the Mahi Canal.
6. All mooring piles, docks, wharves, davits, boat lifts, and similar structures shall maintain the same minimum setback from the adjacent owner's property line extended as established for the main structure permitted on each building site, except as

described for specific properties as provided for in this Section.

- 7. Any dock, wharf, davits, boat lifts and similar structures on the Mahi Canal which is destroyed, damaged, or in need of repair or replacement, and the cost of which will exceed fifty (50%) percent of the total replacement cost of the dock, wharf, davits, boat lift, and similar structure will not be replaced or reconstructed except in conformity with these regulations.

Sec. 4-68 - Mar Street Subdivision.

- (a) Facing of lots.
 - 1. Lots 1 and 15, Block 1 shall face Mar Street. (2593)
- (b) Setbacks--Minimum front.
 - 1. Lots 1 through 15, inclusive, Block 1--25 feet. (2593)
- (c) Setbacks--Minimum side.
 - 1. Lots 1 through 15, inclusive, Block 1, shall have a minimum side setback of 10 feet, except that on corner lots where two streets intersect, the minimum side setback from the side street shall be a minimum of twenty-five (25) feet. (2593)
- (d) Setbacks--Minimum rear.
 - 1. On a lot or building site not abutting upon a canal, waterway, lake or bay--12 feet.

Sec. 4-68-1 - Matheson Hammock Park. (3558)

Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Sec. 4-69 - Old Cutler Bay Section 1.

- (a) Facing of lots.
 - 1. Lot 2, Block 1 shall be deemed to face north.
 - 2. Lots 13, 14, 17, 18 and 20, Block 2 shall be deemed to face north.
 - 3. Lot 21, Block 2 shall be deemed to face west.
 - 4. Lot 3, Block 3, shall be deemed to face east.
- (b) Setbacks--Minimum side.
 - 1. Lot 2, Block 1--25 feet from side street--10 feet from inside lot line.

2. Lots 1, 2 and 12 through 25, inclusive, Block 2--10 feet from inside lot line.
 3. Lots 3 through 11, inclusive, Block 2--20 feet from inside lot line.
 4. Lots 13, 14, 17, 18 and 20, Block 2--25 feet from side street, except, that a 15 foot minimum setback shall be required for that portion of the side lot line formed by the arc of the cul-de-sac.
 5. All lots in Block 3--10 feet from inside lot line.
 6. Lots 3 and 4, Block 3--25 feet from side street.
- (c) Setbacks--Minimum rear.
1. All lots in Blocks 1, 2 and 3--10 feet.
- (d) Setback from canal, waterway, lake or bay.
1. The minimum setback from a canal or waterway line, as platted, shall be twenty-five (25) feet for Lots 1, 12, 15, 16, 19, 23, 24 and 25, Block 2.

Sec. 4-70 - Old Cutler Bay Section 2.

- (a) Facing of lots.
1. Lot 1 shall be deemed to face North.
- (b) Setbacks--Minimum front.
1. Lots 17 and 18--25 foot minimum, except on curve of cul-de-sac which shall be 15 foot minimum.
 2. Lots 19 and 20--15 foot minimum.
- (c) Setbacks--Minimum side.
1. Lot 1--25 foot minimum from side street.
 2. Lots 3 through 20, inclusive--10 foot minimum.
- (d) Setbacks--Minimum rear.
1. Lot 1--10 feet.

Sec. 4-71 - Old Cutler Bay Section 3.

- (a) Facing of lots.
1. Lot 17 shall be deemed to face Solano Prado.
- (b) Setbacks--Minimum side.
1. Lots 4 through 16, inclusive--10 foot minimum.
 2. Lot 17--25 foot minimum from side street--10 foot minimum from inside line.
- (c) Setbacks--Minimum rear.
1. Lot 17--10 foot minimum.

Sec. 4-72 - Old Cutler Bay Section 4.

- (a) Setbacks--Minimum side.

1. Lots 26 through 31, inclusive, Block 2--10 foot minimum.
2. Lots 74 through 83, inclusive, Block 2--10 foot minimum
3. Lots 32 through 41, inclusive, Block 2--20 foot minimum
4. Lots 18 and 19, Block 3--10 foot minimum.

Sec. 4-73 - Old Cutler Bay Section 4A.

- (a) Facing of lots.
1. Lot 84, Block 2 shall be deemed to face Solano Prado and Marquesa Drive.
- (b) Setbacks--Minimum side.
1. Lot 84, Block 2--10 foot minimum from east property line.
 2. Lots 20 through 30, inclusive, Block 3--10 foot minimum.
 3. Lots 31, Block 3--10 foot minimum from east property line.
- (c) Setbacks--Minimum rear.
1. Lot 84, Block 2--25 foot minimum from Marquesa Drive.
- (d) Setback from canal, waterway, lake or bay.
1. The minimum setback from a canal or waterway line, as platted, shall be twenty-five (25) feet for Lot 31, Block 3.

Sec. 4-74 - Old Cutler Bay Section 5.

- (a) Building sites.
1. Lots 57 and 58, Block 2 shall be considered as two (2) building sites as follows: (2698)
 - a. One building site to consist of Lot 57.
 - b. One building site to consist of Lot 58.
- (b) Docks, wharves, mooring piles.
1. Mooring piles may be set or placed in the waterway abutting Lots 49 through 57, inclusive, Block 2, at a distance not greater than twenty-five (25) feet from the bank of such waterway. In no other case shall any dock or mooring piles be placed in any waterway within the City at a greater distance from the bank thereof, which, when allowance is made for the erection or placing of a dock or mooring piles on the opposite bank at a similar distance from the bank, will leave less than seventy-five (75) feet

of open, unobstructed, navigable water between such piles, docks and similar structures on the opposite bank.

(c) Setbacks--Minimum side.

1. Lots 42, 43 and 44, Block 2--20 foot minimum.
2. Lots 45 through 73, inclusive, Block 2--10 foot minimum.

Sec. 4-74-1 - Palm Vista. (3558)

Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Sec. 4-75 - Pine Bay Estates.

The Pine Bay Estates Section is that neighborhood which is commonly known as Pine Bay Estates and which was annexed into the City on April 10, 1996. (3248)

- (a) Architectural type. Pine Bay Estates is a neighborhood of single-family residences which have been developed with the character, materials and physical massing similar to those constructed east of Old Cutler Road. It shall be the duty of the Board of Architects to insure that any addition to an existing structure in Pine Bay Estates be consistent with the existing architecture of the structure and any new building must be compatible with the architecture of neighboring structures.
- (b) Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.
- (c) Building sites. No new building site shall contain less than one fully platted lot and have an area of less than twenty-five-thousand 25,000 square feet. The minimum lot width of any new building site shall be one-hundred and twenty-five (125) feet. All existing building sites shall be as existing at the time Pine Bay Estates was annexed into the City on April 10, 1996 and shall be deemed in conformity with this Ordinance.
- (d) Ground coverage. No single-family residence shall occupy more than thirty (30%) percent of the ground area of the building site upon which the residence is erected. In addition, up to five (5%) percent of the rear yard may be used for accessory uses and structures.

- (e) Height of buildings. No new single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site.

(f) Setbacks--Principal building.

1. All lots shall provide a minimum front setback of thirty-five (35) feet.
2. All lots shall provide a minimum side setback of fifteen (15) feet.
3. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
4. All lots shall provide a minimum rear setback of twenty-five (25) feet.

(g) Setbacks--Accessory buildings general.

1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
2. All accessory buildings shall provide a minimum side setback of twenty (20) feet.
3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
4. All accessory buildings shall provide a minimum rear setback of seven feet six inches (7'6").

(h) Setbacks--Swimming pools.

1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
4. Swimming pools shall provide a minimum rear setback of seven feet six inches (7'6").

(i) Setbacks--Tennis courts.

1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
2. Tennis courts shall provide a minimum side setback of fifteen (15) feet.
3. Tennis courts located on lots which have a side street shall provide a

minimum side street setback of fifteen (15) feet.

4. Tennis courts shall provide a minimum rear setback of seven feet six inches (7'6").

(j) Setbacks--Screened enclosures.

1. Screened enclosures shall provide a minimum front setback of seventy-five (75) feet.
2. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
4. Screened enclosures shall provide a minimum rear setback of six (6) feet.

- (k) As according to the South Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any 12 month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

Sec. 4-76 - Pino Subdivision.

(a) Facing of lots.

1. Lot 1, Block 1 shall be deemed to face Old Cutler Road.

(b) Setbacks--Minimum side.

1. Lot 1, Block 1--25 feet.
2. Lots 2 and 3, Block 1--10 feet.

(c) Setbacks--Minimum rear.

1. Lots 1, 2 and 3, Block 1--10 feet.

Sec. 4-77 - Riviera Circle.

(a) Facing of lots.

1. Lots 1 and 10, Block 1 and Lot 1, Block 2 shall be deemed to face Riviera Drive.
2. Lots 5 and 6, Block 1 shall be deemed to face west.
3. Lots 2, 3 and 4, Block 2 shall be deemed to face north.

- (b) Percentage Reduction on Seventy-Five (75) and one-hundred (100) foot building sites. (See Section 3-1 (l)).

(c) Setbacks--Minimum front.

1. Lots 2, 3, 4, 7, 8 and 9, Block 1--20 feet from Riviera Court.
2. Lots 5 and 6, Block 1--15 feet from Riviera Court.

3. Lots 2, 3, and 4, Block 2--20 feet from Riviera Court.

(d) Setbacks--Minimum side.

1. Lots 1 and 10, Block 1 and Lot 1, Block 2--20 feet from Riviera Court -- 15 feet from any other side line.
2. Lots 2 through 9, inclusive, Block 1 and Lots 2 and 3, Block 2--10 feet on each side.
3. Lot 4, Block 2--10 feet from inside lot line.

(e) Setbacks--Minimum rear.

1. Lots 1 and 10, Block 1 and Lot 1, Block 2--10 feet.
2. Lots 2, 3, 4, 7, 8 and 9, Block 1--15 feet.
3. Lots 5 and 6, Block 1--5 feet.
4. Lots 2, 3, and 4, Block 2--20 feet from Riviera Court.

Sec. 4-78 - Riviera Section Part 1.

(a) Building sites.

1. Lots 14, 15, 16 and 17, Block 17 shall be considered as two (2) building sites as follows: (2637)
 - a. One building site to consist of Lots 14 and 15 less the west five (5) feet.
 - b. One building site to consist of Lots 16 and 17 and the west five (5) feet of Lots 14 and 15.
2. Lots 7, 8, 9, 21, 22 and 23, Block 12, shall be considered as two (2) building sites as follows: (2716)
 - a. One building site to consist of Lots 7, 8 and 9.
 - b. One building site to consist of Lots 21, 22 and 23.

Sec. 4-79 - Riviera Section Part 2.

(a) Architectural style.

1. On Lots 1 through 14, inclusive, Block 100, all new buildings and any additions and alterations to the existing buildings shall be of Chinese Compound type of architecture to conform with the existing type of architecture in the block. Specific reference should be made to the Review Guide Section of the Designation Report for the Chinese Village Historic Landmark District adopted by ordinance of the City Commission. (2636)

(b) Building sites.

1. No building site in or upon Lots 10 through 20, inclusive, Block 39 shall have a street frontage of less than seventy (70) feet.
2. Lots 1 and 2, Block 37 shall be restricted to one building site.
3. No building site in or upon Lots 3 through 13, inclusive, Block 37 shall have a street frontage of less than ninety (90) feet.
4. No building site in or upon Lots 14 through 35, inclusive, Block 37 shall have a street frontage of less than seventy-five (75) feet.
5. Lots 36 through 40, inclusive, Block 37 shall be restricted to one building site.

(c) Facing of lots.

1. Lots 1 and 2, Block 96 shall be deemed to face east on LeJeune Road.
2. Lots 3 and 4, Block 96 shall be deemed to face south on Avenue Rosario.
3. Lots 1 and 19, Block 104 shall be deemed to face Riviera Drive.
4. Lots 1 and 2, Block 37 shall be deemed to face Riviera Drive.
5. Lots 36 through 40, inclusive, Block 37 shall be deemed to face Riviera Drive.

(d) Height of buildings.

1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one-story in height:
 - a. Lots 1 through 13, inclusive, and Lots 36 through 40, inclusive, Block 37.
2. Duplex buildings constructed on the following described property shall be restricted to not more than two (2) stories in height:
 - a. Lots 14 through 35, inclusive, Block 37.

(e) Off-street parking.

1. All off-street parking for duplexes constructed on Lots 1 through 13, inclusive, and Lots 36 through 40, inclusive, Block 37, shall be located in the rear of the buildings and all entrances and exits to the parking area shall be from the rear (alley).
2. All of Lot 1, except the east one-hundred-seven (107) feet thereof,

Block 96, shall be reserved for off-street parking for use only in connection with the buildings to be constructed on the East ninety-five (95) feet of Lot 1 and on all of Lot 2, Block 96.

(f) Setbacks--Minimum front.

1. Lots 31 and 32, Block 95--2 feet 8 inches.
2. Lots 1 and 2, Block 96--10 feet.
3. The front setbacks for Lots 1 through 14, inclusive, Block 100 shall conform to the existing front setbacks in the block. Specific reference should be made to the Review Guide Section of the designation report for the Chinese Village Historic Landmark District, adopted by Ordinance of the City Commission. (2636)

(g) Setbacks--Minimum side.

1. Lot 1, Block 96--10 feet from south line, provided, however, that no side setback shall be required along the south line of the east 90 feet thereof.
2. Lot 2, Block 96--25 feet from Avenue Rosario.
3. Lot 4, Block 96--15 feet from Avenue Menendez.
4. The side setbacks for Lots 1 through 14, inclusive, Block 100 shall conform to the existing side setbacks in the block. Specific reference should be made to the Review Guide Section of the designation report for the Chinese Village Historic Landmark District, adopted by Ordinance of the City Commission. (2636)

(h) Setbacks--Minimum rear.

1. Lot 2, Block 96--100 feet from the rear west property line.
2. The rear setback for Lots 1 through 14, inclusive, Block 100 shall conform to the existing rear setbacks in the block. Specific reference should be made to the Review Guide Section of the designation report for the Chinese Village Historic Landmark District, adopted by Ordinance of the City Commission. (2636)

(i) Walls and fences.

1. Height, Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls on the block:
 - a. Lots 1 through 14, inclusive, Block 100. Specific reference

should be made to the Review Guide Section of the designation report for the Chinese Village Historic Landmark District, adopted by ordinance of the City Commission. (2636)

Sec. 4-80 - Riviera Section Part 3.

- (a) Architectural style.
 - 1. In Block 45, Dutch Colonial type houses shall be permitted.
- (b) Building sites
 - 1. No building site in or upon Lots 19 through 24, inclusive, Block 89, and Lots 37 through 52, inclusive, Block 91 shall have a street frontage of less than one-hundred (100) feet if used for erection and construction of duplex residence buildings.
 - 2. Lots 10 and 11, Block 48 shall be restricted to one building site.
 - 3. Lots 12 through 15, inclusive, Block 48 shall be restricted to one building site.
 - 4. Lots 42 and 43, Block 85 shall be restricted to one building site.
 - 5. Lots 1 and 2, Block 88 shall be restricted to one building site.
 - 6. No building site in or upon the following described properties shall have a street frontage of less than seventy-five (75) feet:
 - a. Lots 16 through 32, inclusive, Block 48.
 - b. Lots 13 through 36, inclusive, Block 49.
 - c. Lots 1 through 5, inclusive, and Lots 44 through 47, inclusive, Block 85.
 - d. Lots 11 through 29, inclusive, Block 88.
 - 7. No building site in or upon the following described properties shall have a street frontage of less than ninety (90) feet:
 - a. Lots 1 through 9, inclusive, Block 48.
 - b. Lots 1 through 12, inclusive, Block 49.
 - c. Lots 6 through 25, inclusive, Block 85.
 - d. Lots 3 through 10, inclusive, Block 88.
- 8. Lots 25, 26, 27, 28 and 29, Block 48 shall be considered as two (2) building sites as follows:
 - a. One building site to consist of Lots 25, 26 and an irregular portion of Lot 27.
 - b. One building site to consist of Lots 28, 29 and an irregular portion of Lot 27.
- (c) Facing of lots.
 - 1. Lots 10 and 11, Block 48 shall be deemed to face Orduna Drive.
 - 2. Lots 12, 13, 14 and 15, inclusive, Block 48 shall be deemed to face Orduna Drive.
 - 3. Lot 26, Block 85 shall be deemed to face Avenue Pisano.
 - 4. Lots 1 and 2, Block 88 shall be deemed to face Granada Boulevard.
- (d) Height of buildings.
 - 1. Duplex buildings constructed on the following described properties shall be restricted to bungalow type duplexes one-story in height.
 - a. Lots 1 through 15, inclusive, Block 48.
 - b. Lots 1 through 12, inclusive, Block 49.
 - c. Lots 6 through 25, inclusive, and Lots 42 and 43, Block 85.
 - d. Lots 1 through 10, inclusive, Block 88.
 - e. Lots 19 through 24, inclusive, Block 89.
 - f. Lots 37 through 52, inclusive, Block 91.
 - 2. Duplex buildings constructed on the following described properties shall be restricted to not more than two (2) stories in height:
 - a. Lots 16 through 32, inclusive, Block 48.
 - b. Lots 13 through 36, inclusive, Block 49.
 - c. Lots 1 through 5, inclusive, and Lots 44 through 47, inclusive, Block 85.
 - d. Lots 11 through 29, inclusive, Block 88.
 - 3. Apartment buildings constructed on the following described properties shall be restricted to not more than two (2) stories in height:
 - a. Lot 1 through 18, inclusive, Block 89.

- b. Lots 1 through 36, inclusive, Block 91.
- (e) Off-street parking.
 - 1. All off-street parking for duplexes constructed on the following described properties shall be located in the rear of the buildings and all entrances and exits to the parking area shall be from the rear (alley):
 - a. Lots 1 through 15, inclusive, Block 48.
 - b. Lots 1 through 12, inclusive, Block 49.
 - c. Lots 1 through 10, inclusive, Block 88.
- (f) Roofs.
 - 1. On Lots 1 through 18, inclusive, Block 89, and Lots 20 through 36, inclusive, Block 91, all roofs shall be constructed of tile.
 - 2. Flat Roofs Without A Parapet. (See Section 14)
 - 3. Flat Roofs with an Eighteen (18) inch Parapet (See Section 14).
- (g) Setbacks--Minimum front.
 - 1. Lots facing upon Granada Boulevard--35 feet.

Sec. 4-81 - Riviera Section Part 4.

- (a) Building sites.
 - 1. No building site in or upon Lots 1 through 8, inclusive, Block 56, shall have a street frontage of less than one-hundred (100) feet.
 - 2. No building site in or upon Lots 9 through 19, inclusive, Block 56, shall have a street frontage of less than one-hundred (100) feet.
- (b) Percentage reduction on seventy-five (75) and one-hundred (100) foot building sites. (See Section 3-1 (l)).
- (c) Setbacks--Minimum front.
 - 1. Lots facing upon Granada Boulevard--35 feet.
- (d) Setbacks--Minimum side.
 - 1. Property bounded by University Drive, Avenue Pisano and Campo Sano--10 feet from Avenue Pisano. (2763)
- (e) Height of buildings. A medical office building to have four (4) stories with a specific height of forty-eight feet, four inches (48' 4") and a parking garage not to exceed six (6) stories with a specific height of forty-eight feet, four inches (48' 4") on property

bounded by University Drive, Avenue Pisano and Campo Sano. (2763)

Sec. 4-82 - Riviera Section Part 5.

- (a) Building sites.
 - 1. Lots 3, 4 and 5, Block 75, shall be considered as two (2) building sites as follows: (2753)
 - a. One building site to consist of Lot 3 and the west twenty-five (25) feet of Lot 4.
 - b. One building site to consist of the east twenty-five (25) feet of Lot 4 and all of Lot 5.

Sec. 4-83 - Riviera Section Part 8.

- (a) Floor area ratio (F.A.R.) Provisions for buildings four (4) or more stories in height.
 - 1. See Section 3-6(y).
 - 2. Maximum floor area ratio (F.A.R.) for C-Use buildings four (4) stories in height located on the following described property shall not exceed 1.5: (2829)
 - a. Lots 1 through 13, inclusive, Block 148.
 - b. Lots 1, 16, 17 and 27 in Block 155.
 - c. Lots 27, 28, 29, 30 and 31, in Block 156.
 - d. Tract A.
- (b) Height of buildings.
 - 1. No commercial building shall be constructed or erected on the following described properties to exceed four (4) stories or forty-five (45) feet, whichever is less:
 - a. Lots 1 through 13, inclusive, Block 148.
 - b. Lots 1, 17, 26 and 27, Block 155.
 - c. Lots 27, 28, 29, 30 and 31, Block 156.
 - d. Tract A.
- (c) Setbacks--Minimum front.
 - 1. Tract A--125 feet (P. B. 46, Page 100).
- (d) Setbacks--Minimum rear.
 - 1. Tract A--50 feet (P. B. 46, Page 100).

Sec. 4-84 - Riviera Section Part 9.

- (a) Architectural style.

1. On Lots 1 through 20, inclusive, Block 145, all new buildings and any additions and alterations to the existing buildings shall be of French Village (City Style) type of architecture to conform with existing type of architecture in the block.
- (b) Setbacks--Minimum front.
 1. Lots facing upon Granada Boulevard, except in Block 135--35 feet.
 2. Block 135--85 feet from Granada Boulevard.
 3. The front setbacks for Lots 1 through 20, inclusive, Block 145 shall conform to the existing front setbacks in the block.
- (c) Setbacks--Minimum side.
 1. The side setbacks for Lots 1 through 20, inclusive, Block 145 shall conform to the existing side setbacks in the block.
- (d) Setbacks--Minimum rear.
 1. The rear setbacks for Lots 1 through 20, inclusive, Block 145 shall conform to the existing rear setbacks in the block.
- (e) Walls and fences.
 1. Height, Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls on the block:
 - a. Lots 1 through 20, inclusive, Block 145.

Sec. 4-85 - Riviera Section Part 10.

- (a) Setbacks--Minimum front.
 1. Lots facing upon Granada Boulevard--35 feet.
 2. Lots facing upon Avenue Maggiore in Blocks 122 and 124--15 feet.

Sec. 4-86 - Riviera Section Part 11.

- (a) Architectural style.
 1. On Lots 1, 2, 3 and 4, Block 267, and Lots 7, 8 and 9, Block 266, all new buildings and any additions and alterations to the existing buildings shall be of Dutch South African type of architecture to conform with the existing type of architecture in the block.
 2. On Lots 1 through 18, inclusive, Block 259, all new buildings, and any additions or alterations to the existing

buildings shall be of the French style architecture to conform to the existing architecture in the block.

- (b) Building sites.
 1. Lot 15, Block 259, shall be considered as one building site.
- (c) Setbacks--Minimum front.
 1. Lots facing Granada Boulevard--35 feet.
 2. The front setbacks for Lots 1, 2, 3 and 4, Block 267 shall conform to the existing front setbacks in the block.
- (d) Setbacks--Minimum side.
 1. The side setbacks for Lots 1, 2, 3 and 4, Block 267 shall conform to the existing side setbacks in the block.
- (e) Setbacks--Minimum rear.
 1. The rear setbacks for Lots 1, 2, 3 and 4, Block 267 shall conform to the existing rear setbacks in the block.
- (f) Walls and fences.
 1. Height, Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls on the block:
 - a. Lots 1, 2, 3 and 4, Block 267.

Sec. 4-87 - Riviera Section Part 12.

- (a) Architectural style.
 1. On Lots 1 through 9, inclusive, Block 244, all new buildings and any additions and alterations to the existing buildings shall be of French Village (City Style) type of architecture to conform with the existing type of architecture in the block.
- (b) Setbacks--Minimum front.
 1. Lots facing Granada Boulevard--35 feet.
 2. The front setbacks for Lots 1 through 9, inclusive, Block 244 shall conform to the existing front setbacks in said Lots 1 through 9.
- (c) Setbacks--Minimum side.
 1. The side setbacks for Lots 1 through 9, inclusive, Block 244 shall conform to the existing side setbacks in said Lots 1 through 9.
- (d) Setbacks--Minimum rear.
 1. The rear setbacks for Lots 1 through 9, inclusive, Block 244 shall conform to the existing rear setbacks in said Lots 1 through 9.
- (e) Walls and fences.

1. Height, Materials and Specifications. Walls constructed or erected on the following described lots shall conform with the existing walls on the block:
 - a. Lots 1 through 9, inclusive, Block 244.

Sec. 4-88 - Riviera Section Part 13.

- (a) Building sites.
 1. The north ten (10) feet of Lot 13, all of Lot 14, the south fifteen (15) feet of Lot 15 and the west ten (10) feet of adjacent vacated alley, Block 227, shall be considered as one building site. (2555)

Sec. 4-89 - Riviera Section Part 14.

- (a) Facing of lots.
 1. Lots 15 and 16, Block 203, shall be deemed to face Avenue Venera.
 2. Lots 17 and 18, Block 203, shall be deemed to face Avenue San Remo.
- (b) Floor area ratio (F.A.R.) provisions for buildings four (4) or more stories in height.
 1. See Section 3-6(y).
 2. Maximum floor area ratio (F.A.R.) for C-Use buildings four (4) stories in height located on the following described property shall not exceed 1.5: (2829)
 - a. All lots and tracts in Block 197, 198 and 199.
- (c) Height of buildings.
 1. No buildings or structures shall be constructed or erected on the following described properties to exceed three (3) stories or forty-five (45) feet in height, whichever is less:
 - a. Lots 8 through 21, inclusive, in Block 192.
 - b. Lots 13 through 40, inclusive, in Block 196.
 - c. Lots 10 through 29, inclusive, in Block 206.
 - d. All Lots in Blocks 206A and 207. (2771)
 2. No apartment buildings shall be constructed or erected on the following described properties to exceed four (4) stories or forty-five (45) feet in height, whichever is less:
 - a. All lots and tracts in Blocks 197, 198 and 199.
 - b. All lots in Blocks 201 and 202.

- c. Lots 3 through 31, inclusive, Block 203.
- d. Lot 4 through 37, inclusive, Block 204.
- e. Lots 4 through 37, inclusive, Block 205.
- f. Lots 4 through 7, inclusive, Lots 9 through 13, inclusive and a portion of Lot 8, Block 208. (2771)

3. No commercial buildings shall be constructed or erected on the following described buildings four (4) stories or forty-five (45) feet in height, whichever is less:
 - a. All lots and tracts in Blocks 197, 198, and 199.
 - b. All lots in Blocks 201 and 202.
 - c. Lots 3 through 10, inclusive, and Lots 25 through 31, inclusive, Block 203.
 - d. Lots 4 through 37, inclusive, Block 204.
 - e. Lots 4 through 37, inclusive, Block 205.
4. No commercial buildings and/or structures shall be erected or altered on the following described properties to exceed six (6) stories or seventy-two (72) feet in height, whichever is less:
 - a. Lots 1, 2, 32, 33 and 34, Block 203.
 - b. Lots 1, 2, 3, 38, 39 and 40, Block 204.
 - c. Lots 1, 2, 3, 38, 39 and 40, Block 205.
5. A structural addition, having a tower and cross of approximately sixty-eight (68) feet in height, to the First Methodist Church of South Miami, may be constructed on Lots 1 through 5, inclusive, Lots 36 through 40, inclusive, Block 196, according to Plat Book 28, Page 32 of the Public Records of Miami-Dade County, Florida.
- (d) Setbacks--Minimum front.
 1. In Block 199, according to 2nd Revised Plat thereof, P. B. 28/32, or any replat of all or part of such Block--56 feet from U. S. Highway No. 1.
- (e) Setbacks--Minimum rear.
 1. Lots 11 through 16, inclusive, Block 203--10 feet.

2. Lots 17 through 26, inclusive, Block 203--10 feet.

Sec. 4-90 - Riviera Waterways Subdivision.

- (a) Floor area ratio (F.A.R.) provisions for buildings four (4) or more stories in height.
 1. Maximum Floor Area Ratio (F.A.R.) for C-Use buildings four (4) stories in height located on the following described properties shall not exceed 1.5:
 - a. Lots 1 and 2 in Block 5.
 - b. Lots 1, 2, 3 and 4 in Block 6.
- (b) Height of building.
 1. No apartment building shall be constructed or erected on the following described property to exceed four (4) stories or forty-five (45) feet in height, whichever is less:
 - a. Lots 1 and 2 in Block 5.
 2. No commercial buildings shall be constructed or erected on the following described properties to exceed four (4) stories or forty-five (45) feet, whichever is less:
 - a. Lots 1 and 2 in Block 5.
 - b. Lots 1, 2, 3 and 4, Block 6.

Sec. 4-91 - Addition to Riviera Waterways.

- (a) Floor area ratio (F.A.R.) provisions for buildings for four (4) or more stories in height.
 1. Maximum floor area ratio (F.A.R.) for C-Use buildings four (4) stories in height located on the following described property shall not exceed 1.5:
 - a. Tract K.
- (b) Height of buildings.
 1. No apartment building shall be constructed or erected on the following described property to exceed four (4) stories or forty-five (45) feet in height, whichever is less:
 - a. Tract K.
 2. No commercial building shall be constructed or erected on the following described property to exceed four (4) stories or forty-five (45) feet, whichever is less:
 - a. Tract K.

Sec. 4-92 - San Juan Estates.

- (a) Facing of lots.
 1. Lot 6 shall be deemed to face Old Cutler Road.

Sec. 4-93 - Singer Subdivision No. 2.

- (a) Facing of lots.
 1. Lot 1, Block 1 shall be deemed to face Avenue Madruga and Turin Street.
 2. Lot 4, Block 1 shall be deemed to face Turin Street.
 3. Lots 5 and 8, Block 1 shall be deemed to face Maynada Street.
 4. Tracts A and B shall be deemed to face Avenue Madruga and Turin Street.
- (b) Height of buildings.
 1. Duplex buildings constructed on the following described property shall be restricted to bungalow type duplexes one-story in height:
 - a. Lots 1 through 4, inclusive, Block 1.
 2. Buildings constructed on the following described property shall be restricted to not more than three (3) stories in height:
 - a. Tracts A and B.
- (c) Setbacks--Minimum front.
 1. Tract A--15 feet from Avenue Madruga. --15 feet from Turin Street.
 2. Tract B--15 feet from Avenue Madruga. --15 feet from Turin Street.
- (d) Setbacks--Minimum side.
 1. Lot 1, Block 1--8.5 feet from south side.
 2. Lot 2, Block 1--8.5 feet.
 3. Lot 3, Block 1--9.5 feet.
 4. Lot 4 and 5, Block 1--15 feet from side street.
 5. Lots 6 and 7, Block 1--10 feet.
 6. Lot 8, Block 1--25 feet from side street. --10 feet from inside lot line.
 7. Tract A--10 feet from northeast line.
 8. Tract B--10 feet from inside lot line.
- (e) Setbacks--Minimum rear.
 1. Lots 1 thru 8, inclusive, Block 1--6 feet.
 2. Tract A--5 feet from northwest lot line.
 3. Tract B--10 feet from south line.

Sec. 4-94 - Snapper Creek.

The Snapper Creek Section is that neighborhood which is commonly known as Snapper Creek and which was annexed into the City on June 26, 1996. (3249)

- (a) Awnings & canopies. Carport canopies and shelter canopies shall be permitted to be free standing.
- (b) Building sites. No new building site shall contain less than one fully platted lot and have an area of less than one (1) acre. The minimum lot width of any new building site shall be one-hundred and twenty-five (125) feet. All existing building sites shall be as existing at the time Snapper Creek was annexed into the City on June 26, 1996 and shall be deemed in conformity with this Ordinance.
- (c) Ground coverage. No single-family residence shall occupy more than fifteen (15%) percent of the ground area of the building site upon which the residence is erected. In addition, up to five (5%) percent of the rear yard may be used for accessory uses and structures.
- (d) Height of buildings. No single-family residence shall exceed a height of two and one-half (2½) stories. In all instances, a single-family residence shall not exceed thirty-five (35) feet above established grade including ridgeline, dome, steeples, towers, and such other similar structures. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site.
- (e) Height of walls and fences. Walls and fences may have a maximum height of six (6) feet; provided that in no case shall a wall or fence violate the triangle of visibility requirements of this code.
- (f) Roof--Materials. Roofs of new and existing structures shall use materials which are consistent with the roof materials which have been used for the existing buildings in the Snapper Creek area.
- (g) Setbacks--Principal building.
 - 1. All lots shall provide a minimum front setback of fifty (50) feet.
 - 2. All lots shall provide a minimum side setback of fifteen (15) feet.
 - 3. All lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.

- 4. All lots shall provide a minimum rear setback of twenty-five (25) feet.
- 5. All lots located on a lake or waterway shall provide a minimum waterfront setback of thirty-five (35) feet.

(h) Setbacks--Accessory Buildings general.

- 1. All accessory buildings shall provide a minimum front setback of seventy-five (75) feet.
- 2. All accessory buildings shall provide a minimum side setback of twenty feet (20).
- 3. All accessory buildings located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
- 4. All accessory buildings shall provide a minimum rear setback of seven feet six inches (7' 6").
- 5. All accessory buildings on lots located on a lake or waterway shall provide a minimum waterfront setback of seven feet six inches (7' 6").

(i) Setbacks--Swimming pools.

- 1. Swimming pools shall provide a minimum front setback of seventy-five (75) feet.
- 2. Swimming pools shall provide a minimum side setback of twenty (20) feet.
- 3. Swimming pools located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
- 4. Swimming pools shall provide a minimum rear setback of seven feet six inches (7' 6").
- 5. Swimming pools on lots located on a lake or waterway shall provide a minimum waterfront setback of seven feet six inches (7' 6").

(j) Setbacks--Tennis courts.

- 1. Tennis courts shall provide a minimum front setback of seventy-five (75) feet.
- 2. Tennis courts shall provide a minimum side setback of twenty (20) feet.
- 3. Tennis courts located on lots which have a side street shall provide a minimum side street setback of thirty (30) feet.
- 4. Tennis courts shall provide a minimum rear setback of seven feet six inches (7' 6").
- 5. Tennis courts on lots located on a lake or waterway shall provide a minimum

waterfront setback of seven feet six inches (7' 6").

- (k) Setbacks--Screened enclosures.
 - 1. Screened enclosures shall provide a minimum front setback of seventy-five (75) feet.
 - 2. Screened enclosures shall provide a minimum side setback of fifteen (15) feet.
 - 3. Screened enclosures located on lots which have a side street shall provide a minimum side street setback of twenty-five (25) feet.
 - 4. Screened enclosures shall provide a minimum rear setback of six (6) feet.
 - 5. Screened enclosures on lots located on a lake or waterway shall provide a minimum waterfront setback of seven feet six inches (7' 6").
- (l) As according to the South Florida Building Code, where repairs and alterations amounting to more than the prescribed percentage of the replacement value of the existing building are made during any 12 month period, the building or structure shall be made to conform to all Zoning Code requirements for a new building or structure.

Sec. 4-94-1 - Snapper Creek Lakes Sub. (3558)

Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Sec. 4-94-2 - Snapper Creek Oaks. (3558)

Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

Sec. 4-94-3 - Snapper Creek Oaks First Addition. (3558)

Refer to section 4-56 Hammock Lakes for applicable site specific requirements in addition to general code requirements.

- (a) That the appropriateness of the proposed location shall be reviewed and approved by the Building and Zoning Department.
- (b) That certified engineering drawings be submitted with details of the proposed method of attachment.
- (c) That the minimum side setback for such davits, boat lifts or floating boat lifts shall be

the same as the minimum side setbacks, extended, for the main structure.

- (d) The number of davits, boat lifts or floating boat lifts permitted.
 - 1. On properties with less than one hundred (100) feet of water frontage only one (1) of the following shall be permitted a set of davits, a boat lift, or floating boat lift shall be permitted for each residence building and duplex building.
 - 2. On properties with one hundred (100) feet or more of water frontage, two (2) of any one or combination of the following shall be permitted a set of davits, a boat lift, or floating boat lift shall be permitted for each residence, building and duplex building.
 - 3. Apartment buildings, condominium apartment buildings or cooperative apartment buildings may have at least one set of davits or floating boat lift, but may not have more than one set of davits, boat lift, or floating boatlift per ten (1) apartment units.
- (e) That boat lifts or floating boat lifts shall not extend beyond twenty-five (25) feet from the banks of waterways.
- (f) That the remaining, navigable waterway shall be a minimum of seventy-five (75) feet in width.
- (g) That boat lifts or floating boat lifts shall maintain safety light reflectors visible at night, and guide poles to show the submerged portion of the lift.

Sec. 4-95 - Sunrise Harbour.

- (a) Facing of lots.
 - 1. Lot 9, Block 2 and Lots 1 and 20, Block 1 shall be deemed to face south.
 - 2. Lot 102, Block 2 shall be deemed to face west.
- (b) Height of buildings.
 - 1. No apartment buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-hundred-fifty (150) feet in height, whichever is less:
 - a. Blocks 3 and 4 and the east 235 feet of Block 5.
 - 2. No commercial buildings and/or structures shall be erected or altered on the following described property to exceed thirteen (13) stories or one-

hundred-fifty (150) feet in height, whichever is less:

- a. Blocks 3 and 4 and the east 235 feet of Block 5.
- (c) Off-street parking.
 1. Not less than sixty-five (65%) percent of the area of Block 3 shall be set aside for off-street parking.
 2. The off-street parking for apartment buildings on Lots 8 through 20, inclusive, Block 1 and Lots 1 through 9, inclusive, Block 2 shall be subject to the terms and conditions stipulated in Ordinance No. 1280.
- (d) Setbacks--Minimum front.
 1. Lots 1 through 20, inclusive, Block 1--15 feet.
 2. Lots 15 through 39, inclusive, and Lot 102, Block 2--35 feet.

Sec. 4-96 - Sunrise Point (amended and corrected plat).

- (a) Building sites
 1. Lots 18, 19 and 29, Block E and portion of vacated Sunrise Avenue adjacent thereto shall be considered as two (2) building sites as follows:
 - a. One building site to consist of Lot 18 and that portion of vacated Sunrise Avenue adjacent thereto.
 - b. One building site to consist of Lots 19 and 20 and the adjacent portion of vacated Sunrise Avenue lying north of Lot 102, Block 2, Sunrise Harbour.

Sec. 4-97 - Sunset Bay Estates.

- (a) Setbacks--Minimum side.
 1. Lots 1, 2, 3 and 4, Block 1--10 feet.
- (b) Setbacks--Minimum rear.
 1. Lots 1, 2, 3 and 4, Block 1--10 feet.

Sec. 4-98 - Tamiami Place Plan No. 3.

- (a) Building sites.
 1. Lot 15 and Lot 16 less the north twenty-five (25) feet shall be considered as two (2) building sites as follows:
 - a. One building site to consist of Lot 15.

- b. One building site to consist of Lot 16 less the north twenty-five (25) feet.
 2. Lots 25 and 26 shall be considered as two (2) building sites as follows: (2775)
 - a. One building site to consist of Lot 25.
 - b. One building site to consist of Lot 26.
- (b) Setbacks--Minimum side.
 1. Lot 15--12 feet from west side.

Sec. 4-99 - Vencor Hospitals South, Inc. (3067)

- (a) Facing of lots.
 1. Tracts "A", "B" and "C" shall be deemed to face S.W. 8th Street (Tamiami Trail).
- (b) Setbacks--Minimum front.
 1. Tracts "A", "B" and "C"--0 feet.
- (c) Setbacks--Minimum side.
 1. Tracts "A", "B" and "C"--0 feet.
- (d) Setbacks--Rear.
 1. Tracts "A", "B" and "C"--10 feet.

Sec. 4-100 - Villa Dolce. (3189)

- (a) Facing of lots.
 1. Lot 1, Block 1 shall be deemed to face Neda Avenue.
- (b) Setbacks--Minimum front.
 1. Lot 1, Block 1--30 feet.
- (c) Setbacks--Minimum side.
 1. Lot 1, Block 1--15 feet west side.
 2. --30 feet east side.
- (d) Setbacks--Rear.
 1. Lot 1, Block 1--10 feet.

Sec. 4-101 - Welbon Subdivision.

- (a) Facing of lots.
 1. Lots 1 and 30 shall be deemed to face Southwest Eighth Street.
- (b) Setbacks--Minimum front.
 1. Lots 1 and 30--No front setback required.
- (c) Setbacks--Minimum rear.
 1. Lots 1 and 30--10 feet from the south lot line.

Article 5.

AUXILIARY OR ACCESSORY USES

Sec. 5-1 - General.

Except as otherwise provided herein, auxiliary or accessory uses, which do not alter the character of the premises in respect to their basic use, shall be permitted in connection with all uses. Specific enumeration hereinafter mentioned of permissible auxiliary or accessory uses shall not be deemed to prevent other proper auxiliary or accessory uses not so enumerated. Subject to provisions of this or other ordinances of this city, an auxiliary or accessory use may include a subordinate building or portion of the main building the use of which is incidental to and customarily associated with the main building and which is located on the same building site as the main building. No subordinate and accessory building or structure permitted as an auxiliary-use may be constructed before, but may be built concurrently with the main building, nor shall any such building be completed before the main building is completed, except as to interior trim and decoration, or be used or occupied before the main building is completed.

Sec. 5-2 - Garage, private or garage apartment.

A private garage, or garage apartment providing living quarters for the use only of members of the family living in the main residence building or servants employed on the premises, will be permitted with R and D-Uses as an auxiliary-use. Occupancy of garage apartments in R and D-Use Districts shall be limited to members of the family living in the main residence or to servants employed on the premises. Only one private garage or garage apartment shall be permitted upon the building site occupied or used for the main residence. No kitchen or cooking facilities shall be permitted in private garages or garage apartments in R and D-Use Districts. A maximum of four (4) garage parking spaces for vehicles shall be permitted on a R or D use property. (3242)

Sec. 5-3 - Apartment garage.

An apartment garage will be permitted in connection with A-Uses as an auxiliary-use. Only one apartment garage shall be permitted

on the building site occupied or used by the main building.

Sec. 5-4 - Apartments and hotels--General.

Subject to any limitations in this code or in other ordinances of the City, such facilities as are required or useful for the operation of a hotel or apartment house, or for the use or entertainment of guests or tenants of the hotel or apartment house shall be permitted as auxiliary-uses thereto, when conducted and entered only from within the building.

Sec. 5-5 - Public dining room or restaurant.

A public dining room or restaurant shall be permitted as an auxiliary-use in any hotel.

Sec. 5-6 - CA or CB-Uses.

Hotels with one-hundred (100) or more guest rooms may contain business establishments of CA or CB classification as auxiliary-uses, providing the exterior of the building shall not contain store fronts or have the appearance of commercial or mercantile activities or any display of articles or services for sale which are visible from the exterior of the building, or on the grounds facing a public highway or water frontage, and providing further that places of business established under the provision of this section shall only be entered from within the building.

Sec. 5-7 - Retail liquor store.

Hotels and motels with one-hundred (100) or more guest rooms may contain a retail liquor store, as an auxiliary-use, provided that such retail liquor store shall have no entrances or exits thereto except from within the hotel or motel itself and not from the exterior of any such hotel or motel or from any street; and no signs advertising such retail liquor store, or the sale of alcoholic beverages or intoxicating liquors therein, shall be permitted upon the exterior, or to be visible from the exterior of any such hotel or motel.

Sec. 5-8 - Boat house and boat slip.

A boat house and/or boat slip shall be permitted as an auxiliary-use to any use permitted upon property abutting the Coral Gables Waterway or other canal or waterway or Biscayne Bay. Every boat house shall maintain the same minimum setback from the platted canal line or bay front as established for the main structure permitted on the property. Every boat house and boat slip shall maintain the same minimum setback from the side lot line as established for the main structure permitted on the property. Occupancy of living quarters in any boat house shall be restricted in R and D-Use Districts to occupancy by members of the family residing in the main residence building or to servants employed on the premises. No kitchen or cooking facilities shall be permitted in living quarters in boat houses in R or D-Use Districts. An escape ladder shall be provided from the water at some point in the boat house or between the boat house and the canal or bay. The eave line of the boat house shall not exceed in height the eave line of the main residence building. A wall or fence four (4) feet in height shall be provided so as to contain the boat house and its access to the canal or bay within the rear yard of the property.

Sec. 5-9 - Playhouse.

A playhouse shall be permitted as an auxiliary-use to any R, D, or A-Use, subject to the following conditions and restrictions:

- (a) Such playhouse shall be of concrete block stucco construction with tile roof.
- (b) The ground dimensions thereof shall not exceed twelve (12) feet by twelve (12) feet.
- (c) The head room therein shall not exceed five (5) feet.
- (d) No plumbing facilities or fixtures shall be installed therein.
- (e) Such playhouse shall be screened by shrubbery to obscure the view of such playhouse from the street.

Sec. 5-10 - Utility room or building.

A separate utility building, or the use of a portion of the main building therefore, shall be permitted as an auxiliary-use to any A-Use, and in connection with any motel. Such separate building or part of the main building shall be restricted to use for laundry facilities, for housing

of electrical meters or other electrical equipment, toilet facilities, and storing of tools or equipment used on the premises, and, in the case of motels, shall be located at the rear of the building site.

Sec. 5-11 - Storage building.

A separate building for the storage of storm shutters and other similar adjuncts to the main building or for the storage of garbage and trash cans and to keep the same from being exposed to the public view (providing, however, that proper facilities shall be made for cleaning same as required by standard health practices), shall be permitted as an auxiliary-use to any C or M-Use. Such building may be erected only at the rear of the property upon which it is to be located, and within a radial distance of one-hundred (100) feet from the main building, and under no condition shall there be more than one such building erected upon a building site.

Sec. 5-12 - Private swimming pool.

A private swimming pool shall be permitted as an auxiliary-use to any R, D, A, C or S-Use subject to the following conditions and restrictions:

- (a) Swimming pools shall conform to the minimum structural requirements as required by the South Florida Building Code.
- (b) Design and sanitation requirements shall meet the requirements of the South Florida Building Code and the State Board of Health. All plans for swimming pools which require approval by the State Board of Health shall be stamped with the approval thereon of said Board prior to such plans being submitted to the City of Coral Gables for a building permit.
- (c) Maximum ground area coverage. In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots comprising the building site, and the total ground area permitted to be occupied by the main building or structure and permitted auxiliary structures shall not exceed forty-five (45%) of the site upon which the structures are located.
- (d) Setback:
 - 1. Minimum front setback. Same as requirements for a residence located on the parcel where pool is to be constructed provided, however, that

- in no case shall the pool be located closer to a front street line of a lot or building site than the main or principal building is located.
2. Minimum side setback. Fifteen (15) feet on each side, except on certain properties provided for under Article 4 Site Specific Regulations. (See Section 4-27(e) and Section 4-28(g).
 3. Minimum rear setback. On a lot or building site not abutting upon a canal, waterway, lake or bay, five (5) feet. (3037)
 4. Waterway setback. On a lot or building site abutting upon a canal, waterway, lake, bay, or golf course, five (5) feet from such canal, waterway, lake, bay, or golf course. (3037)
 5. Measurement. All setbacks for swimming pools shall be measured from the water's edge of the pool to the nearest property line in question.
- (e) Unless the pool is entirely screened in, it must be surrounded by a protective wall or fence four (4) feet in height, to comply with existing ordinance for walls and fences and provided, further, that in all cases where a swimming pool is constructed which will be visible from a street, a four (4) foot wall shall be erected upon the premises between the street and the swimming pool.
 - (f) Gates in the protective fence and/or wall required by the Zoning Code shall be the spring lock type, so that they shall automatically be in a closed and fastened position at all times. Gates shall also be equipped with a safe lock and shall be locked when the swimming pool is not in use.
 - (g) On inside lots swimming pools may be located within an L or U of the building facing upon a front street.
 - (h) On corner lots, swimming pools may be located within an L of the building provided that such L is not visible in both the front and side elevation.
 - (i) In no case shall a swimming pool be located closer to the front or side street of a lot or building site than the main or principal building.
 - (j) Patios and decks surrounding pools (other than wood decks governed by Section 5-21) may extend five (5) feet closer to the rear property line, canal, waterway, lake,

bay or golf course, than the pool itself, provided that a minimum rear setback of five (5) feet is maintained. (3037)

- (k) Whenever it shall come to the attention of the City Manager, either by personal inspection voluntarily made, and which he hereby is authorized to make, or by inspection by said City Manager following complaints that any swimming pool in the City of Coral Gables is so operated as to constitute a hazard to the health, safety and welfare of the citizens of the City of Coral Gables, the said City Manager shall, by registered mail, call attention of the owner or owners of record of the property upon which such swimming pool may be located of the hazard, giving a brief description thereof and requiring such owner or owners within ten (10) days to remedy the condition. Should such owner or owners fail to follow the directions and remove the hazard pointed out by the City Manager, such owner or owners shall not only be liable for the penalties hereinafter set forth, but the City Manager is authorized, by his agents and employees, to remedy the condition and the reasonable costs thereof shall be a lien against the property upon which such swimming pool is located, handled and collected in the manner prescribed for the collection of liens for special benefits in the Charter of the City of Coral Gables.

Sec. 5-13 - Screened enclosures.

A structure whose openings are composed of screening shall be permitted as an auxiliary-use in connection with an R, D, A or S-Use, provided a major portion of one wall of the screened enclosure shall be a part of the main building or of a permitted auxiliary building located on the premises, subject to the following conditions and limitations:

- (a) Plans. Every application for a permit to erect a screened enclosure shall be accompanied by two (2) sets of detailed plans and structural drawings. The plans shall show all elevations of all facades of the building to which it is to be attached. The plans shall be designed by an architect or engineer registered under the laws of the State of Florida and the structural drawings shall be prepared by an engineer registered under the laws of the State of Florida.

(b) Street Elevation: In all cases where an elevation of a screened enclosure is visible from a street, such elevation shall be constructed of a minimum three (3) foot high masonry stub wall which may be either solid, louvered, pierced, open brick, decorative block or ornamental block with screening above as shall be approved by the Board of Architects to be in harmony with the main building. The Board of Architects shall require such architectural changes on the elevation of such screened enclosures as in its judgment may be requisite or appropriate in maintaining a high standard of construction, architecture, beauty and harmony with the surrounding area.

(c) Height:

1. Where a screened enclosure is to be attached to a one-story building the height of the screened enclosure shall not exceed the height of the eave line of the affected elevations providing, however, that where the design and/or other attendant and connected circumstances and features of such building and screened enclosure justify a greater height the Board of Architects may approve such height.
2. Where a screened enclosure is to be attached to a two (2) story building the height of such enclosure shall not exceed ten (10) feet providing, however, that where the design and/or other attendant and connected circumstances and features of such building and screened enclosure justify a greater height the Board of Architects may approve such a height. The height shall be taken from the finished grade of the building upon which the screened enclosure is to be attached.

(d) Maximum ground area coverage: In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots composing the building site, and the total ground area permitted to be occupied by the main building or structure and permitted auxiliary structures shall not exceed forty-five (45%) percent of the site upon which the structures are located, provided however, that in no case shall a screened enclosure be permitted to

exceed two-thirds ($\frac{2}{3}$) of the ground area of the main building on the premises.

(e) Except as specifically prescribed herein to the contrary, no screened enclosures shall be located closer to a side or rear lot line than a minimum of ten (10) feet.

(f) Location:

1. On inside lots, screened enclosures may be located within an L or U of the building facing upon a front street.
2. On corner lots, screened enclosures may be located within a U of the building facing upon either the front or side streets.
3. On corner lots, screened enclosures may be located within an L of the building providing that such L is not visible in both the front and side elevation.
4. In no case shall a screened enclosure be located closer to the front or side street of a lot or building site than the main or principal building.

(g) Approval of plans: No permit shall be issued for the erection of a screened enclosure until such plans shall have been approved by the Board of Architects.

Sec. 5-14 - Bomb shelter and/or fallout shelter.

A building designed to be used as a bomb shelter and/or fallout shelter shall be permitted as an auxiliary-use to any R, D, A, C, M or S-Use subject to the following conditions and restrictions:

- (a) Such shelters shall be designed and constructed in accordance with accepted engineering structural principles which shall be subject to approval by the structural engineer and the building official.
- (b) Such shelters may be attached to the main building or constructed as a detached building provided, however, that the design thereof conforms to the design of the main or principal building.
- (c) Such shelters may be constructed with a flat roof provided that the maximum height of the shelter shall not exceed four (4) feet above grade.
- (d) Such shelters shall be subject to approval by the Board of Architects for architectural design.

- (e) Setbacks shall be in accordance with the applicable Sections of this Ordinance.

Sec. 5-15 - Greenhouse.

A greenhouse shall be permitted as an auxiliary-use to R, D, or A-Uses, subject to the following conditions and restrictions:

- (a) Such greenhouse shall be restricted to the sole purpose of raising plants and flowers.
- (b) Such greenhouse shall be constructed of:
 - 1. A pipe frame covered with chain link fencing material and/or dark green plastic screen.
 - 2. A pipe frame covered with chain link fencing material and/or dark green plastic screen located on top of a masonry wall, provided such masonry wall does not exceed a height of four (4) feet above finished grade.
 - 3. Glass in metal frames, provided where masonry is used in the walls of such construction, such masonry walls shall not exceed a height of four (4) feet above finished grade.
 - 4. A pipe frame covered with galvanized expanded metal, painted green.
- (c) In those instances where a greenhouse is constructed of chain link fence material, such greenhouse shall be covered at all times with dark green plastic screen, provided, however, such plastic screen may be removed in the event of a hurricane.
- (d) The ground dimension of such greenhouse shall not exceed a width of twelve (12) feet, and a depth of sixteen (16) feet.
- (e) The walls of the greenhouse shall not exceed a height of seven (7) feet above finished grade.
- (f) The greenhouse shall not exceed an overall height of eight and one-half (8½) feet above finished grade.
- (g) The roof pitch of such greenhouse shall not exceed a maximum of three (3) inches in twelve (12) inches.
- (h) Sun screen and other materials used for shading, except dark green plastic screen, shall be used only on the inside of the greenhouse.
- (i) The setbacks of such greenhouses shall be the same as required for screen enclosures.

- (j) The greenhouse shall be located on the rear of the property and shall be properly screened by landscaping from view from the street and adjacent property owners as shall be approved by the Board of Architects. Such landscaping shall be maintained for as long as the structure shall remain upon the premises.
- (k) The greenhouse shall not contain toilet facilities but may contain a sink for washing and care of the orchids or other plants and flowers.
- (l) The structural design of the greenhouse shall be subject to approval by the Structural Engineer.

Sec. 5-16 - Davits, boat lifts and floating boat lifts.

Davits, boat lifts and floating boat lifts shall be permitted as an auxiliary use to property zoned for "R", "D", or "A" uses, subject to the following conditions and restrictions, except as further provided for specific properties and the Mahi Canal in Section 4-63: (2807, 3206)

- (a) That the appropriateness of the proposed location shall be reviewed and approved by the Building and Zoning Department.
- (b) That certified engineering drawings be submitted with details of the proposed method of attachment.
- (c) That the minimum side setback for such davits, boat lifts or floating boat lifts shall be the same as the minimum side setbacks, extended, for the main structure.
- (d) That only one set of davits, boat lift, or floating boat lift shall be permitted for each residence building and duplex building. Apartment buildings, condominium apartment buildings or cooperative apartment buildings may have at least one set of davits or floating boat lift, but may not have more than one set of davits, boat lift or floating boat lift per ten (10) apartment units.
- (e) That boat lifts or floating boat lifts shall not extend beyond twenty-five (25) feet from the banks of waterways.
- (f) That the remaining, navigable waterway shall be a minimum of seventy-five (75) feet in width.
- (g) That boat lifts or floating boat lifts shall maintain safety light reflectors visible at night, and guide poles to show the submerged portion of the lift.

Sec. 5-17 - Cabana.

A cabana shall be permitted as an auxiliary-use to an R-Use subject to the following conditions and restrictions:

- (a) Such cabana shall be of masonry construction with tile roof and shall be designed so as to tie in architecturally with the main building.
- (b) The area of such cabana shall not exceed one-hundred (100) square feet.
- (c) The plumbing facilities shall be limited to shower and toilet facilities.
- (d) The setbacks and ground coverage shall be as set forth elsewhere in this Code.
- (e) The cabana shall not contain cooking facilities and shall not be used for living or sleeping quarters.
- (f) Cabanas which are attached to the main building shall not be required to be inter-connected with said main building.

Sec. 5-18 - Tennis courts.

A private tennis court shall be permitted as an auxiliary-use to any R, D, A, or S-Use subject to the following conditions and restrictions:

- (a) The setbacks for such tennis court and side and back nets, fences or walls shall be in accordance with the minimum setbacks required for the use district in which the tennis court is located.
- (b) The tennis court shall not be located between the main building and the street or closer to the street than the main building.
- (c) Such tennis courts including side and back nets shall be screened from view from the street and the adjacent property owners.
- (d) The side and back nets shall not exceed a maximum height of ten (10) feet and shall be constructed in compliance with the South Florida Building Code and zoning regulations.
- (e) Any lighting on the tennis courts shall comply with the applicable regulations of the City of Coral Gables.

Sec. 5-19 - Storage and/or utility room.

Storage and/or utility rooms not exceeding fifty (50) square feet of floor area, computed from the inside wall-to-wall dimensions, may be permitted as an auxiliary-use to an R or D-Use without the necessity of such rooms being inter-connected with the R or D-Use building, as the case may

be. The design of such rooms shall be tied in architecturally with the main building and the material used in the construction of such storage and/or utility room shall be as set forth in this code.

Sec. 5-20 - Guest house.

A guest house will be permitted as an auxiliary-use to a Residential Estate as defined under Section 2-93 herein subject to the following conditions and restrictions: (3232)

- (a) The guest house shall not exceed six-hundred (600) square feet in ground area or ten (10%) percent of the ground area of the main building on the premises, whichever is greater.
- (b) Such guest house may contain kitchen facilities.
- (c) Only non-paying and personal guests of the occupant of the principal residence shall occupy a guest house.
- (d) Year-round occupancy shall not be permitted by the same guest.
- (e) The owner shall not be permitted to live in the guest house and rent the principal residence.
- (f) A guest house shall be permitted only as an auxiliary-use to a Residential Estate.
- (g) The guest house shall be located in the rear yard area.

Sec. 5-21 - Wood decks.

Wood decks shall be permitted as an auxiliary-use to any R or D-Use subject to the following conditions and restrictions: (2524)

- (a) That the plans for such wood decks shall be subject to approval by the Board of Architects and Structural Engineer.
- (b) The foundation for wood decks shall be constructed of concrete.
- (c) The decking may be constructed of two (2) inch thick material to be one of the following:
 - 1. Solid select heart cypress.
 - 2. Solid heart mahogany.
 - 3. Solid heart teak.
 - 4. Solid heart cedar.
 - 5. Clear vertical grain redwood.
 - 6. Pressure treated pine or fir except creosote pressure treated wood.
 - 7. Similar type or quality of wood to those noted above, as approved by the Board of Architects and the Building and Zoning Official. All other

wood members may be constructed of all the above including creosote pressure treated wood. (2625, 2696)

- (d) All supporting members shall be anchored to the concrete footing with approved metal clips used in such a manner as to prohibit the wood from touching the concrete.
- (e) A fascia or skirt shall be constructed on the perimeter of the wood deck to conceal from view the ends of the deck planking, the joists supporting the deck and the clips, angles and other metal anchors and devices. The skirting material shall be one of the seven (7) approved woods as set forth under paragraph (c) above.
- (f) The height of the wood deck shall not exceed the height of the first floor elevation, except in case where the floor slab of the residence or duplex is constructed at grade, in which case the height of the wood deck shall not exceed a height of three (3) feet above the floor slab.
- (g) The setback for the wood decks shall be governed by the same minimum setbacks as required for the main or principal building, provided, however, that on waterfront property no rear setback shall be required for such wood decks.
- (h) The minimum rear setback for decks and patios surrounding pools on canals, waterway, lakes, bays, or golf courses shall be three (3) feet; except as provided for wood decks in Section 5-21(g). (3232)
- (i) The surface of all exterior wood members shall be stained or painted to be harmonious with the color of the main or principal building as shall be approved by the Board of Architects.

Sec. 5-22 - Wood trellis.

Wood trellises shall be permitted as an auxiliary-use to any R or D-Use subject to the following conditions and restrictions: (2521, 3191)

- (a) That the plans shall be subject to approval by the Board of Architects and Structural Engineer.
- (b) All wood members shall be constructed of one of the following approved materials: (3232)
 - 1. Solid select heart cypress.
 - 2. Solid heart mahogany.
 - 3. Solid heart teak.
 - 4. Solid heart cedar.

5. Clear vertical grain redwood.

- (c) All supporting members shall be anchored to a concrete foundation with approved metal clips used in such a manner as to prohibit the wood from touching the concrete.
- (d) Fastening clips, hurricane clips, etc., used in the construction of the trellis shall be concealed from view with moldings, cover boards, etc.
- (e) No materials such as, but not limited to, fiberglass screening, plastic panels or aluminum panels shall be placed upon or attached to the trellis.
- (f) The height of the trellis shall be subject to approval by the Board of Architects.
- (g) The setbacks for trellises shall be governed by the same minimum setbacks as required for the main or principal building.
- (h) The setbacks for trellises shall be governed by the same minimum setbacks as required for the main or principal building (refer to Section 3-1(d) for rear setback of "R" zoned properties backing onto a canal, waterway, lake or bay).
- (i) All trellises may be stained or painted to be harmonious with the color of the main or principal building as shall be approved by the Board of Architects.
- (j) All wood trellises shall be maintained and kept in good order and repair.

Sec. 5-23 - Moveable pavers.

Moveable pavers shall be permitted in the required setback area, but shall only be allowed to serve as walkways or approved driveways, and not for patios or off-street parking. Walkways should be defined as an aggregated width of pavers not exceeding three (3) feet in width in a setback area of up to ten (10) feet and a maximum width of five (5) feet in setback areas of ten (10) feet or greater. In all cases a minimum of eighteen (18) inches shall be provided between a walkway and the property line.

Sec. 5-24 - Recreational equipment.

Non-movable recreational equipment including swing sets, jungle gyms, basketball poles, etc., are permitted to be placed, kept or maintained in any interior side or rear yard only. (2992)

Sec. 5-25 - Setback requirements--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) Setbacks for swimming pools, patios and decks abutting upon a canal, waterway, lake, bay, or golf course shall be in accordance with Sections 5-12(d) 4 and (k). (3037)
- (b) No setback shall be required for bomb shelters and/or fallout shelters when such shelters are constructed completely below grade provided, however, that no such shelter shall be constructed in the utility easement areas and provided further that the entrance doors to subject shelters are not constructed in the setback area as required for the main or principal building.
- (c) 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.
- (d) 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.

Article 6.

CONDITIONAL USES

Sec. 6-1 - Purpose.

The purpose of this Article is to provide for certain uses which cannot be well adjusted to their environment in particular locations and full protection offered to surrounding properties by rigid application of the District Regulations. These uses are generally found to be essential and desirable for the general convenience and welfare, but because of the nature of the use, the importance of relationship to the Comprehensive Plan, and possible impact on neighboring properties, require the exercise of planning judgment on location and site plan.

Sec. 6-2 - Conditional uses--General.

The buildings, structures, and uses, as set forth in this Article may be approved as conditional uses, in accordance with the procedures and standards of this Article, provided that the public health, safety, morals, and general welfare will not be adversely affected, and that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values. Unless otherwise specified in this Article, or specified as a condition of approval, the height limits, setbacks, lot area, building size, and sign requirements shall be the same as for other uses in the District in which the conditional use is located.

Sec. 6-3 - Restaurant drive-in service windows and drive-in or walk-up tellers.

Restaurant drive-in service windows and drive-in tellers may be approved as a conditional use in a CB, CC, or M-Use District, and walk-up tellers may be approved as a conditional use in any C or M-Use District, subject to the following conditions and restrictions: (2790)

- (a) That each application for such use shall be made to the Planning and Zoning Board.
- (b) That architectural plans, including a site plan, shall be submitted with the application. The plans shall have been approved by the Board of Architects and such plans shall have also been reviewed and a favorable recommendation made by the Public Works Department. Such plans shall show location and dimensions

of all proposed structures, adequate on-site storage or stacking lanes, adequate off-street loading areas, adequate landscaping, adequate refuse and service areas, adequate yards and open space and provisions for ingress and egress of traffic and pedestrians. The plans shall also show all proposed signs and lighting. The operation of such restaurant drive-in service windows and/or drive-in and/or walk-up tellers shall be so conducted that it will not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets, alleys, or sidewalks.

- (c) That the Planning and Zoning Board shall hold a public hearing at which all interested persons shall be afforded an opportunity to be heard.
- (d) That the recommendations of the Planning and Zoning Board, on each application, shall be submitted to and be acted upon by the City Commission.
- (e) That in approving the conditional use, the Planning and Zoning Board may recommend and the City Commission may prescribe appropriate conditions and safeguards in conformity with the provisions of the Zoning Code. Violations of such conditions and safeguards, when made part of the term under which the conditional use is approved, shall be deemed grounds for revocation of the conditional use and punishable as a violation of the Zoning Code.
- (f) That each application for walk-up Automatic Teller Machine (ATM) or walk-up teller window use shall be made to the Planning Department for administrative review and approval.(3405)
 1. That architectural plans, including a location map, site plan, elevations and manufacturer's ATM cut sheet drawings, shall be submitted with the application. The plan shall have been approved by the Board of Architects. Such plans shall show the following design features:
 - a. Lighting for night use.
 - b. Mirrors for customer safety.
 - c. Landscaping and physical barriers around ATM.
 - d. Pedestrian public access in vicinity of ATM.

- e. Visual security.
- f. Customer protection from natural elements.
- 2. That in approving the conditional use, the Planning Department may prescribe appropriate conditions and safeguards in conformity with the provisions of the Zoning Code. Violations of such conditions and safeguards, when made part of the term under which the conditional use and punishable as a violation of the Zoning Code.
- 3. Any administrative decision may be appealed to the Board of Adjustment according to the requirements established in Section 26-1 of the Code.

Sec. 6-4 - Open-air cafe and/or restaurant, delicatessen, bakery or other similar retail food establishments.

Open-air dining may be approved as a conditional use for a restaurant, delicatessen, bakery or other similar retail food establishments in a CB, CC or M-Use District subject to the following conditions and restrictions: (3000, 3194)

- (a) Open-air dining operated on private property in conjunction with an established cafe and/or restaurant, delicatessen, bakery or other similar retail food establishments located on private property.
 - 1. That each application for such use shall be made to the Planning Department for administrative review and approval. (3069)
 - 2. That architectural plans, including a site plan, which shall have been approved by the Board of Architects, shall be submitted with the application. Such plans shall show the floor plan, elevation of any structures, setbacks, type of paving, proposed landscaping, location of refuse containers, all proposed signs and lighting, layout of all tables, chairs, benches and other furniture and pedestrian ingress and egress. Plans shall also be submitted showing the street elevations of buildings on adjacent properties.

- 3. That the operation of such open-air dining shall not be conducted in such a way as to become a public nuisance and that the operation of such business shall not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets, alleys or sidewalks.
- 4. That any open-air dining at a retail food establishment shall be in compliance with all state and local regulations and applicant shall be required to submit a maintenance plan for review and approval by the City, and shall meet all requirements of this section. (3225)
- 5. That the service of patrons of the open-air dining shall be at tables only and no-counter service, self-service, or pass through window shall be permitted.
- 6. That the open-air dining area shall not occupy an area of more than thirty (30%) percent of the public indoor area of the primary restaurant operation.
- 7. That the open-air dining area shall be unenclosed and shall be open except that it may be covered with a canvas cover or structural canopy of a building's arcade, loggia or overhang.
- 8. That all kitchen equipment used to service the open-air dining area shall be located within the kitchen of the primary restaurant or business.
- 9. That the open-air dining area shall be kept in a neat and orderly appearance and shall be kept free from refuse and debris.
- 10. That in approving open-air dining for a cafe and/or restaurant, delicatessen, bakery or other similar retail food establishments, the Planning Department may prescribe appropriate conditions and safeguards in conformity with the provisions of the Zoning Code. Violations of such conditions and safeguards, when made a part of the terms under which the open-air cafe and/or restaurant is approved, shall be deemed grounds for revocation of the conditional use and punishable as a violation of the Zoning Code.

11. Any administrative decision may be appealed to the Board of Adjustment according to the requirements established in Section 26-1 of the Code. (3069)
- (b) Open-air dining operated on public property in conjunction with an established cafe and/or restaurant, delicatessen, bakery or other similar retail food establishments located on private property. (3194)
 1. All requirements apply as established in subsection (a) of this Section, except where specifically required otherwise herein.
 2. A permit issued for an open-air dining located on public property shall be issued for a period of one year, renewable annually by the Planning Department. Such permit shall not be transferable in any manner. (3069)
 3. The Conditional Use permitting open-air dining may be revoked by the Planning Department upon a finding that one or more conditions of this Section have been violated, or the open-air cafe/restaurant is being operated in a manner, which constitutes a nuisance, that unduly impedes or restricts the movement of pedestrians or in any way constitutes a liability. (3069)
 4. There shall be an annual permit renewal fee of two hundred and fifty (\$250) dollars. Such permit shall not be transferable in any manner.
 5. Open-air dining area shall be restricted to the length of the sidewalk or public right-of-way immediately fronting the cafe and/or restaurant. The utilization of space extending no more than twenty-five (25) linear feet on either side beyond the subject property frontage may be authorized subject to annual written consent provided by tenants in front of whose businesses the outdoor dining service would occur.
 6. There shall be maintained a minimum of five (5) foot clear distance or fifty (50%) percent of public sidewalk width, whichever is greater, free of all obstructions, in order to allow adequate pedestrian movement. The minimum distance shall be measured from the portion of the open-air dining area nearest either the curb-line or the nearest obstruction.
7. No awning, canopy or covering of any kind, except individual table umbrellas, shall be allowed over any portion of the open-air dining area located on public property except as allowed under separate covenant process.
8. No perimeter structures such as fences, railings, planters or other such barriers shall surround the open-air dining area, which would restrict the free and unobstructed pedestrian flow or discouraging the free use of the tables or chairs by the general public.
9. No signage shall be permitted on the public portion of the property.
10. All open-air dining areas shall be at the same elevation as the adjoining sidewalk or public right-of-way.
11. Under no circumstances shall any open-air dining interfere with the free and unobstructed public access to any bus stop, crosswalks, public seating areas and conveniences, street intersections, alley, service easements, handicap facilities or access to adjacent commercial establishments.
12. The property owner/operator shall be responsible for maintaining the outdoor dining area in a clean and safe condition. All trash and litter shall be removed daily.
13. The hours of operation shall coincide with that of the primary restaurant. Tables, chairs and all other furniture used in the operation of an outdoor dining area shall not be anchored or restrained in any visible manner as with a chain, rope or wire.
14. Open-air dining may be suspended by the City Manager for community or special events, utility, sidewalk or road repairs, or emergency situations or violations of provisions contained herein. The length of suspension shall be for a duration as determined necessary by the City Manager. Removal of all street

- furniture and related obstructions shall be the responsibility of the cafe and/or restaurant owner/operator.
15. Prior to the issuance of a permit, the applicant shall furnish the director with a signed statement from an officer of the cafe or restaurant that the permittee shall hold harmless the city, its officers and employees and shall indemnify the City, its officers and employees for any claims for damages to property or injury to persons which may be occasioned by any activity carried on under the terms of the permit. Proof of workers compensation coverage shall also be provided.
 16. The applicant shall furnish and maintain such public liability, food products liability, and property damage from all claims and damage to property or bodily injury, including death, which may arise from operations under the permit or in connection therewith. Such coverage shall be provided by an insurance company admitted by the State of Florida and having an A-6 rating or better and shall provide coverage of not less than one million (\$1,000,000) dollars for bodily injury, and property damage respectively per occurrence. Such insurance shall be without prejudice to coverage otherwise existing therein and shall name as additional insured the City, its officers and employees, and shall further provide that the policy shall not terminate or be canceled prior to the completion of the permit period without thirty (30) days written notice to the Department of Finance, and the Director of Public Works of the City.

Sec. 6-5 – Heliport and helistop.

A heliport may be approved as a conditional use in an "S," Special Use District. A helistop may be approved as a conditional use in an "S," Special, "C," Commercial, "M," Industrial Use District. Both are subject to the following conditions and restrictions: (3386)

1. Heliport and helistop shall be defined and distinguished as follows:

- (a) Heliport: An area designated to accommodate all phases of operation of helicopters with suitable space and facilities for a terminal, loading, unloading, service and storage of such aircraft, to include facilities for such accessory uses as are commonly associated with an airport terminal.
 - (b) Helistop: An area designed to accommodate touch-down and lift-off of helicopters, for the purpose of picking up and discharging passengers or cargo. Such an area shall contain no operation facilities other than one (1) tie-down space and such additional facilities as are required by law, ordinance or regulation.
2. Each application for a heliport or helistop shall be subject to the following public hearing process:
 - (a) That each application for such use shall be submitted to the Planning and Zoning Board.
 - (b) That site plans shall be submitted with the application, which shall have been approved by the Board of Architects.
 - (c) That the Planning and Zoning Board shall hold a public hearing at which all interested persons shall be afforded an opportunity to be heard.
 - (d) That the recommendation of the Planning and Zoning Board on each application shall be submitted to and be acted upon by the City Commission.
3. Factors for consideration in determining whether to approve a heliport or helistop as a conditional use shall include, but not be limited to, the following:
 - (a) Proximity to residential and noise sensitive areas.
 - (b) Height and location of surrounding buildings.
 - (c) Projected average decibel readings.
 - (d) Volume of traffic and hours of operation.
 - (e) Proposed site plan, including all structures, service facilities, landing pads, fueling and safety equipment, night lighting, wind directional indicators, associated parking and other accessory uses as appropriate and applicable.

4. Applicant shall provide proof of compliance with Federal aviation Administration (FAA) requirements established in the Federal Aviation Regulations (FAR) for helicopter and heliport development.
5. Take-off and landing of any helicopter is prohibited except at an approved heliport or helistop. Essential public safety services, being emergency helicopter services to and from any designated use district within the City and trauma centers, hospitals, fire stations and law enforcement agencies, shall be excluded from these requirements.

Sec. 6-6 - Carnival.

The City Commission may authorize churches and schools to host or sponsor carnivals as defined herein as a conditional use subject to the following conditions and restrictions:

- (a) Such carnivals shall be conducted only upon the premises of the hosting and/or sponsoring church or school.
- (b) The setting up and dismantling of all carnival equipment, structures or apparatus shall be accomplished only between the hours of 8:00 a.m. to 6:00 p.m. Monday through Saturday, provided, however, that work being done on booths by students may continue until 11:00 p.m. No work shall be done on any Sunday, except that students may work on booths between the hours of 12:00 noon and 7:00 p.m.
- (c) No tents, structures, equipment or apparatus shall be located within the established setbacks of the premises.
- (d) It shall be the responsibility of the carnival owners or his assigned representative to furnish proof of financial liability insurance covering accidents or injury which said insurance policy shall indemnify the City against any and all claims of losses by reason of accidents or injury. The City shall be furnished a written copy of the insurance policy herein referred to.
- (e) No such carnival shall be allowed to operate for longer than three (3) consecutive days at any one location, and no church or school shall be permitted to hold more than one carnival within any twelve (12) month period.
- (f) No alcoholic beverages shall be sold or consumed on the premises.
- (g) It shall be the responsibility of the hosting and/or sponsoring church or school to provide adequate sanitary facilities.
- (h) All reasonable precautions shall be taken by the hosting and/or sponsoring church or school to minimize the noise level resulting from such activity, particularly in the area of music emanating from amplified sound systems operated by the promoter of the carnival or any person, persons or firms engaged or authorized to provide such music.
- (i) It shall be the responsibility of the hosting and/or sponsoring church or school to provide adequate parking facilities, and to insure a non-disruptive traffic flow throughout the area during such activities.
- (j) The operation of such carnival shall be restricted to the hours of 9:00 a.m. to 11:00 p.m. Monday through Thursday and from 9:00 a.m. to 12:00 midnight Friday and Saturday. The carnival shall not be operated on any Sunday.
- (k) All carnival equipment, structures or apparatus shall be removed from the premises within two (2) days, excluding Sundays, of the last scheduled day of operation of said carnival.
- (l) It shall be the responsibility of the hosting and/or sponsoring church or school to restore the premises to its original condition within seven (7) days from the last scheduled day of operation of said carnival.
- (m) The operation of such carnival shall be subject to obtaining proper license and building, electrical and plumbing permits.
- (n) In granting approval for the operation of said carnival, the City Commission may prescribe appropriate conditions, restrictions, and safeguards it deems to be in the best interest of the surrounding neighborhood and the general public.
- (o) The City Manager shall be authorized and directed to close down the complete operation of any such function for violation of the regulations set forth herein

Sec. 6-7 - Open lot Christmas tree sales.

Civic, fraternal and/or religious organizations located within the City of Coral Gables may be authorized to conduct open-lot Christmas tree sales, as a conditional use, subject to the following conditions and restrictions:

- (a) The sale of such Christmas trees shall be conducted only upon property which is zoned for C or M-Uses, or property approved by the City Commission after Public Hearing.
- (b) The setting up and dismantling of all equipment, structures or apparatus shall be accomplished only between the hours of 7:30 a.m. to 6:00 p.m. Monday through Saturday. No work shall be done on any Sunday.
- (c) The applicant for such Christmas tree sales shall submit a sketch plan to the City Manager showing the proposed location of all equipment, tents, structures, off-street parking and tree storage and/or displays.
- (d) All equipment, tents, structures, tree storage and/or displays shall provide setbacks as required under the City of Coral Gables Zoning Code and the South Florida Building Code.
- (e) Only one sign shall be permitted to be displayed upon the premises and such sign shall not be larger than thirty (30) square feet and shall not contain any reflective materials, streamers, pennants, flashing lights, movable items or similar devices. Such sign shall have a minimum setback of five (5) feet from the front and/or side property line and shall be erected or placed so that the sign is parallel or perpendicular to the front property line. Such sign shall be securely fastened to a supporting member and the top of such sign shall not exceed a height of six (6) feet above the finished grade of the ground.
- (f) The operation of such Christmas tree sales shall be conducted between the hours of 9:00 a.m. to 10:00 p.m. Monday through Saturday and from 12:00 noon to 9:00 p.m. on Sunday.
- (g) The proceeds from such Christmas tree sales shall be used for charitable purposes.
- (h) The use of sound amplification, flashing lights or other similar attention attractors and advertising devices shall be prohibited.
- (i) Off-street parking shall be provided as shall be required by the City Manager.
- (j) Adequate sanitary facilities shall be provided upon the premises of the Christmas tree sales.
- (k) All tents, equipment and structures shall be maintained and kept in good order and repair and, upon inspection, if found to be in disrepair shall be subject to removal and/or replacement.
- (l) The operation of such Christmas tree sales shall be in accordance with the fire safety standards as set forth under the Metropolitan Dade County Fire Prevention and Safety Code and the South Florida Building Code.
- (m) Each organization conducting such Christmas tree sales shall furnish proof of financial liability covering accidents or injury upon the premises.
- (n) The conduction of such Christmas tree sales shall be subject to obtaining proper license and building, electrical and plumbing permits.
- (o) No organization shall be permitted to have more than one location for the sale of Christmas trees within the City of Coral Gables.
- (p) It shall be the responsibility of each organization conducting such sales to maintain the premises in a clean and sanitary condition during the sale period.
- (q) Each organization shall remove all trash, debris and unsold Christmas trees from the premises within a period of seventy-two (72) hours from the last day of sale and the premises shall be restored to its original condition on or before December 31 the year of the sale.
- (r) In granting approval for the conduction of such Christmas tree sales, the City Manager may prescribe appropriate conditions, restrictions and safeguards he or she deems to be in the best interest of the surrounding neighborhood and the general public.

Sec. 6-8 - Private yacht basin.

A Private Yacht Basin as defined in Section 2-90 herein may be permitted as a conditional use in any R, D, A or C-Use District only after a special ordinance granting permission for such use shall have been passed and adopted by the City Commission, after a public hearing before the Planning and Zoning Board at which all interested persons shall be accorded an opportunity to be heard, providing, however, that such use shall be subject to the following conditions and restrictions:

- (a) That any private yacht basin containing one-hundred (100) or more slips and/or berths shall be designated as a DRI (Development of Regional Impact) and as such shall require approval as provided for under Chapter 380 of the Florida Statutes.
- (b) The following structures will be permitted on the premises as an auxiliary or accessory use:
 - 1. A structure to be designated as a Control Center containing not more than three-thousand-five-hundred (3,500) square foot floor area with a height not exceeding two and one-half (2½) stories, providing however that the Control Center Tower shall not exceed an overall height of forty-nine (49) feet. The control center building shall be used to provide yacht basin control, security, gate keeper, security personnel, management staff, offices for Homeowners Association, general storage for control operation, toilet facilities and utility collection points.
 - 2. Structures to be designated as Auxiliary Buildings containing a total of not more than one-thousand five-hundred (1,500) square foot floor area with a height not exceeding one story shall be limited to storage for maintenance equipment for operation of the yacht basin, remote storage buildings adjacent to docks and utility meter rooms.
 - 3. A structure to be designated as a Dockmaster's Building containing not more than two-thousand (2,000) minimum square foot floor area with a height not exceeding two and one-half (2½) stories. The dock master's building shall be used to provide waterside control for the yacht basin, as well as the center of operations for the boats moored in the yacht basin, radio communications to serve the yacht basin as well as the control center, space for the dock master and his staff, storage and toilet facilities.
- (c) The following uses shall not be permitted in connection with the operation of a private yacht basin:
 - 1. Clubhouse.
 - 2. Swimming pools.
 - 3. The storage or dispensing of fuels, unless in compliance with the minimum standards set forth in Ordinance No. 2932.
 - 4. Laundry facilities.
 - 5. Facilities for the dispensing of food and alcoholic beverages.
 - 6. Launching ramps and/or launching facilities.
 - 7. Parking and/or storage of boat trailers.
 - 8. Mooring of commercial vessels.
 - 9. Repair or overhauling of boats.
 - 10. Rental or lease of boats.
 - 11. Dry storage or stacking of boats.
 - 12. Bait and tackle shop.
 - 13. Retail sales facilities.
 - 14. Sightseeing crafts.
 - 15. Commercial fishing vessel.
 - 16. Charter boats.
 - 17. Yacht brokers.
 - 18. Marine insurance broker.
 - 19. Under no circumstances shall any boat, vessel, watercraft or by whatever name known be used as living or sleeping quarters.
- (d) Bulkheads and retaining walls shall be provided in accordance with the provisions of the Zoning Code, Code of the City of Coral Gables, Subdivision Ordinance and all other applicable codes, ordinances and regulations. The use of rock rip-rap in lieu of bulkheads and retaining walls may be permitted subject to approval by the City Commission upon recommendation of the Public Works Department, Structural Engineer and Planning and Zoning Board.
- (e) Off-street parking shall be provided at the rate of one parking space for each slip or berth plus one parking space for each three-hundred (300) square feet of gross floor area of any buildings located on the premises.
- (f) The yacht basin shall be supplied with a potable water supply system and such water supply shall be protected by properly designed and located backflow preventers including the installation of a vacuum breaker on the discharge side and near the last valve for each water outlet to which a hose can be connected. Hoses used for potable water shall be blue or green or labeled and designated by use of a blue or green color code. The nozzle or outlet of the hose shall be

protected from contamination, and hoses used for placing water in a sewage holding tank for flushing purposes shall be separate from hoses used for potable water and shall be red, yellow or brown.

- (g) The yacht basin shall provide a facility capable of lifting sewage not less than twelve (12) feet under vacuum and delivering it to a receiving facility free from spillage and clogging. Equipment used in connection with the pump-out facility shall be designed to be easily serviced in case of clogging. Vacuum hoses used in connection with a pump-out facility shall be pliable, collapse-proof, non-kinking, and equipped with a connection or insert device, which will preclude leakage or spillage during the pump out operation.

Sewage removed from a watercraft holding tank shall be handled in one of the following ways:

1. Discharged into a public or governmental sewer by means of a gravity line or a force main.
 2. Stored in an on-shore or dockside holding tank, which is watertight and so positioned, or moveable to such a site, that it can be easily serviced in a sanitary manner.
- (h) The discharge of raw sewage from any boat or watercraft located within the yacht basin shall be prohibited.
 - (i) The yacht basin shall provide for the accumulation and removal of garbage and trash in accordance with the provisions of Chapter 15 of the Code of the City of Coral Gables as if the same were fully set forth herein.
 - (j) The setbacks for the yacht basin shall be established at the time the conditional use is approved.
 - (k) The yacht basin shall comply with the provisions for fire prevention as set forth under the South Florida Building Code, the National Fire Prevention Association (NFPA) Publication No. 303-1975 entitled, "Fire Protection Standards for Marinas and Boatyards," and the National Fire Prevention Association (NFPA) Publication No. 87-1975 entitled, "Standards for the Construction and Protection of Piers and Wharves" and shall be subject to approval by the City of Coral Gables Fire Department.

- (l) Not less than eighteen (18%) percent of the yacht basin site shall be devoted to landscaped open space. Such area shall be landscaped with trees, shrubbery, hedges and other acceptable landscaped material and such landscape material and such landscape area shall be maintained in a neat and orderly appearance.
- (m) All parking areas shall be provided with a maintained minimum of one-third ($\frac{1}{3}$) foot-candle of light on the parking surface during the hours of operation and one-half ($\frac{1}{2}$) hour after closing. Any other outdoor lighting for the yacht basin shall not be permitted except under the following conditions:
 1. Detailed plans shall be submitted to the Building Department and Zoning Department showing the location, height, type of lights, intensity, shades, deflectors and beam directions.
 2. The Building Department may issue a permit for such lighting if, after a review of the detailed plans therefore and after consideration of the adjacent area and neighborhood and its use and future development, the proposed lighting will be so located, oriented, adjusted and shielded that the lighting will be deflected, shaded and focused away from such adjacent property and will not be or become a nuisance to such adjacent property and providing, however, that in no case shall any light be mounted higher than twenty (20) feet above the finished grade of the ground.
- (n) The waste water resulting from the periodic washing of impervious surfaces shall be channeled to natural filter or swale areas prior to soil infiltration.
- (o) For the purpose of controlling noise pollution in the yacht basin, boats and watercraft operating under power shall be considered motor vehicles and shall be subject to the provisions of Chapter 19 of the Code of the City of Coral Gables entitled: Noises as if the same were fully set forth herein.
- (p) The hours of operation of the supporting facilities, exclusive of security, shall be from 6:00 a.m. to 9:00 p.m.
- (q) The responsibility for the maintenance of the yacht basin shall be borne by the

developer, its successors or assigns, or an association consisting of owners and/or leaseholders of the lands, water, piers, docks, buildings, structures, mangroves, seawalls, rip-rap and any and all other improvements of whatsoever nature in the yacht basin.

- (r) Applicants requesting approval of a conditional use for a Private Yacht Basin shall submit a detailed plan showing the complete layout of the yacht basin including retaining walls, bulkheading, docks, piers, slips, pilings, landscaping, off-street parking, buildings, structures, roads, drives, drainage, water supply and sewage facilities.

Sec. 6-9 - Garage sale.

Garage sales shall be permitted as a conditional use on the premises of residences, duplexes and apartments subject to the following conditions and restrictions:

- (a) No garage sale shall be conducted until and unless a permit shall have been obtained from the License Division of the City of Coral Gables. Only the owner or lessee of the property upon which the garage sale is being conducted may obtain such permit.
- (b) Before such permit shall be issued, the applicant shall file with the License Division an application containing the following information:
 - 1. Legal description and street address where such sale is to be conducted.
 - 2. Proof of ownership or lease of property.
 - 3. Date(s) of sale.
 - 4. Hour(s) of sale.
 - 5. Example of sign proposed.
- (c) Upon verification and compliance with the provisions of this section, and the payment of the proper fee, the License Division shall issue a permit the same day, which shall designate the location of the sale, and the day(s) upon which such sale(s) shall be conducted.
- (d) Only personal property owned by the seller and usual to a household may be sold or offered for sale by the owner or lessee of the residence, duplex or apartment as the case may be.
- (e) Only one sign not exceeding forty (40) square inches in size may be displayed on the premises where such sale is being

conducted. Such sign shall not be erected or placed closer than five (5) feet to the front or side property line.

- (f) Such garage sale shall be held only between the hours of 9:00 a.m. to 5:00 p.m.
- (g) Personal property shall be exhibited or displayed only within established setbacks.
- (h) No more than two (2) consecutive days shall be permitted for any garage sale.
- (i) No more than two (2) garage sales shall be held from the same property within any calendar year, provided however, that such garage sales shall not be held within a thirty (30) day period from each other. (2535)
- (j) The garage sale permit shall be prominently displayed from the front of the building from which such sale is conducted. Upon the request of any Code Enforcement Officer of the City of Coral Gables, the owner or lessee of the property shall exhibit such permit.
- (k) By making application for such Garage Sale Permit, accepting said permit and conducting such sale, the owner or lessee of the property to whom such permit is granted, authorizes any Code Enforcement Officer of the City of Coral Gables to enter upon the property for the purpose of determining that such sale is being conducted in accordance with the provisions of this section.

Sec. 6-10 - Amateur radio antennas.

An amateur radio antenna, restricted to use in the operation of an amateur radio station licensed by the Federal Communication Commission for transmitting and receiving on the amateur radio bands may be approved as a conditional use to an R or D-Use subject to the following conditions and restrictions: (2537)

- (a) That each application for such use shall be made to the Planning and Zoning Board and the Planning and Zoning Board shall hold a public hearing at which all interested persons shall be afforded an opportunity to be heard.
- (b) That preliminary plans which have approval of the Board of Architects, shall be submitted with each application for a conditional use, which shall include, a site plan indicating the height, location and setbacks for the proposed antenna.

- (c) That such amateur radio antenna shall be subject to the following standards:
1. Location. The amateur radio antenna tower shall be located in the rear of the property.
 2. Setbacks.
 - a. Such amateur radio antenna tower shall maintain the same rear and side setbacks as are required for the principal building on the building site, provided, however, that such antennas, including the beam elements or any part thereof, shall not encroach upon adjoining properties and providing further that upon properties abutting waterways and/or golf courses the entire antenna including the beam array shall not extend into the setback required for waterway and/or golf course and provided, that in all cases, such antenna tower and beam array shall be located not less than eight (8) feet from any power line over two hundred - fifty (250) volts.
 - b. The amateur radio antenna tower shall not be located closer to the front or side street than the main or principal building.
 - c. Where such amateur radio antenna tower is located on a building site, which is fronting upon two or more streets, the antenna tower shall maintain the same setback as required for each such street.
 3. Antenna tower. Amateur radio towers exceeding a height of twenty-five (25) feet shall have the capability of being cranked up and down or being tilted over. In case of an impending hurricane the tower shall be cranked down to its nested position or tilted over, except for stations engaged in emergency communication, and provided further that when not in use for an extended period of time the tower shall be cranked down to its nested position or tilted over.
 4. Number permitted. Only one amateur radio antenna tower shall be allowed for each premises devoted to an R or D-Use.
 5. Installation.
 - a. The installation or modification of an amateur radio antenna tower shall be in accordance with the manufacturer's prescribed installation and safety procedures and shall meet the requirements of the South Florida Building Code.
 - b. Foundations for the amateur radio antenna towers shall be of concrete and the antenna tower and appurtenances thereto shall be so constructed and installed so as to withstand the forces due to wind pressure as provided for under the South Florida Building Code, and in that respect shall be subject to the approval of the Structural Engineer.
 - c. All such installations shall conform to the National Electric Code and the F. C. C. regulations.
- (d) That amateur radio antenna towers which do not exceed thirty-five (35) feet in height above grade shall be exempt from the provision as set forth under Section 6-10(a), (b), (f) and (g) herein. In computing the height of the amateur radio antenna installation, the top section of the tower, when fully extended, shall be considered the top for the purpose of this section.
- (e) That no deviation from the standards as set forth under this section shall be permitted unless recommended by the Planning and Zoning Board and approved by the City Commission.
- (f) That the recommendations of the Planning and Zoning Board, on each application considered shall be submitted to and be acted upon by the City Commission.
- (g) That in approving the conditional use application, the Planning and Zoning Board may recommend and the City Commission may prescribe appropriate conditions and safeguards in conformity with the provisions of the Zoning Code. Violations of such conditions and

safeguards, when made part of the terms under which the conditional use is approved, shall be deemed grounds for revocation of the conditional use and punishable as a violation of the Zoning Code.

Sec. 6-11 - Satellite earth stations.

A satellite earth station, intended for telecommunications, but not limited to transmission or reception of microwave signals, for television reception and data transmission shall be permitted as a Conditional Use in an R, D, A, S, C or M-Use District subject to the following conditions and restrictions: (2556, 2570, 2699, 2701, 2702, 2822, 3135, 3223)

- (a) That plans of such antenna shall be submitted with each application for a building permit, which shall include, a site plan drawn at a scale no smaller than 1" = 20' 0" indicating the diameter, location, setbacks, landscaping and screening and a mounting detail drawn at a scale no smaller than 1/2" = 1' 0" indicating height, color and method of installation. Such plans shall be subject to approval by the Board of Architects.
- (b) That such satellite earth station shall be subject to the following standards:
 1. Location.
 - a. In R, D and S-Use Districts only ground-mounted antenna shall be permitted and such antennas shall be located in the rear of the property.
 - b. In A, C and M-Use Districts roof-mounted antennas shall be permitted, provided, however, that such antennas shall be screened from ground view by a parapet or some other type masonry wall or screening. The minimum height and design of such parapet, wall or screening shall be subject to approval by the Board of Architects.
 - c. Ground-mounted antennas shall be permitted in A, C and M-Use Districts subject to the applicable provisions of this section.
 2. Landscaping. Ground-mounted antennas shall be screened from view so that they are not visible

between ground level and eleven (11) feet above ground level from the street and adjacent property owners by landscaping as shall be approved by the Board of Architects. In order to reduce the height of the required plant material, berms may be employed in conjunction with the landscaping plan. All plant material, size (at installation), quantity, and spacing shall be specified on the landscaping plan or site plan. All landscaping shall be in place prior to the installation of the antenna and after the application has been approved.

3. Diameter. The diameter of such antenna shall not exceed the following:
 - a. In R and D-Use Districts--ten (10) feet.
 - b. In S-Use District--twelve (12) feet.
 - c. In A, C and M-Use Districts--fifteen (15) feet.
4. Height.
 - a. Ground-mounted antennas shall be limited to a maximum height of eleven (11) feet above grade in their most extended position in R and D-Use Districts, a maximum height of fifteen (15) feet above grade in an S-Use District and a maximum height of eighteen (18) feet above grade in A, C and M-Use Districts.
5. Setbacks. Ground-mounted satellite earth station in the most extended position shall conform to the following minimum setbacks.
 - a. (1) Rear.
 - (a) In R and D-Use Districts--fifteen (15) feet.
 - (b) In A, S, C and M-Use Districts, rear and side setbacks shall be provided as are required for the principal building on the building site.
 - (2) Waterway. In all use districts, the setback from the waterway shall be

- provided as required for the principal building located on the property.
- (3) Setback from power lines. Satellite earth stations or any appurtenances thereto, shall be located not less than eight (8) feet from any power line over two-hundred-fifty (250) volts.
 - b. In no case shall such satellite earth stations be located closer to the front or side street of a lot or building site than the main or principal building.
 - c. Where such satellite earth station is located on a building site, which is fronting upon two or more streets, the antenna shall maintain the same setback as required for each such street.
6. Ground coverage. The ground coverage of such antennas shall be counted in computing the ground coverage for auxiliary and accessory use structures located upon the building site.
 7. Color. Such satellite earth station and their appurtenances shall be the same color as the wall to which it is attached (if not free standing), white, if located on a roof and green or black, if ground-mounted. Additionally, antennas located in residential areas shall have a mesh surface and, to the extent possible, shall be compatible with the appearance and character of the neighborhood.
 8. Number permitted. (2730, 3223)
 - a. Only one satellite earth station shall be allowed for each principal building located in an R, D, A, or S-Use District.
 - b. A maximum of three (3) roof-mounted satellite earth stations greater than one (1) meter in diameter shall be allowed for each principal building having no more than twelve (12) stories in a C or M-Use District. Provided that all other conditions of this article are met, the number of satellite earth station(s) one (1) meter or less in diameter shall not be limited.
 - c. Thirteen (13) story buildings located in C or M-Use Districts shall not be limited as to the number of roof-mounted satellite earth stations.
9. Installation.
 - a. The installation or modification of a satellite earth station shall be in accordance with all applicable construction and safety codes and procedures and shall meet the requirements of the South Florida Building Code.
 - b. In R and D-Use Districts the foundations for ground-mounted satellite earth stations shall be pole mounted in a concrete base. In A, C, M and S-Use Districts the foundation for ground-mounted satellite earth stations shall be of concrete.
 - c. Roof-mounted antennas shall be anchored to the roof in conformance with the requirements of the South Florida Building Code.
 - d. The antenna and appurtenances shall be so constructed and installed so as to withstand the forces due to wind pressure as provided for under the South Florida Building Code, and in that respect shall be subject to the approval of the Structural Engineer.
 10. Maintenance. Such satellite earth stations, appurtenances, landscaping and screening shall be kept and maintained in good condition.
- (c) That an application for the installation of such antenna, except as provided herein, shall be made to the Planning and Zoning Board and the Planning and Zoning Board shall hold a public hearing at which all interested persons shall be afforded an opportunity to be heard. All non-residential applications for satellite earth stations that are two (2) meters or less in diameter, or are roof-mounted and

completely screened from public view by parapet or building wall equal to or greater than the maximum height of the satellite earth station shall be administratively reviewed and approved by the Planning Department, otherwise, the previously described public hearing process shall apply. When administrative review and approval is required, the Planning Department may prescribe appropriate conditions and safeguards in conformity with the provisions of the "Zoning Code". Any administrative decision may be appealed to the Board of Adjustment according to the requirements established in Section 26-1 of the Code. (3135)

- (d) That the recommendations of the Planning and Zoning Board, on each application considered, shall be submitted to and be acted upon by the City Commission.
- (e) That in approving the application for the installation of the satellite earth station, each application shall be submitted to and be acted upon by the City Commission, except as provided for in subsection (c) of this Section.

Review and approval shall be required on an annual renewal basis and at such time, the applicant shall be required to submit photos of the antenna taken from the street and adjacent properties to assure compliance.

Violation of specified conditions and safeguards, when made part of the terms under which the antenna is approved, or the various provisions of this section, shall be deemed grounds for revocation of the auxiliary-use and punishable as a violation of the Zoning Code. (3069)

- (f) 1. When it can be demonstrated that the use of a satellite earth station by a governmental agency at a specific location will provide a significant public benefit and purpose and will contribute to the health, safety or welfare of the general public, and in particular the residents of this City, then, upon recommendation of the Planning and Zoning Board and with the approval of the City Commission, any of the conditions or restrictions provided in Section 6-11(b)1 through 8, pertaining to

location, landscaping, diameter, height, setbacks, ground coverage, color and number permitted may be waived or appropriately modified in the best interest of the surrounding neighborhood.

- 2. Approvals for satellite earth stations, when a public purpose has been demonstrated, shall be bound to a specific applicant and location. The change of an approved applicant or location shall invalidate the approval and necessitate reapplication and public hearing.
- 3. A clear public purpose has been demonstrated and conditional use approval has been granted to the following applicants for the placement of satellite earth stations at the following locations:
 - a. National Oceanic and Atmospheric Administration (NOAA); the south three-hundred (300) feet of Tract A, Riviera Section Part 8, (1320 South Dixie Highway).

- (g) Exclusion from these provisions: The Conditional Use process, the public hearing requirements and location provisions found in this Section shall not be required for any satellite earth station one (1) meter or less in diameter which is installed on the roof of a non-residential building or in the rear yard or rear or side elevation (including roof) of a residential building, subject to building permitting and additional limitations set forth in Section 5-24, 5-25 and 20-1(f)(1). (3223)

Sec. 6-12 - Microwave antennas.

Microwave antennas, restricted to the sole purpose of receiving and/or transmitting and amplifying microwave signals, shall be permitted as a Conditional Use in an S, C or M-Use District subject to the following conditions and restrictions: (2821)

- (a) That plans of such microwave antennas shall be submitted with each application for a building permit, which shall include a site plan drawn at a scale no smaller than 1" = 20' 0" indicating the diameter, screening, location and setbacks from property lines and edges of building; a mounting detail drawn at a scale no smaller than 1/2" = 1' 0" indicating the

height, color and method of installation of the antenna.

- (b) That such microwave antennas shall be subject to the following standards:

1. Location.
 - a. In S, C and M-Use Districts roof-mounted microwave antennas shall be permitted, provided, however, that such antennas shall not be visible from the ground. Screening from ground view may be provided by a parapet or some other type masonry wall or screening.
2. Diameter. The diameter of such microwave antenna shall not exceed five (5) feet.
3. Height. Roof-mounted antennas shall be limited to a maximum height of eighteen (18) feet above the roof in their most extended position.
4. Setbacks.
 - a. Roof-mounted microwave antennas, in their most extended position, shall conform to the setback requirements for the principal building on the building site.
 - b. Microwave antennas or any appurtenances thereto, shall be located not less than eight (8) feet from any power line over two-hundred-fifty (250) volts.
5. Color. Microwave antennas and any appurtenances shall be white or the same color as the wall to which they are attached (if not free standing)
6. Number Permitted.
 - a. A maximum of three (3) roof-mounted microwave antennas shall be allowed for each principal building having no more than twelve (12) stories provided that they are not visible from the ground.
 - b. Thirteen (13) story buildings shall not be limited as to the number of roof-mounted microwave antennas, provided they are not visible from the ground.
7. Installation.
 - a. The installation or modification of microwave antennas shall

be in accordance with all applicable construction, safety codes and anchoring procedures and shall meet the requirements of the South Florida Building Code.

- b. The microwave antenna and appurtenances shall be so constructed and installed so as to withstand the forces due to wind pressure as provided for under the South Florida Building Code, and in that respect shall be subject to the approval of the Structural Engineer.
 8. Maintenance. Such microwave antennas, appurtenances and screening shall be kept and maintained in good condition.
- (c) That an application for the installation of such antenna shall be made to the Planning Department which shall administratively review and approve each application. Any administrative decision may be appealed to the Board of Adjustment according to the requirements established in Section 26-1 of the Code. (3069)
- (d) That in approving the application for the installation of the microwave antenna the Planning Department may prescribe appropriate conditions and safeguards in conformity with the provisions of the Zoning Code.
- (e) Violation of the specified conditions and safeguards, when made part of the terms under which the antenna is approved, or the various provisions of this section, shall be deemed grounds for revocation of the auxiliary-use and punishable as a violation of the Zoning Code. (3069)
- (f) When it can be demonstrated that the use of a microwave antenna by a governmental agency at a specific location will provide a significant public benefit and purpose and will contribute to the health, safety or welfare of the general public, and in particular the residents of this City, then, upon recommendation of the Planning and Zoning Board and with the approval of the City Commission, any of the conditions or restrictions provided in Section 6-12(b) 1 through 6, pertaining to location, diameter, height, setbacks, color and number permitted may be waived or

appropriately modified in the best interest of the surrounding neighborhoods.

- (g) Approvals for microwave antennas, when a public purpose has been demonstrated, shall be bound to a specific applicant and location. The change of an approved applicant or location shall invalidate the approval and necessitate reapplication and public hearing. (3084)

Sec. 6-13 - Miscellaneous antennas.

Miscellaneous antennas shall include any structure intended for telecommunications, including but not limited to the transmission or reception of radar, data transmission, radio, television, or telephone communications, excluding traditional residential television antennas, amateur radio antennas, satellite earth stations and microwave antennas, which are covered under separate sections of this Article. (2939, 3223)

- (a) Miscellaneous antennas shall be roof-mounted and permitted as a Conditional Use in S, C and M-Use districts subject to the requirements that the antenna and all of its appurtenances shall:

1. Not be visible from the ground from a maximum distance of six hundred (600) feet. Screening from ground view may be provided by a parapet or some other type wall or screening.
2. Not exceed a height of eighteen (18) feet above the roof.
3. Not be located closer than eight (8) feet to any power line.
4. Not exceed three per roof top for buildings of twelve (12) stories or less.
5. Not be limited as to number for buildings of thirteen (13) stories or more.
6. Be installed and maintained in accordance with all applicable Code requirements.

- (b) Transmission towers (for use by any antenna) may be permitted as a Conditional Use in S or M-Use districts subject to the requirements that the tower and anchoring devices:

1. Are located in the interior side or rear yard of the property.

2. Meet minimum setback requirements for the district in which they are located.
3. Are securely anchored, installed and maintained in accordance with all applicable codes.
4. Do not exceed a maximum height of two-hundred (200) feet.
5. Are separated from adjacent properties by a landscape buffer.
6. Are shared by multiple users, where possible (if not possible, applicant shall demonstrate that shared usage is not reasonably possible).

- (c) Plans of such miscellaneous antenna shall be submitted with each application for a building permit, which shall include a site plan drawn at scale no smaller than 1" = 20'0" indicating the diameter, screening, location, and setbacks from property line and edges of building; a mounting detail drawn at a scale no smaller than 1/2" = 1'0" indicating the height, color and method of installation of the antenna.

- (d) An application for the installation of such antenna shall be considered by the City Commission after public hearing before the Planning and Zoning Board.

- (e) In approving the application for the installation of the miscellaneous antenna the Planning and Zoning Board may recommend and the City Commission may prescribe appropriate conditions and safeguards in conformity with the provisions of the Zoning Code. Violations of the specified conditions and safeguards when made part of the terms under which the antenna is approved, or the various provisions of this section, shall be deemed grounds for revocation of the auxiliary-use and punishable as a violation of the Zoning Code.

- (f) Exclusions from these provisions. The Conditional Use process, the public hearing requirements found in this Section shall not be required for the following: (3223, 3336)

1. Traditional residential television antennas.
2. Panel antennas, which are wall mounted, the same color as the building to minimize visual obtrusive as approved by the Board of Architects.
3. All miscellaneous antennas, which, together with their appurtenances,

- are no larger than 48"(h) times 24"(w) times 24"(d), or have a diameter of one (1) meter or less in size.
- (g) All miscellaneous antennas and their appurtenances which are no longer in use must be removed within six (6) months from the time they cease operation.

Sec. 6-14 - Bed and breakfast establishments.

Bed and Breakfast (B & B) establishments may be permitted as a Conditional Use within the residential, multi-family district described herein subject to the following restrictions (3023):

- (a) B & B establishments may be operated on property zoned for A, Apartment Use within the district bounded by Southwest Eighth Street (Tamiami Trail) to the north, Navarre Avenue to the south, Douglas to the east, and LeJeune Road to the west.
- (b) Only structures fifty (50) years or older shall be eligible for operation as a B & B.
- (c) The number of B & B sleeping rooms shall not exceed the number of living units of the existing apartment structure.
- (d) The following design requirements shall be incorporated to minimize the impact on surrounding residential areas:
 1. Appearance of structure shall remain residential;
 2. Structure shall be retained in a manner to allow conversion back to apartment use;
 3. Outdoor activity areas for B & B residents use shall be visually buffered from adjacent residential uses;
 4. Vehicle ingress and on-site parking shall be screened from adjacent residential properties.
- (e) One wall-mounted sign shall be permitted designating the property as a B & B, and shall not exceed one-hundred sixty (160) square inches in size.
- (f) Property owner or manager must reside on property and be available on a daily basis.
- (g) The sale of alcohol shall not be permitted on premises.
- (h) Food service shall be limited to B & B residents and shall be limited to breakfast only with no lunch or dinner service.

- (i) No receptions, private parties or activities other than lodging of guests shall be permitted.
- (j) Operation of the B & B shall be restricted to the principal building on site, and accessory buildings may not be converted to living units, kitchens or dining areas.
- (k) Owner/Operator must comply with the following operational requirements:
 1. No weekly rates shall be offered;
 2. Ten (10) day maximum (cumulative) B & B resident stay within any sixty (60) day period;
 3. No food preparation or equipment allowed in any B & B sleeping room;
 4. The owner/manager shall maintain a current guest register.
- (l) All B & B requests shall be required to submit the following floor and site plans:
 1. Floor plans.
 2. Parking plan.
 3. Landscaping plan.
 4. Lighting and signage plan.
 5. Building elevations.
 6. Survey.
- (m) Off-street parking shall be provided as follows:
 1. One space per guest room;
 2. One space for the owner/manager.
- (n) Parking credit may be granted by the Building and Zoning Director for parallel parking spaces in the roadway immediately in front of the subject property where such parking will not be hazardous or obstruct access.
- (o) Conditional Use approval shall be non-transferable.
- (p) Each B & B shall be reviewed on a yearly basis to confirm compliance with Code requirements established herein. Approval may be revoked if a determination of non-compliance is made or if the facility generates neighborhood complaints.

Sec. 6-15 - Commercial photography in residential districts.

Commercial photography, which includes still photography, commercials and major motion picture filming or video, shall be permitted as a conditional use on the premises of private residential property zoned "R," "D" or "A," subject to the following conditions and restrictions: (3155)

- (a) No commercial photography shall be conducted in residential districts without a permit from the City Manager's Office. The owner or lessee of the property upon which the photography is being conducted or a representative of the production company, with the owner's written approval, may obtain such permit.
- (b) The permit shall be available for inspection at the site on which the photography is to occur. Upon the request of any police officer or code enforcement officer of the City, the owner, lessee or representative of the production company shall exhibit such permit.
- (c) The following limitations on the number and type of permits issued annually shall be enforced:
 - 1. Still photography shoots that are entirely contained inside the residential structure can be conducted without a permit.
 - 2. Large still photograph shoots that are not entirely contained within the residential structure and commercials or corporate/industrial filming recorded on video or motion picture film shall be limited to twelve (12) permits per year for the same property, with a maximum of three (3) consecutive days allowed per permit.
 - 3. Major motion pictures or television programs recorded on video or motion picture film shall be limited to three (3) permits per year for the same property and only one permit shall be issued during any thirty (30) day period. Each permit shall be issued for a maximum of fourteen (14) consecutive days, with a maximum of twenty-eight (28) permitted days allowed per year for the same property.
 - 4. Permitted days which are canceled due to circumstances beyond the control of the production company, such as bad weather days or retakes, shall extend the number of permitted days by the number so canceled, without penalty.
- (d) It is the intention of this section to protect residential areas from undue intrusions associated with commercial photography. The City Manager may approve, disapprove, or approve with appropriate

conditions, any permit applied for under this section. Conditions imposed as terms under which a permit is issued may include, but are not limited to, the following:

- 1. Advance notification of forty-eight (48) hours in a form approved by the City Manager to adjacent neighborhood properties for large still photography, commercial or corporate industrial filming. Advance notification of ten (10) days in a form approved by the City Manager to a homeowner or community association, or if none exists, to adjacent neighborhood properties, for major motion pictures or television program filming;
 - 2. Hiring of off-duty police officers to supervise traffic and other matters when the public right-of-way is utilized for film purposes;
 - 3. Hiring of off-duty police officers to provide security and control of shoots on private property.
 - 4. Limitations on number and location of vehicles or trailers parked on the street or swale area or adjacent or contiguous properties used in the shoot;
 - 5. Limitations on the daily hours or specific times when commercial photography is to take place when such limitations are necessary to limit disruption to the neighborhood;
 - 6. Similar conditions or limitations which are necessary to protect the neighborhood from undue intrusions.
 - 7. Compliance with the Noise Ordinance, unless otherwise conditionally approved by the City Manager.
- (f) The following fee schedule shall be in effect for commercial photography in residential districts:
- 1. Still photography shoots that are entirely contained within the residential structure shall not require a permit.
 - 2. Large still photography shoots and commercials or corporate/industrial filming recorded on video or motion picture film: Permit per site, two-hundred twenty-five dollars (\$225.00).

3. Major motion pictures: Permit per site per day, two-hundred twenty-five dollars (\$225.00).
 4. Future adjustments to the above fee schedule shall be made from time to time by the City Manager as appropriate, given the then current conditions.
- (g) City Code Sections 22-188 through 22-191 shall apply for all Commercial photography on public lands or rights-of-way.
 - (h) The City Manager may immediately revoke any permit for violation of any part of this section or any permit condition.
 - (i) The City Manager may refuse to issue any permit applied for if there has been evidence that previous photography at the same location created a disruptive situation in the neighborhood.
 - (j) The City Manager may refuse to issue any permit applied for if, on previous occasions, the commercial photography company has violated conditions or restrictions of permits issued under this section.
 - (k) The City Manager may issue administrative variances to these conditions to accommodate unusual circumstances.

Sec. 6-16 - Used car sales in commercial zoned districts.

Used car sales may be approved as a conditional use in a "CB" or "CC" Commercial Use District subject to the following conditions and restrictions: (3143)

- (a) That each application for such use shall be made to the Planning and Zoning Board, and the Planning and Zoning Board shall hold a public hearing at which all interested persons shall be afforded an opportunity to be heard.
- (b) That architectural plans, including a site plan, which shall have been approved by the Board of Architects, shall be submitted with the application. Such plans shall show the location of all buildings and physical features, and shall indicate all areas designated for both new and used car sales. Such plans shall include all lighting, signage and landscaping, and describe the types of cars to be sold.
- (c) That in approving the conditional use, the Planning and Zoning Board may

recommend and the City Commission may prescribe appropriate conditions and safeguards in conformity with the provisions of the "Zoning Code." Violations of such conditions and safeguards, when made part of the terms under which the conditional use is approved, shall be deemed grounds for revocation of the conditional use and punishable as a violation of the "Zoning Code."

- (d) That the sale of used cars shall only be permitted in association with a new car dealership.
- (e) That used car sales may not utilize more than 40% of the total area used for car sales. The area used for car sales shall include entire area of dealership including the square footage of all buildings but excluding any area or part of the square footage of any buildings used for parts, service and sale or administrative offices.
- (f) That used car parking lots be located at a single location to prevent the proliferation of used car lots.
- (g) That conditional use approval may be administratively approved by the Planning Department, and not subject to the forementioned public hearing requirements if the proposal meets all of the following conditions:
 1. The used car sales area is located entirely on and not non-contiguous to the new car dealership primary property.
 2. The used car sales area is located internally to the property and does not adjoin or abut any public right-of-way.
 3. The portion of used car sales area is less than twenty-five (25%) of the total area used for car sales.
 4. Appropriate plans are prepared and submitted by the applicant at the time the request is presented.
- (h) That conditional use approval may be administratively approved for changes and modifications to plans submitted in accordance with requirements (a) thru (f) herein.

Sec. 6-17 - Fund raising car washes.

Fund raising car washes shall be permitted as a conditional use on the premises of property in

any "C" or "S" district subject to the following conditions and restrictions: (3133)

- (a) No fund raising car washes shall be conducted without a permit from the license division of the City. Only the owner or lessee of the property upon which the fund raising car wash is being conducted (or their designee) may obtain a permit.
- (b) Before a permit shall be issued, the applicant shall file with the license division an application containing the following information:
 1. Legal description and street address where the car wash is to be conducted.
 2. Proof of ownership or lease of property.
 3. Dates of car wash.
 4. Hours of car wash.
- (c) Upon verification and compliance with the provisions of this section, and the payment of the proper fee, the license division shall issue a permit the same day which shall designate the location of the car wash and the dates and hours of the car wash.
- (d) A car wash shall be held only on Saturdays, Sundays and holidays between the hours of 9:00 a.m. to 5:00 p.m.
- (e) Only one weekend (two consecutive days) shall be permitted for any fund raising car wash.
- (f) No more than six fund raising car washes shall be held by any sponsoring non-profit group, or from the same property within any calendar year.
- (g) Each fund raising car wash shall be conducted under adult supervision, with at least one person eighteen years or older on premises during all hours of operation.
- (h) The fund raising car wash permit shall be prominently displayed from the front of the building from which the car wash is conducted. Upon the request of any police officer or code enforcement officer of the City, the owner or lessee of the property shall exhibit the permit.
- (i) By making application for a fund raising car wash permit, accepting the permit and conducting a car wash, the owner or lessee of the property to whom the permit is granted, authorizes any police officer or code enforcement officer of the city to enter upon the property for the purpose of

determining that the car wash is being conducted in accordance with the provisions of this section.

Article 7.
NON-CONFORMING USES AND STRUCTURES

Sec. 7-1 - Conditions and restrictions.

Except as may be provided for elsewhere in this code, a non-conforming use may be continued subject to the following conditions and restrictions.

- (a) A non-conforming use shall not be extended, but the extension of a use at any portion of a building which was arranged or designed for such non-conforming use shall not be deemed the extension of a non-conforming use.
- (b) A non-conforming use, if changed to a more restricted non-conforming use shall not thereafter be changed to a still more non-conforming use.
- (c) A non-conforming use shall not be changed, unless changed to a more restricted use, providing that in R, D or A-Use Districts an M-Use shall not be changed unless changed to a conforming use.
- (d) A non-conforming use shall not be continued, if by reason of odors, noxious fumes, smoke, noise or otherwise it shall become a nuisance to residents in adjoining R, D or A-Use Districts.
- (e) Whenever a non-conforming use of a building has been discontinued for a period of one year or more, such non-conforming use shall not thereafter be re-established, and the future use shall be in conformity with the provisions of this code.
- (f) Nothing herein contained shall validate any non-conforming use not permitted hereby.
- (g) A non-conforming structure or non-conforming portion of structure which is destroyed to an extent exceeding fifty (50%) percent of its replacement cost at the time of its destruction shall not be reconstructed except in conformity with the zoning regulations.
- (h) A structure that is non-conforming as to height, setback, ground area coverage, F.A.R. or other requirements other than use, shall not be exceeded, altered or enlarged in a way which increases the extent of its non-conformity.

Article 8. PROHIBITED USES

Sec. 8-1 - Uses prohibited.

The following uses shall not be permitted within the City of Coral Gables.

- (a) Nightclub or casino, generally defined as any place of business established and operated for the purpose of supplying entertainment or music, or both, and the sale of alcoholic beverages and intoxicating liquors exceeds forty (40%) percent of the total gross receipts for said business. (3258)
- (b) Circus, carnival, open-air or tent show or similar use operated for purpose of private profit.
- (c) Crematory, or furnace for cremation of human bodies.
- (d) Billboards, as defined herein.
- (e) Electronic Video Entertainment Centers and Machines.

Sec. 8-2 - Prohibited uses, certain streets. (2622)

- (a) No service station, public garage, auto repair shop, machine shop, used car lot, or any business conducted outside a building, except open-air cafes and/or restaurants as provided for under Section 6-4 and sub-paragraph (f) of Section 8-3 herein, shall be permitted on any lots or premises abutting Coral Way, (a portion of which is known as Miracle Mile), or Biltmore Way, or upon lots or premises abutting Ponce De Leon Boulevard between Southwest 8th Street and Bird Road.
- (b) No driveway for use by motor vehicles or any other purpose shall be permitted to be constructed across the sidewalks on properties abutting Miracle Mile from Douglas Road to LeJeune Road and/or on properties abutting Ponce de Leon Boulevard from Avenue Minorca to University Drive.
- (c) No off-street parking shall be permitted to be located on the grade level of buildings constructed on properties abutting Miracle Mile from Douglas Road to LeJeune Road and/or on properties abutting Ponce de Leon Boulevard from Avenue Minorca to University Drive.

- (d) No driveway for motor vehicle purposes or any other purposes shall be constructed across the sidewalk or in such yard areas of property abutting both sides of Ponce de Leon Boulevard from Avenue Malaga to Bird Road; driveways existing as of February 26, 1981 may be permitted to remain.

Sec. 8-3 - Business outside a building.

No business shall be permitted unless such business is carried on within and under cover of a building or buildings according to the provisions of this and other ordinances of the City of Coral Gables; provided, however, that this section shall not apply to the following:

- (a) Used-car lots, when located in M-Use Districts.
- (b) Service stations.
- (c) Commercial nurseries for the growth and sale of trees, plants and flowers.
- (d) Open-lot Christmas tree sales.
- (e) Restaurant drive-in service windows and drive-in and/or walk-up tellers when approved in accordance with the provisions as set forth under Section 6-4 herein.
- (f) Open-air cafes and/or restaurants when approved in accordance with the provisions as set forth under Section 6-4 herein.

Sec. 8-4 - Used car lots.

The business or occupation of Used Car Lot or Second Hand Automobile Dealer shall not be conducted anywhere within the City of Coral Gables except upon premises zoned for M-Uses.

Sec. 8-5 - Adult book store, adult motion picture theater and massage salon.

The business or occupation of an adult book store, adult motion picture theater or massage salon shall not be conducted or operated except upon premises zoned for M-Uses, and, provided further that the operation of such uses shall comply with all provisions of this Code and all other applicable rules and regulations.

Sec. 8-6 - Fortune tellers, etc.

The business or occupation of fortune teller, clairvoyant, palmist, astrologer, phrenologist, character reader, spirit medium, absent treatment healer, mind reader, hypnotist, mental healer, numerologist, and all other businesses and occupations of a similar nature shall not be conducted or operated except upon premises zoned for M-Uses.

Sec. 8-7 - Laundries.

The business or occupation of commercial laundries, as commonly defined, shall not be conducted except upon premises zoned for M-Uses.

Sec. 8-8 - Houseboats.

No boat, houseboat, vessel or watercraft of any kind may be used as a place of abode or dwelling while anchored, moored or tied up in any part of the Coral Gables waterway or canal, or within the city limits in Biscayne Bay. No boat, houseboat, vessel or watercraft of any kind that is not propelled by its own power shall be allowed to be or remain in any of the waterways or canals or in Biscayne Bay within the City of Coral Gables for more than six (6) hours.

Sec. 8-9 - Recreational vehicle.

- (a) No recreational vehicle shall be kept or parked on public or private property, within the City except for the purpose of loading or unloading for a continuous period not to exceed twenty-four (24) hours within any calendar week beginning Sunday at 12:01 a.m. and ending at midnight on Saturday, unless such recreational vehicle is parked or stored within the confines of a garage, and unoccupied; or parked upon a duly licensed or legally operated parking area, which is not a concomitant and required under the zoning or other ordinance of the City. (2536)
- (b) Under no circumstances and in no area, however zoned, shall any vehicle be used as living or sleeping quarters within the limits of the City.

Sec. 8-10 - Tents or detached screened enclosures.

No tent or detached screen enclosure of any kind shall be erected or maintained within the City limits of the City of Coral Gables. Screened enclosures, however, will be permitted as an auxiliary-use in connection with an R, D, A or S-Use as provided for herein under Section 5-13.

Sec. 8-11 - Parking in residential areas.

- (a) It shall be unlawful for any person to park any vehicle displaying advertising signs or any truck, trailer, commercial vehicle, or recreational vehicle, in or upon any property, public or private, in any area of the city which is zoned residential. This prohibition, however shall not apply in the following cases: (2536)
 - 1. Vehicles which are entirely enclosed within the confines of an enclosed garage.
 - 2. Vehicles used by licensed contractors or service establishments while actually doing work in such residential areas between the hours of 7:30 a.m. to 6:00 p.m. excluding Sundays and holidays, provided, however, that such vehicles shall contain written identification on both sides of the vehicle clearly indicating the name of the contractor or service establishment. Such identification shall be in conformance with the standards set forth in Section 8A-276(b), Commercial Vehicle Identification, of the Code of Metropolitan Dade County, Florida.
 - 3. Loading or unloading of trucks, trailers or commercial vehicles provided that such loading or unloading takes no more than two (2) hours, and is not done between the hours of 7:00 p.m. of one day and 7:00 a.m. of the next day.
 - 4. Automobiles carrying advertising signs on the top of such automobiles dealing with the candidacy of individuals for elected office. This exemption, however, shall cease seven (7) days after the date of the election in which the person was finally voted upon.

5. Automobiles carrying advertising signs, advertising and voted upon by the people. This exemption, however, shall cease seven (7) days after the date of the election in which the proposition advertised was finally voted upon.
 6. The loading or unloading of recreational vehicles as provided for under Section 8-11 herein.
 7. Mobile cranes and other heavy equipment used during building construction.
- (b) The Building and Zoning Director shall be charged with the responsibility of determining compliance with the regulations governing the parking of such trucks, trailers, commercial vehicles and recreational vehicles in residential areas as provided herein, however, in case of dispute, direct application may be made to the City Commission.

Sec. 8-12 - Trucks, trailers, commercial vehicles, and recreational vehicles--Parking upon streets and public places.

Except as provided for herein no trucks, trailers, commercial vehicles, or recreational vehicles, shall be parked upon the streets or other public places of the City between the hours of 7:00 p.m. on one day and 7:00 a.m. of the next day. This prohibition is in addition to the total prohibition covering residential areas dealt with in Section 8-11 hereof. (2536)

Sec. 8-13 - Boats and boat trailers.

Boats and boat trailers may be placed, kept or maintained or permitted to be placed, kept or maintained in any interior side or rear yard only. (2852, 2992)

Sec. 8-14 - Wild animals and reptiles, keeping.

- (a) It shall be unlawful to keep any snake anywhere within the City of Coral Gables.
- (b) Permit required. It shall be unlawful for any person or persons to keep any wild animal or reptile without first having obtained a permit from the City Manager; provided, however, this section shall not apply to parks, zoos, pet shops, medical or scientific institutions, or other places

licensed for the showing or keeping of wild animals or reptiles.

- (c) For the purpose of this section, the phrase Wild Animal shall be as defined under Section 2-146.

- (d) Standards for issuance of permit:

1. In the City Manager's consideration of permits for animals subject to the provisions of this section, there shall be a presumption against the issuance of a permit for any animal or reptile falling within the following classifications:

- a. Any lizard normally capable of inducing toxic effects through biting, including the Gila monster and the Mexican beaded lizard.
- b. Any lizard in excess of eight (8) feet in length or of a weight in excess of twenty-five (25) pounds.
- c. Any alligator, caiman, or crocodile in excess of four (4) feet in length.
- d. Any ape, including the chimpanzee, gorilla, orangutan, gibbon, or simian.
- e. Any true monkey but not including the smaller lower primates, such as lemurs, marmosets, etc., provided, however, it shall be unlawful to keep any monkey in such a place so as to be exposed to the public view.
- f. All members of the flesh-eating order of Carnivore, including non-domestic dogs, cats, foxes, seals, raccoons, coatamundis, bears, civets, skunks, and related forms.
- g. All horned or hoofed mammals.
- h. Elephants.

2. There shall be a presumption in favor of the issuance of a permit to keep animals which do not fall within the classifications set forth in Paragraph (d) 1 of this section; provided, however, the City Manager may still in the exercise of his discretion deny a permit where in his judgment the keeping of such animal is dangerous and harmful to human safety.

Sec. 8-15 - Domestic animal and fowl.

It shall be unlawful for any person to keep, harbor, breed or maintain upon any premises any horses, ponies, cattle, goats, pigs or other livestock, or any pigeons, peacocks, chickens, ducks or roosters, or other domestic fowl.

Sec. 8-16 - Possession, harboring, sheltering or keeping of cats and dogs.

- (a) It shall be unlawful for any person to possess, harbor, shelter, or keep more than four (4) adult cats or four (4) adult dogs at any one time, excepting veterinary hospitals properly licensed by the City. For the purpose of this ordinance, an adult cat or dog shall be deemed to be any cat or dog six (6) months old or older.
- (b) It shall be unlawful to maintain any cat or dog so as to create a nuisance by way of noise, odor, menace to health, or otherwise. (2586)

Article 9. PLANNED AREA DEVELOPMENT

Sec. 9-1 - Statement of purpose.

The purpose of this section is to encourage the construction of Planned Area Developments. The Planned Area Development is intended to provide greater opportunity for construction of quality development on large tracts and/or parcels of land by providing flexible guidelines which allow the integration of a variety of land uses and densities in one development. Furthermore it is the general purpose of the Planned Area Development to: (2557, 2828)

- (a) Encourage enhancement and preservation of lands which are unique or of outstanding scenic, environmental, cultural and historical significance.
- (b) Provide an alternative for more efficient use and, resulting in smaller networks of utilities, safer networks of streets, promoting greater opportunities for public and private open space, and resulting in lower construction and maintenance costs.
- (c) Encourage harmonious and coordinated development of the site, considering the natural features, community facilities, pedestrian and vehicular circulation in conformance with the thoroughfare plan, and land use relationship with surrounding properties and the general neighborhood.
- (d) Require the application of professional planning and design techniques to achieve overall coordinated development eliminating the negative impacts of unplanned and piecemeal developments likely to result from rigid adherence to the standards found elsewhere in this Code.

Sections 9-1 through 9-11 of this article are general standards, requirements and procedures that apply to all planned area developments. However, the sections at the end of this Article are standards applicable only to special purpose Planned Area Developments and are additional to or supersede the standards, requirements and procedures outlined in these general sections.

Sec. 9-2 - Definitions.

- (a) Planned area development. A mechanism which allows an area of a minimum contiguous size, as specified by Section 9-3(a) 5(a) herein, to be planned, developed,

operated and maintained as a single entity which, as a result, permits variations in many of the traditional controls related to Floor Area Ratio, density, land use, setbacks, landscaped open space and other design elements, and the timing and sequencing of the development.

- (b) Special-use permit for planned area development. A permit authorized by the City Commission in accordance with the procedures and the general and particular standards set forth herein, for the design, development, construction, erection and operation of a Planned Area Development.
- (c) Common areas. Land within a Planned Area Development, not individually owned or dedicated for public use, which is dedicated and intended for the common use or enjoyment of the owners, tenants and residents of the development and may include such auxiliary structures and improvements as are necessary and appropriate.
- (d) Property owners association. An association of property owners organized within a Planned Area Development in which individual property owners within the development share common interests in common areas and/or facilities.
- (e) Contiguous. The word contiguous shall mean touching, meeting or joining at the surface or border.
- (f) Other words and phrases. Where not in conflict with the provisions of Section 9-2 herein, other words or phrases used herein for Planned Area Developments shall be as defined in this Zoning Code.

Sec. 9-3 - Standards and criteria for general development control.

- (a) Development criteria. The City Commission may authorize the issuance of a special-use permit for the construction of a Planned Area Development subject to compliance with the development criteria and minimum development standards for Planned Area Developments as set forth herein:
 - 1. Permitted locations of planned area developments. Planned Area Developments shall be permitted within any zoning district in

- accordance with the applicable sections contained in this Article.
2. Uses permitted. The uses permitted within a Planned Area Development shall be those uses specified and permitted within the Use District in which the Planned Area Development is located, or those specifically listed in this Article.
 3. Relation of planned area development regulations to general zoning, subdivision, or other regulations. The Planned Area Development Regulations as set forth herein shall apply generally to the initiation of applications for and regulations of all Planned Area Developments. Where there are conflicts between the Planned Area Development provisions herein and general zoning, subdivision or other regulations and requirements, these special regulations shall apply, unless the Planning and Zoning Board recommends and the City Commission finds, in the particular case:
 - a. That provisions herein do not serve public purposes to a degree at least equivalent to such general zoning, subdivision, or other regulations or requirements, or;
 - b. That actions, designs, construction or other solutions proposed by the applicant, although not literally in accord with these special regulations, satisfy public purposes to at least an equivalent degree. It is specifically provided, however, that where the floor area ratio and similar ratios, including land use and density, have been generally established for a particular type of district or in particular areas, the City Commission shall not act in a particular case to alter said ratios. Except as indicated above, notwithstanding procedures and requirements generally in effect, procedures and requirements set forth herein and in the guides and standards adopted as part of these regulations shall apply for Planned Area Developments and to any amendments for such developments and issuance of all permits therefore.
 4. Developments of regional impact/developments of county impact. In addition to the requirements stated herein, any application for a Planned Area Development which meets the definitions of a Development of Regional Impact and Development of County Impact under the rules administered by the State and County, must be accompanied by the reports and studies required for Developments of Regional Impact and/or Developments of County Impact.
 5. Minimum Development standards. Any parcel of land for which a Planned Area Development is proposed must conform to the following minimum standards:
 - a. Minimum site area. The minimum site area required for a Planned Area Development shall be not less than two (2) acres.
 - b. Configuration of land. The parcel of land for which the application is made for a Planned Area Development shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed use. The minimum average width and or depth for any Planned Area Development shall be two-hundred (200) feet with a minimum area of not less than two (2) acres.
 - c. Floor area ratio for a planned area development. The floor area ratio for a Planned Area Development shall conform to the requirements for each intended use as set forth under Sections 3-4(r) and 3-6(w) herein provided, however, that the total combined floor area ratio for all uses within the

- Planned Area Development shall not exceed two and one-half (2½).
- d. Density for apartments and hotels. The density requirements for apartments and hotels shall be in accordance with the provisions as set forth under Sections 3-4 (t) through (w).
 - e. Transfer of density within a planned area development. The density within a Planned Area Development shall be permitted to be transferred throughout the development site subject, however, to the requirements as set forth in Section 9-3(a) 5(c) herein.
 - f. Landscaped open space. The minimum landscaped open space required for a Planned Area Development shall be not less than twenty (20%) percent of the Planned Area Development site.
 - g. Height of buildings. The maximum height of any building in a Planned Area Development shall conform to the provisions as set forth under Sections 9-23, 3-4(i), 3-6(s), 28-9 and Sections 4 and 30-9 herein.
 - h. Perimeter and transition. Any part of the perimeter of a Planned Area Development which fronts on an existing street or open space shall be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping and screening.
 - i. Minimum street frontage; building site requirement, number of buildings per site, lot coverage and all setbacks. There shall be no specified minimum requirements for street frontage, building sites, number of buildings within the development, lot coverage and within these regulations for a Planned Area Development; however, all such street frontages, building sites, number of buildings within the development, lot coverage and setbacks shall be included in the Planned Area Development application materials and shall be subject to approval by the City Commission upon recommendation from the Planning and Zoning Board.
 - j. Platting and/or replatting of development site. Nothing contained herein shall be construed as requiring the platting and/or replatting of a development site for a Planned Area Development provided, however, that the City Commission may require the platting or replatting of the development site when it determines that the platting or replatting would be in the best interest of the community.
 - k. Facing of buildings. Nothing in this ordinance shall be construed as prohibiting a building in a Planned Area Development from facing upon a private street when such buildings are shown to have adequate access in a manner which is consistent with the purposes and objectives of these regulations and such private street has been recommended for approval by the Planning and Zoning Board and approved by the City Commission.
 - l. Off-street parking and off-street loading standards and requirements. The off-street parking and off-street loading standards and requirements for a Planned Area Development shall conform to the requirements as set forth under Article XIII, (unless otherwise specified as in Section 9-20 and 9-21) herein and provided, however, that off-street parking for bicycles shall be provided as may be required by the Planning and Zoning Board and approved by the City

- Commission. Where the parking for the development is to be located within a common parking area or a parking garage, a restrictive covenant shall be filed reserving within the parking area or the parking garage the required off-street parking for each individual building and/or use and such off-street parking spaces shall be allocated proportionately.
- m. Boats and recreational vehicle, parking. No boats and/or recreational vehicles shall be parked on the premises of a Planned Area Development unless such boats and/or recreational vehicles are located within the confines of an enclosed garage.
 - n. Auxiliary and/or accessory uses and structures. Uses and structures which are customarily auxiliary and accessory and clearly incidental to permitted uses and structures are permitted in a Planned Area Development subject to limitations and other lawful regulations pertaining thereto. Any use permissible as a principal use may be permitted as an accessory use, subject to limitations and requirements applying to the principal use.
 - o. Signs. The number, size, character, location and orientation of signs and lighting for signs for a Planned Area Development shall be in accordance with Article XVIII or Section 9-22 herein.
 - p. Refuse and service areas. Refuse and service areas for a Planned Area Development shall be so designed, located, landscaped and screened and the manner and timing of refuse collection and deliveries, shipment or other service activities so arranged as to minimize impact on adjacent or nearby properties or adjoining public ways, and to not impede circulation patterns.
 - q. Minimum design and construction standards for private streets and drainage systems. The minimum design and construction standards for private streets in a Planned Area Development shall meet the same standards as required for public streets as prepared by the Public Works Department of the City of Coral Gables. The minimum construction standards for drainage systems shall be in accordance with the South Florida Building Code.
 - r. Ownership of planned area development. All land included for purpose of development within a Planned Area Development shall be owned by the applicant requesting approval of such development, whether that applicant be an individual, partnership or corporation, or groups of individuals, partnerships or corporations. The applicant shall present proof of the unified control of the entire area within the proposed Planned Area Development and shall submit an agreement stating that if the owner(s) proceeds with the proposed development they will:
 - (1) Develop the property in accordance with:
 - (a) The final development plan approved by the City Commission for the area.
 - (b) Regulations existing when the Planned Area Development ordinance is adopted.
 - (c) Such other conditions or modifications as may be attached to the approval of the special-use permit for the construction of

- such Planned Area Development.
- (2) Provide agreements and declarations of restrictive covenants acceptable to the City Commission for completion of the development in accordance with the final development plan as well as for the continuing operation and maintenance of such areas, functions and facilities as are not to be provided, operated or maintained at general public expense.
 - (3) Bind the successors and assigns in title to any commitments made under Section 9-3(a) 5(u) (1) and (2) herein.
- s. Compatibility with historic landmarks. Where an historic landmark exists within the site of a Planned Area Development the development shall be required to be so designed as to insure compatibility and congruity with the historic landmark.
 - t. Easements. The City Commission may as a condition of approval and adoption of the Planned Area Development require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, and other public purposes which may be deemed necessary by the City Commission.
 - u. Installation of utilities. All utilities within a Planned Area Development including but not limited to telephone, electrical systems and television cables shall be installed underground.
- v. Mixed-uses within a planned area development. A Planned Area Development may be so designed as to include the establishment of complementary and compatible combinations of office, hotel, apartment and retail uses which shall be oriented to the development as well as the use district in which the development is located. The applicant may utilize the provisions of Section 3-5 of this Code.
 - w. Common areas for planned area developments. Any common areas established for the Planned Area Development shall be subject to the following:
 - (1) The Planning and Zoning Board shall recommend and the City Commission shall require that the applicant provide for and establish a property owner's association for the ownership and maintenance of all common areas, including open space, recreational facilities, private streets, etc. Such association shall not be dissolved nor shall it dispose of any common areas by sale or otherwise (except to an organization conceived and established to own and maintain the common areas), however, the conditions of transfer shall conform to the Development Plan.
 - (2) Membership in the association shall be mandatory for each property owner in the Planned Area Development and any successive purchaser that has a right of enjoyment of the common areas.

- (3) The association shall be responsible for liability insurance, local taxes, and the maintenance of the property.
- (4) Property owners that have a right of enjoyment of the common areas shall pay their pro rata share of the cost, or the assessment levied by the association shall become a lien on the property.
- (5) In the event that the association established to own and maintain commons areas or any successor organization, shall at any time after the establishment of the Planned Area Development fail to maintain the common areas in reasonable order and condition in accordance with the Development Plan, the City Commission may serve written notice upon such association and/or the owners of the Planned Area Development and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing the City Commission shall call upon any public or private agency to maintain the common areas for a period of one year. When the City Commission determines that the subject organization is not prepared or able to maintain the common areas such public or private agency shall continue maintenance for yearly periods.
- (6) The cost of such maintenance by such agency shall be assessed proportionally against the properties within the Planned Area Development that have a right of enjoyment of the common areas and shall become a lien on said properties.
- (7) Land utilized for such common areas shall be restricted by appropriate legal instrument satisfactory to the City Attorney as common areas in perpetuity. Such instrument shall be recorded in the Public Records of Dade County and shall be binding upon the developer, property owners association, successors, and assigns and shall constitute a covenant running with the land.
6. Size and uses in certain areas. The minimum size of Planned Area Developments in Mixed Use Districts No. 1 shall be twenty-thousand (20,000) square feet in the area bounded by S.W. 8th Street on the north, Santander Avenue on the south, LeJeune Road on the west, and Douglas Road on the east on properties designated for high intensity commercial use in the City's Comprehensive Plan. Planned Area Developments within that area may include adjacent apartment zoned properties, and may use up to ninety (90%) percent of the gross floor area as residential units (not to exceed forty (40) units per acre) apartment, apartment-hotel, or hotel units. The design and operation plan for such a Development shall describe the mix of uses within the Development, which shall encourage harmonious and coordinated development of the site, considering the natural features, community facilities, pedestrian and vehicular circulation in conformance with the thoroughfare plan, and land use relationship with surrounding properties and the general

neighborhood, and require the application of professional planning design techniques to achieve overall coordinated development eliminating the negative impacts of unplanned and piecemeal developments likely to result from rigid adherence to the standards found elsewhere in this Code. (3171)

Sec. 9-4 - General procedures for plan approval. (2003-10)

- (a) Pre-application conference - Planning department. Before submitting an application for approval of a Planned Area Development the applicant or his representative shall confer with the City of Coral Gables Planning Department before entering into binding commitments or incurring substantial expense. The applicant is encouraged to submit a tentative land use sketch for review and to obtain information on any projected plans, programs or other matters that may affect the proposed development. The pre-application conference should address, but shall not be limited to, such matters as:
1. The proper relationship between the proposed development and the surrounding uses, and the effect of the plan upon the Comprehensive Plan of the City of Coral Gables.
 2. The adequacy of existing and proposed streets, utilities and other public facilities and services within the proposed Planned Area Development.
 3. The character, design and appropriateness of the proposed land uses and their adequacy to encourage desirable living conditions, to provide separation and screening between uses where desirable and to preserve the natural and scenic areas and vistas of property.
 4. The adequacy of open space and recreation areas existing and proposed to serve the needs of the development.
- (b) Pre-application review. The applicant shall distribute a copy of his plans or exhibits to the Director of Building and Zoning, Public Works Director, Public Service Director, Planning Director, Fire Chief and the

Historic Preservation Director (if applicable) and upon their review of the plans they shall advise the applicant of any recommended revisions, changes or additional information necessary before the filing of a formal application.

- (c) Board of architects review. After preliminary review by the departments, and the Historic Preservation Department (if applicable), the applicant shall revise the plans to incorporate all recommended revisions and changes and shall submit such plans to the Board of Architects for review and preliminary approval prior to filing a formal application for Planning and Zoning Board review.
- (d) Development plan--General requirements.
1. Professional services required: Plans for buildings or structures within a Planned Area Development shall be prepared by a registered Architect with the assistance of a registered Engineer and a registered Landscape Architect, all being qualified under the laws of the State of Florida to prepare such plans.
 2. Legal description of site: Should the legal description of the site for a Planned Area Development contain a metes and bounds description, such description shall be prepared by a registered land surveyor. The legal description shall be accompanied by a map at a scale suitable for reproduction for advertising for public hearing, showing exact location of the development.
 3. Development proposal: The Development Plan shall consist of a map or map series and any technical reports and supporting data necessary to substantiate, describe or aid the Development plan. The plans for the development proposal shall be drawn to scale as required by Section 22-4 herein or otherwise approved, or stipulated in this Article, and shall include the following written and graphic materials:
 - a. Site condition map: Site condition map or map series indicating the following:
 - (1) Title of Planned Area Development and name

- of the owner(s) and developer.
- (2) Scale, date, north arrow and the relationship of the site to such external facilities as highways, roads, streets, residential areas, shopping areas and cultural complexes.
 - (3) Boundaries of the subject property, all existing streets, buildings, water courses, easements, Section lines and other important physical features within the proposed project. Other information on physical features affecting the proposed project as may be required.
 - (4) Existing contour lines at one foot intervals. Datum shall be National Geodetic Vertical Datum (N.G.V.D.) (if required by City Staff).
 - (5) The location of all existing storm drainage, water, sewer, electric, telephone and other utility provisions.
- b. Plan of pedestrian and vehicular circulation showing the location and proposed circulation system of arterial, collector, local and private streets, including driveways, service areas, loading areas and points of access to existing public right-of-way and indicating the width, typical sections and street names. The applicant is encouraged to submit one or more companion proposals for a pedestrian system, transit system or other alternative for the movement of persons by means other than privately owned automobiles.
 - c. Exterior facade elevations (if deemed appropriate or necessary by City Staff) of all proposed buildings to be located on the development site.
 - d. Isometrics or perspective and/or mass model(s) (if deemed appropriate or necessary by City Staff) of the proposed development.
 - e. Map of existing land use.
 - f. Existing and proposed lot(s) lines and/or property lines.
 - g. Master site plan--A general plan for the use of all lands within the proposed Planned Area Development. The plan shall serve as the generalized zoning for the development and shall guide the location of permissible uses and structures. Such plan shall show the general location, function and extent of all components or units of the plan, indicating the proposed gross floor area and/or floor area ratio of all existing and proposed buildings, structures and other improvements including maximum heights, types and number of dwelling units, landscaped open space provisions such as parks, passive or scenic areas, common areas, leisure time facilities, and areas of public or quasi-public institutional uses.
 - h. Location and size of all existing and proposed signs (unless otherwise specified as in Section 9-22).
 - i. Existing and proposed utility systems including sanitary sewers, storm sewers and/or storm water drainage system and water, electric, gas and telephone lines. The applicant shall submit a statement indicating what proposed arrangements have been made with appropriate agencies for the provision of needed utilities to and within the Planned Area Development including, water supply, sewer, storm drainage collection and disposal, electric power, gas, and telephone.
 - j. General landscape plan indicating the proposed treatment of materials used for

- public, private and common open spaces and treatment of the perimeter of the development including buffering techniques such as screening, berms and walls, significant landscape features or areas shall be noted as shall the provisions for same.
- k. Description of adjacent land areas, including land uses, zoning, densities, circulation systems, public facilities, and unique natural features of the landscape.
 - l. Proposed easements for utilities, including water, power, telephone, storm sewer, sanitary sewer and fire lanes showing dimensions and use.
 - m. Location of proposed off-street parking. Smaller developments (as determined by the Planning Director) shall also be required to include stall size, aisle widths, location of attendant spaces, number of spaces by use, number of standard and compact spaces.
 - n. Location and designation of historic landmarks located within the development site which have been approved as provided within the Zoning Code or notation of those structures which may be worthy of historic designation.
 - o. Certified survey showing property boundary, existing buildings and their dimensions, setbacks from streets, (public and private) and property lines, easements, streets, alleys, topographical data, water areas, unique natural features, existing vegetation and all trees with an upright trunk of either nine (9) or more inches in circumference (as measured at the narrowest point below four and one-half (4½) feet above ground level) or twelve (12) or more feet in height (if required by City Staff).
 - p. Proposed development schedule indicating the

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

- q. Location and designation of proposed traffic regulation devices within the development.
- r. Statistical information including:
 - (1) Total square footage and/or acreage of the development site.
 - (2) Maximum building coverage expressed as a percentage of the development site area.
 - (3) The land area (expressed as a percent of the total site area) devoted to:
 - (a) Landscaped open space; and,
 - (b) Common areas usable for recreation or leisure purposes.
- s. Copies of any covenants, easements and/or agreements required by this section or any other ordinance and/or regulations for the Planned Area Development.

Sec. 9-5 - Application and review procedures for approval of plans. (2003-10)

- (a) Application. The applicant for a Planned Area Development shall file a written application therefore with the Planning Department on forms prepared by such department. Such application shall be accompanied by fifteen (15) sets of required plans, technical reports, update reports and/or exhibits. All plans shall have the details needed to enable the department heads, Fire Chief, Boards and City Commission to determine whether the

proposed development complies with this section and all other applicable ordinances and regulations of the City. The plans shall have the preliminary approval of the Board of Architects as provided for under Section 9-4(c) herein. Upon receipt of such completed application, all supporting data and exhibits and payment of the required costs and fees, the time periods established in this subsection shall commence. Any application for approval of a plan for a Planned Area Development which meets the definition of a development of regional impact under Chapter 28 of the Florida Administrative Code and/or Development of County Impact as defined under Chapter 33A of the Code of Metropolitan Dade County must be accompanied by the reports, studies and recommendations required for Developments of Regional Impact and/or Development of County Impact provided, however, that the provisions of Development of County Impact does not apply where the development meets the requirement of a Development of Regional Impact.

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

(c) Public hearing. The Planning and Zoning Board shall hold a public hearing within ninety (90) days from the date of filing the application. Such public hearing shall be in accordance with the provisions of Section 25-7 herein. The Planning and Zoning Board shall recommend to the City Commission the approval, approval with modifications, or denial of the plan for the

proposed Planned Area Development and shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth particularly in what respects the proposal would or would not be in the public interest. These findings shall include, but shall not be limited to the following:

1. In what respects the proposed plan is or is not consistent with the stated purpose and intent of the Planned Area Development regulations.
2. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.
3. The extent to which the proposed plan meets the requirements and standards of the Planned Area Development regulations.
4. The physical design of the proposed Planned Area Development and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, provide for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.
5. The compatibility of the proposed Planned Area Development with the adjacent properties and neighborhood.
6. The desirability of the proposed Planned Area Development to physical development of the entire community.
7. The conformity of the proposed Planned Area Development with the goals and objectives and Future Land Use Maps of the City of Coral Gables Comprehensive Plan.

(d) Approval by the City Commission. The City Commission upon receipt of the recommendations of the Planning and Zoning Board shall approve, approve with modifications, or disapprove the Preliminary Development Plan for the proposed Planned Area Development. The approval of the Development Plan

shall be by Ordinance. No building permits shall be issued, no construction shall be permitted and no plats shall be recorded on land within a Planned Area Development until the Final Development Plan has been approved by the City Commission.

Sec. 9-6 - Amendments to the development plan.

Amendments to the Development Plan shall be considered as major or minor. Minor amendments as specified in Section 9-6(a) herein may be approved administratively by the Building and Zoning Department with recommendations from other departments, as needed. Major amendments as specified in Section 9-6(b) herein, shall be subject to the review and approval process set forth in Section 9-5. The Building and Zoning Department, with recommendations from other departments, as needed, shall determine whether proposed changes are major or minor. Requests for major amendments may be made no more than once per twelve month period.

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

approved development plan, or changes in the circulation system.

Sec. 9-7 - Designation on use and area maps.

Upon approval of the development plan and the issuance of a Special-Use permit for a Planned Area Development, the boundaries of such development shall be placed upon the Use and Area Maps of the City of Coral Gables, with a footnote indicating the following:

- (a) The ordinance number approving the final Development Plan.
- (b) The date of the Ordinance.
- (c) The type of development approved for the property.

Sec. 9-8 - Binding nature of approval for a Planned Area Development.

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

Sec. 9-9 - Commencement of construction.

The developer shall obtain a building permit and begin construction of the improvements within the Planned Area Development within three-hundred and sixty-five (365) days from the effective date of the ordinance approving the Development Plan (or subsequent updates). Time limitations on permits shall be in accordance with Section 304.3 of the South Florida Building Code. If the developer fails to commence construction of the Planned Area Development within the specified time or if the work is not being carried on in accordance with said Section 304.3 of the South Florida Building Code the approval of the Planned Area Development shall lapse.

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

Sec. 9-10 - Monitoring construction.

The City Manager or his designee shall periodically monitor the construction within the Planned Area Development with respect to start of construction and Development Phasing. If the City Manager or his designee finds that either the developer has failed to begin construction within the specified time period or that the developer is not proceeding in accordance with the approved Development Phasing with respect to timing of construction of an approved mix of project elements, he shall report to the City Commission and the City Commission shall review the Planned Area Development and may extend the time for start of construction or the length of time to complete a phase, revoke approval of the Planned Area Development or recommend that the developer amend the Development Plan subject to procedures specified in Section 9-6 herein.

Sec. 9-11 - Reserved.

Editor's note--Ordinance No. 3474, adopted August 29, 2000, repealed § 9-11, which pertained to Fees, Application and Recording. See Code Comparative Table.

Sec. 9-12 - University of Miami Campus Area Development.

The following standards, regulations and requirements apply to the University of Miami Campus Area Development (U.M.C.A.D) district; these standards, regulations and requirements either supersede or are in addition to those described in Sections 9-3 through 9-6. The University of Miami Campus Area Development District is defined for the purpose of those regulations as a Planned Campus Development for the establishment of a functional, aesthetic and progressive organization of university activities including educational, dormitory, classroom, administrative, social, open space, parking, maintenance and auxiliary university functions. (See Ordinance No. 2964--Masterplan)

Sec. 9-13 - Intent.

The purpose of this section is to provide a comprehensive set of regulations by which the University's growth can be governed and reviewed. These regulations have the effect of supplanting requirements listed within existing

districts by requiring an organized Development Plan which protects the public interest, ensures compatibility with surrounding neighborhoods, establishes a plan for growth upon which the University, surrounding neighbors and the City can rely, protects against incongruent design and the destruction of natural features and streamlines the permit approval process.

Sec. 9-14 - Permitted locations.

U.M.C.A.D.'s shall be allowed in any XR, CB, CC, M or S zoning district.

Sec. 9-15 - Uses permitted.

The following uses are permitted in U.M.C.A.D. district subject to the limitations and requirements set out herein:

- (a) Class room facilities.
- (b) Lecture halls.
- (c) Research/laboratory facilities.
- (d) Dormitory/residential facilities.
- (e) Administrative, faculty and other non-commercial offices.
- (f) Social activities facilities.
- (g) Recreational and athletic facilities.
- (h) Parking lots and garages.
- (i) Theaters, concert halls and assembly hall/arena.
- (j) Museum.
- (k) Library facilities.
- (l) Religious facilities.
- (m) Private Clubs/Fraternity/Sorority facilities.
- (n) University support facilities such as: printing, data processing, laundry, child care, physical plant, utilities, security, health care and maintenance.
- (o) University convenience facilities such as: cafeteria, bookstore, snack bar, gift shop, postal office and automatic teller machines.
- (p) Other auxiliary-uses of a support or incidental nature to the operation of a university such as loading areas and kiosks.

Sec. 9-16 - Campus master plan.

A Campus Master Plan as outlined in Section 9-5, with illustrative exhibits shall serve as the Campus Land Use and Development Plan. It shall guide the location of uses and structures. The Campus Master Plan shall include an illustrative master site plan drawn at scale no smaller than 1" = 200' which clearly designates

all existing and proposed structures. Additionally, the Campus Master Plan shall include the following zoning information: general setback and height criteria; and campus-wide ground area coverage and floor area ratio applicable on a cumulative basis for all structures.

Sec. 9-17 - Supplementary reports.

In addition to the Campus Master Plan, the University shall submit supplementary reports including a Design Manual, Traffic Parking Report, and Utility Report that serve as supporting documentation and/or technical reports and address specific issues such as traffic, parking, signage, lighting, landscaping and architectural style.

Sec. 9-18 - Annual report.

The University of Miami shall submit an Annual Report which updates and documents any proposed modifications to the Campus Master Plan and supplementary reports. The Annual Report shall consist of the same type of maps, documents and supplementary material referred to in Sections 9-16 and 9-17 as required, based on the types of changes and modifications proposed. When approved, the Annual Report shall supersede those portions of the previously approved Campus Master Plan and supplementary documents, as applicable.

The annual report shall be submitted to the Planning Department no later than June 1st of each year and shall be reviewed and approved in the same manner as the original documents as outlined in Section 9-5. In the event that the University does not file an Annual Report within the specified time, then the latest edition of the Campus Master Plan and supplementary documents will remain in effect during the next twelve (12) month period. A permit for construction shall not be issued for a project which substantially deviates from, or constitutes a major amendment to, any of the components of the approved Campus Master Plan, supplementary reports or the annual report.

Sec. 9-19 - External relationships.

Scale in a U.M.C.A.D. shall be such that careful site planning consideration shall be given to the relationship between the University uses and structures, and off-campus uses and structures

in the surrounding neighborhoods. The U.M.C.A.D. district as represented in the Campus Master Plan, Supplementary Documents or Annual Report shall provide protection of surrounding areas from potentially adverse impact and influences from the development and provide protection of the development from potentially adverse surrounding influences.

Sec. 9-20 - Vehicular access and circulation.

The University shall pay special attention to vehicular access points to and from the development. Vehicular traffic flow related to the U.M.C.A.D. District shall be so designed and oriented that it will not detrimentally impact nearby residential neighborhoods. Arrangements for traffic flow to and from the development shall be so designed to retain the major portion of such traffic on designated arterial and collector streets. Relationships of traffic flow to off-street parking, off-street loading and the location of refuse and service areas for the U.M.C.A.D. district shall be governed by Section 63.5(l) and (p).

Additionally, the University shall submit a Traffic Impact Analysis Report as part of the Annual Report whenever University development or redevelopment projects, individually or collectively, constitute a net increase to the campus gross floor area of two-hundred thousand (200,000) square feet. The Traffic Impact Analysis Report shall be prepared by a certified traffic planner or engineer and shall assess existing and projected roadway conditions, levels of service, traffic volumes/capacities and other information necessary to determine the impact of proposed development. The report shall also identify ways of mitigating any negative impacts projected by the analysis. Where improvements in existing street systems, including street widening, traffic dividers, signalization, and the like are found by standard traffic engineering projections and methods to be required in order to maximize safety and convenience and to minimize automotive conflicts in connection with proposed projects within the U.M.C.A.D. district, approval of said projects shall be conditioned on arrangements being made for the provision of such improvements.

Sec. 9-21 - Off-street parking.

Location for off-street parking shall be shown on the Campus Master Plan and/or Supplementary Documents and shall be provided in such amounts and areas within the development that students, faculty, employees and visitors will not have to park in abutting residential areas or other off-campus areas which could be detrimentally impacted as a result of inadequate campus parking provisions. In projecting parking needs, standard traffic engineering methods shall be used and consideration shall be given to daily, regular users of the University, auto driver visitors and persons arriving by mass transportation.

The University shall monitor the capacity and utilization of its off-street parking facilities and perform supply/demand analysis as required to assess the level of utilization, availability and appropriateness of location of campus parking facilities. The analysis shall also indicate the type of user and the extent to which parking is used jointly by different components of the campus. The results of the monitoring and analysis shall be incorporated in a Parking Impact Analysis Report prepared by a certified traffic planner or engineer.

Approval of a building permit application shall not be granted unless all anticipated parking needs are shown on the Campus Master Plan Supplementary Documents or Annual Report and referred to in the University's application, and the University demonstrates that required parking for each phase of development shall be made prior to or concurrent with such development.

Sec. 9-22 - Signs and lighting.

As part of the U.M.C.A.D. district the University shall include in its Design Manual a general signage and lighting plan. The manual shall show the design criteria for location and type of signage and lighting to be used. Additionally, the following information shall be included:

- (a) Treatment of lighting and signage visible from public accessways and residential areas;
- (b) Adequacy and suitability of lighting used in areas for off-street parking and other locations where safety is a special consideration;

- (c) General criteria for the character and size of signage to be used.

In approving the proposed design manual, preference will be given to low profile, landscaped signs. Additionally, approval shall be based on the character of the proposed signage and lighting, and their compatibility and appropriateness with their surroundings.

Sec. 9-23 - Height and setbacks of buildings.

All new proposed structures and buildings within the U.M.C.A.D. district shall comply with the height and setbacks criteria specified in the Campus Master Plan.

In determining heights for the campus property, consideration shall be given to the nature and character of the proposed development and the appropriateness and impact of the proposed height to the surrounding area.

In approving the proposed U.M.C.A.D., preference shall be given to locating the highest structures at the center of the campus or along a major roadway. Additionally, preference shall be given to the stratification of height away from residential neighborhoods.

Sec. 9-24 - Internal relationships and arrangement of uses.

Compatible and complementary uses proposed within the U.M.C.A.D. district be so arranged as to:

- (a) Provide for safe, efficient, and harmonious groupings of structures and facilities;
- (b) Create successful relationships between interior and exterior spaces;
- (c) Include adequate parking facilities within a reasonable distance of the function they serve;
- (d) Include pedestrian linkage between facilities;
- (e) Simplify circulation routes and minimize opportunities for pedestrian/vehicular conflicts.

Sec. 9-25 - Regulatory controls.

No specified lot coverage, setback, frontage, facing or number of buildings per site restrictions are set forth herein. All existing and proposed facilities shall be illustrated on a Master Site Plan approval of the Development Plan,

including the Campus Master Site Plan, shall constitute approval and establishment of said regulatory controls.

Sec. 9-26 - Pedestrian amenities.

Wherever possible in the U.M.C.A.D. district, pedestrian amenities should be provided. Features such as convenient and covered walkways, benches, water fountains, trash receptacles, bicycle racks and landscaping shall be included, especially along street frontages and near access points should be addressed in the design manual.

Sec. 9-27 - Architectural design.

In order to provide a cohesive aesthetic environment within the U.M.C.A.D. district, the University shall submit design criteria to guide the architectural appearance and style of campus development.

Sec. 9-28 - Landscaping.

Desirable landscaping shall be preserved in its natural state to the maximum extent possible. General landscaping requirements and standards established by code for off-street parking, yards and open space shall be considered supplemental to retention of desirable natural features. Placement of structures and vehicular areas shall be such as to retain, to the extent reasonable practical, desirable existing landscaping, open space and natural features, and to promote provisions of compatible new landscaping. Desirable native plant materials, and such exotic plant materials as have become traditional in the area, shall be preferred in plant selection.

Sec. 9-29 - Utilities.

(a) The University shall make the necessary arrangements with the public utility companies. County and Municipal agencies having jurisdiction over the permitting and provision of infrastructure services (such as potable water, fire, flow, sewer, storm water/drainage, telephone cable, electricity, gas, etc.), to ascertain the sufficiency of available capacity to meet as a minimum, the needs of a five (5) year projected growth program for the campus.

(b) The growth projections and their impact on existing utilities, along with any recommended utility improvements to meet future campus development or redevelopment, shall be included in the Annual Report.

Article 10.

BUILDING MORATORIA

Sec. 10-1 - Administrative building moratoria.

- (a) Whenever it shall be made to appear to the City Manager or City Commission that it is in the public interest to make a comprehensive determination as to whether the existing zoning districts applying to a portion of the area of the City of Coral Gables are appropriate, and where it is further made to appear to them that the said existing zoning districts may be detrimental to the said area should they continue to remain applicable and building permits be issued predicated thereon, the City Manager or City Commission shall immediately issue an administrative order delineating the area in question and prohibiting the issuance of building permits therein.
- (b) Any administrative order issued pursuant to subsection (a) shall be complied with by all City of Coral Gables personnel and shall be effective until reversed, modified or superseded by order of the City Commission and if a building permit is issued, same shall be void and of no force or effect.
- (c) Immediately upon issuance of any administrative order pursuant to subsection (a) the City Manager shall place the matter on the City Commission Agenda for consideration of the City Commission calling for a public hearing.
- (d) The City Commission shall call a public hearing at the earliest practical time with reasonable notice by publication in a newspaper of general circulation in the City of Coral Gables, Florida.
- (e) At the public hearing the City Commission shall inquire into the propriety of a building moratorium and may reverse, modify or supersede any moratorium order previously issued. The City Commission's determination shall be predicated upon the reasonable necessity for a detailed comprehensive analysis of the area in question and the probability of detriment to the character of the area by the continued application of the existing zoning districts.
- (f) Should the City Commission determine that a building moratorium is reasonably necessary, it shall order the same and

direct that no building permits be issued within the affected area. The City Commission's order shall fix a time within which the City Manager shall report back to the City Commission with his recommendation relating to appropriate zoning districts for the affected area. The said time limitation shall be a reasonable one, predicated upon the time needed for a comprehensive analysis of the area.

- (g) Should the City Manager be unable to report back to the City Commission within the time prescribed by its moratorium order, upon timely request by the City Manager and after public hearing on the need therefore, the City Commission may reasonably extend the time limitation.
- (h) Upon notification by the City Manager that he is prepared to submit his recommendation relating to the affected area, the City Commission shall call a public hearing thereon at the earliest practical time, after reasonable notice by publication in a newspaper of general publication in the City of Coral Gables, Florida. After said public hearing the City Commission shall make its determination as to whether the zoning districts shall remain the same or shall be changed. Should the City Commission determine that the zoning districts shall remain the same, it shall immediately issue its order terminating the building moratorium. Should the City Commission determine that the applicable zoning districts should be changed, or new districts created therefore, it shall issue its order continuing the building moratorium and shall immediately take the actions required elsewhere within the City of Coral Gables Zoning Code for such changes.
- (i) Upon the completion of all zoning district changes relating to the affected area, the City Commission shall issue its order terminating the building moratorium.

Sec. 10-2 - Other building moratoria.

- (a) Should the City Commission determine that a public hearing should be held as to whether a building moratorium is appropriate, it shall call the same for the

earliest practicable date and give reasonable notice thereof by publication in a newspaper of general circulation in the City of Coral Gables, Florida. Pending the public hearing the City Commission may issue an order prohibiting the issuance of building permits in the affected area.

- (b) The procedure to be followed for this section, after the completion of the steps provided in subsection (a) above, is that set forth in Section 10-1 (a) through (i) of this code.

Sec. 10-3 - Issuance of building permits for non-deleterious structures during moratoria.

Notwithstanding the issuance of any moratorium order, the City Manager may authorize the issuance of building permits for non-deleterious items including, but not limited to, fences, repairs and like matters, where he determines that such permit will not materially or substantially affect the outcome of the planning study.

Sec. 10-4 - Applications for variances, change of zoning or tentative plats during moratoria.

During the existence of any building moratorium, no applications for variances, changes of zoning or tentative plats within the affected area shall be acted upon by any city agency, except as provided in Section 10-1 (h) and if acted upon in violation of this Article same are deemed void and of no force or effect.

Article 11.
SUPPLEMENTARY DISTRICT REGULATIONS

Sec. 11-1 - Change in minimum building square foot floor area.

Changes in minimum building square foot floor area of more than five (5) % for any specifically designated property may be approved by ordinance by the City Commission upon application to the Planning and Zoning Board and after a public hearing before such Board, at which all interested persons shall have been afforded an opportunity to be heard.

Sec. 11-2 - Determination of minimum square foot floor area.

The minimum square foot floor area of existing or proposed buildings and structures shall be the sum of the gross horizontal floor area of the several stories of the building or structure, measured from the exterior faces of the exterior walls. Garages attached to and made a part of the main building or structure and screened porches shall be computed as one-half (½) of the square foot floor area contained therein. Detached private garages, garage apartments and other subordinate auxiliary-use buildings and open porches, patios, porte-cocheres and areas having plastic, glass, aluminum or screened roofs shall not be taken into account in calculating the minimum square foot floor area as required by this code.

Sec. 11-3 - Exclusions from floor area ratio (F.A.R.).

- (a) The following shall be excluded from Floor Area Ratio (F.A.R.) computations in A-Use Districts, and apartments, apartment-hotels and hotels in C-Use Districts.
 - 1. Unenclosed private balconies.
 - 2. Accessory decks.
 - 3. Off-street parking area within the building.
- (b) The following shall be excluded from Floor Area Ratio (F.A.R.) computations in C or M-Use Districts excluding apartments, apartment-hotels and hotels:
 - 1. Open plaza areas.
 - 2. The area devoted to interior parking.

Sec. 11-4 - Facings--General.

Except for specific deviations or exceptions prescribed in Article 4 every lot 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 such street on which it is deemed to face. Whenever a lot is so shaped or situated that its facing may be uncertain, or the specific restrictions herein provided may be ambiguous when applied hereto, the Board of Adjustment shall determine the facing of the lot.

Sec. 11-5 - Height of buildings on property abutting, or across the street, waterway or alley from single-family or duplex-zoned property--General.

Except as specifically set forth herein, no building shall be constructed to a height of more than three (3) stories or forty-five (45) feet, whichever is less, on property abutting or across the street, waterway or alley from single-family or duplex-zoned property.

Sec. 11-6 - Exclusion from height.

The following shall be excluded from the computation of the building height in A, C and M-Use Districts:

- (a) Air-conditioning equipment rooms.
- (b) Elevator shafts.
- (c) Elevator mechanical equipment rooms.
- (d) Parapets.
- (e) Roof structures used only for ornamental and/or aesthetic purposes not exceeding a combined area of twenty-five (25%) percent of the floor area immediately below. Such exclusion shall be subject to the provisions that no such structure shall exceed a height of more than twenty-five (25) feet above the roof.

Sec. 11-7 - Exclusion from stories.

The following shall be excluded from the computation of stories:

- (a) Penthouses.
- (b) Scenery Lofts.
- (c) Cabanas.
- (d) Towers.

- (e) Cupolas.
- (f) Steeples.
- (g) Domes and other roof structures used for ornamental, service or mechanical purposes, not exceeding a combined area of twenty-five (25%) percent of the floor immediately below.

Sec. 11-8 - Setbacks--General.

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. Setback requirements for specifically described or designated properties or uses shall take precedence and shall govern over general setback requirements prescribed for Use Districts.

Sec. 11-9 - Conversion of R, D, A or S-Use buildings in manufacturing and commercial use districts for C or M-Uses.

The use of a building which is designed or denoted to be used for R, D, A or S-Use shall not be used for commercial or manufacturing purposes unless such use is approved by the Board of Adjustment.

Sec. 11-10 - Utility poles.

In R, D or A-Use Districts, utility poles and lines shall be placed in rear yard areas reserved for utility uses by easements granted for that purpose where lots on both sides of an alley are zoned for R, D, or A-Uses. Utility poles shall be placed in a five (5) foot strip in the middle of the alley.

Sec 11-11 - Height of buildings--Telecommunication transmission corridors.

- (a) All plans for buildings to be built having a height of fifty-five (55) feet to one-hundred and fifty (150) feet and located within a designated telecommunication corridor as shown on the Telecommunication Transmission Corridors map shall be reviewed by the Building and Zoning Department and/or the Technical Services Division of the Police Department to determine the building's impact on

communication transmission. If the Department's determination is that the proposed building will interfere with communications transmission, then the building plans shall be required to include facility space for telecommunication equipment as specified in 11-11(c).

- (b) All plans for buildings having a height greater than one-hundred and fifty (150) feet and located within designated telecommunication corridors shall be required to include facility space for telecommunication equipment as specified in 11-11(c).
- (c) When telecommunication facility space for antennas and radio equipment is required, such space shall:
 1. Be provided on the roof for antennas.
 2. Be provided within the building and be air-conditioned for radio equipment.
 3. Be accessible twenty-four (24) hours per day.
 4. Be sized in accordance with user requirements to meet the needs of the equipment operations and maintenance.
 5. Be subject to all easements, covenants and agreements necessary to address peripheral issues associated with the enactment of these provisions and as further stipulated in Ordinance No. 2961.
 6. Not be counted in Floor Area Ratio (F.A.R.) calculations if said space is used by, or set aside for, the City of Coral Gables.
 7. Include all necessary vertical access to roof-mounted equipment. (2961)

Sec. 11-12 - Transfer of development rights. (3354)

- (a) Public Policy. It is the policy of the City of Coral Gables to permit the Transfer of Development Rights (TDR) to allow the transfer of unused development rights or undeveloped floor area from lots containing a designated historic landmark or within a designated historic landmark or within a designated historic landmark district in order to encourage historic preservation and to provide an economic incentive to property owners to designate,

protect, enhance and preserve historic properties.

- (b) Certificate of Transfer of Development Rights. The Historic Preservation Board shall have the authority to grant certificates of transfer of development rights (TDR) to property owner(s) of designated historic landmarks, either individual sites or buildings with districts as set forth in Table 1. The exercise of this authority shall be in accordance with the criteria and standards for transfer of development rights, as recommended by the Planning and Zoning Board and adopted by the City Commission.

1. A property may be eligible for a Certificate of Transfer if the following criteria is met:
 - a. The sending site has been designated as an historic landmark pursuant to Chapter 11, Section 30 of the City Code.
 - b. The sending site is located within the boundaries of the Central Business District as defined in the Zoning Code.
2. In considering a Certificate of Transfer, the Historic Preservation Board shall review a preservation plan which set forth a maintenance schedule and/or rehabilitation treatment for those architectural elements that are deemed a "character-defining" features. Those features are identified in part by "Review Guide," a section of the local designation report produced by the Historic Preservation Department, and will be further identified through as on-site inspection of the property prior to the public review of the application for a Certificate of Transfer.
3. Following the granting of a Certificate of Transfer, and upon subsequent site plan approval by the Planning and Zoning Board and City Commission for the receiving site, an annual schedule will be established for the submission of the maintenance/preservation plan. A certified report, submitted by a preservation expert, shall be submitted, and representatives of the City of Coral Gables shall be allowed

the opportunity for an on-site inspection of the property to ensure compliance with the approved plan and/or schedule.

- (c) Transfer of Development Rights (TDR) to Receiving Properties Located in Central Business District (CBD). The City Commission, by ordinance, may grant the transfer of unused development rights or undeveloped floor area from properties containing a structure that has been designated for historic preservation, in accordance with this Section, upon the advice of the Planning and Zoning Board. Such transfer shall meet all of the following conditions and requirements:

1. This procedure shall be permitted only in the Central Business District (CBD), an area defined in this Code.
2. The maximum amount of underdeveloped floor area that may be transferred from a designated historic private property shall be the difference between the existing gross floor area in the designated structure (sending site) and the maximum gross floor area permitted in that site's zoning designation, as detailed in Table 1.
3. One-hundred (100%) percent of the floor area as calculated according to Item 2 of this subsection may be transferred from a designated historic City-owned public property to any single or multiple receiving properties. The proceeds of the sales shall be used for the preservation of City-owned historic properties. (2003-25)
4. Every application shall contain the signatures of the owners of all properties involved.
5. No receiving site shall be enlarged through this procedure by more than twenty-five (25%) percent of the maximum gross floor area as permitted by this Code.
6. A site plan shall be submitted for review by the Planning and Zoning Board, and referred to the City Commission detailing the receiving site and the proposed transfer of development rights. This site plan shall include: area analysis of surrounding properties; massing study; elevations; landscape plan;

traffic and parking plans. Applications within five-hundred (500) feet of a historic site will be referred to the Historic Preservation Board for review and comment.

Transfer of Development Rights Development Proposal. The Transfer of Development Rights Development Plan shall consist of a map or map series and any technical reports and supporting data necessary to substantiate, describe or aid the Transfer of Development Plan. The plans for the development proposal shall be drawn to scale as required by Section 22-4 herein and shall include the following written and graphic materials:

- a. Site Condition Map: Site conditions map or map series indicating the following:
 - (1) Title of Transfer of Development Rights and name of the owner(s) and developer.
 - (2) Scale, date, north arrow and the relationship of the site to such external facilities as highways, roads, streets, residential areas, shopping areas and contiguous buildings.
 - (3) Boundaries of the subject property, all existing streets, buildings, easements, and other important physical features within the proposed project. Other information on physical features affecting the proposed project as may be required.
- b. Plan of pedestrian and vehicular circulation showing the location and proposed circulation system of arterial, collector, local and private streets, including driveways, service areas, loading areas and points of access to existing public right-of-way and indicating the width, typical sections and street names.

- c. Exterior façade elevations of all proposed buildings to be located on the development site.
- d. Isometrics or perspective and/or mass model(s) of the proposed development which demonstrates the as-of-right development potential as compared to the proposed transfer of development rights potential.
- e. Map of existing land use.
- f. Existing and proposed lot(s) lines and/or property lines.
- g. Master site plan – A general plan that shall show the general location, function and extent of all components or units of the plan, indicating the proposed gross floor area and/or floor area ratio of all existing and proposed buildings, structures and other improvements including maximum heights, types and number of dwelling units, landscaped open space provisions such as parks, passive or scenic areas, common areas, leisure time facilities, and areas of public or quasi-public institutional uses.
- h. Location and size of all existing and proposed signs (unless otherwise specified as in Section 9-22).
- i. General landscape plan indicating the proposed treatment of materials used for public, private and common open spaces and treatment of the perimeter of the development including buffering techniques such as screening, berms and walls, significant landscape features or areas shall be noted as shall the provisions for same.
- j. Description of adjacent land areas, including land uses, zoning, densities, circulation systems, public facilities, and unique natural features of the landscape.

- k. Proposed easements for utilities, including water, power, telephone, storm sewer, sanitary sewer and fire lanes showing dimensions and use.
 - l. Statistical information including:
 - (1) Total square footage and/or acreage of the development site.
 - (2) Maximum building coverage expressed as a percentage of the development site area.
 - (3) The land area (expressed as a percent of the total site area) devoted to:
 - i. Landscaped open space; and,
 - ii. Common areas usable for recreation or leisure purposes.
 - m. Copies of any covenants, easements and/or agreements required by this section or any other ordinance and/or regulations for the Transfer of Development Rights.
 - n. Notice provision for transfer of development rights applications shall be the same as found in this Code.
 - o. Failure to comply with implementation of an approved maintenance/preservation plan shall result in fullest civil penalties allowed in this Code.
 - p. All applications fees shall be determined administratively.
- (d) Application and review procedures for Approval of Plans.
1. Application. The applicant for a Transfer of Development Rights shall file a written application with the Planning Department. Such application shall be accompanied by fifteen (15) sets of required plans, technical reports, update reports and/or exhibits. All plans shall have the details needed to enable the City to determine whether the proposed development complies with this section and all other applicable ordinances and regulations of the

City. The plans shall have the preliminary approval of the Board of Architects as provided for under Section 9-4(c) herein. Upon receipt of such completed application, all supporting data and exhibits and payment of the required costs and fees, the time periods established in this subsection shall commence.

2. Public Hearing. The Planning and Zoning Board shall hold a public hearing within ninety (90) days from the date of filing the application. Such public hearing shall be in accordance with the provisions of Section 25-7 herein. The Planning and Zoning Board shall recommend to the City Commission the approval, approval with modifications, or denial of the plan for the proposed Transfer of Development Rights and shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth particularly in what respects the proposal would or would not be in the public interest. These findings shall include, but shall not be limited to the following:
 - a. In what respects the proposed plan is or is not consistent with the stated purpose and intent of the Transfer of Development Rights regulations, and the extent in which the proposed plan meets the requirements and standard of the Transfer of Development Rights regulations.
 - b. The extent in which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.
 - c. The physical design of the proposed Transfer of Development Rights and the manner in which said design does or does not make adequate provision for public

- services, provide adequate control over vehicular traffic, provide for and protect designated common open areas, and further the amenities of light and air, recreation and visual enjoyment.
- d. The compatibility of the proposed Transfer of Development Rights with the goals and objectives of the City of Coral Gables Central Business District (CBD) Plan.
 - e. The conformity of the proposed Transfer of Development Rights with the goals and objectives of the City of Coral Gables Central Business District (CBD) Plan.
 - f. The conformity of the proposed Transfer of Development Rights with the goals and objectives of the City's Comprehensive Plan.
- (e) Approval of Transfers, Restrictions on Affected Properties. All such transfers approved by the City Commission together with the restrictions imposed on the sending and receiving sites (affected properties) shall be recorded by City Departments of Historic Preservation and Building and Zoning, and shall be registered as a restriction on the affected properties' deeds. The Historic Preservation Department shall maintain an accounting chart detailing available development rights for all designated historic properties within the CBD.
- (f) Consistency with Zoning Code. Notwithstanding anything in the Zoning Code to the contrary, the provisions of this section shall be deemed to supersede all conflicting provisions. This section is intended to ensure an equitable distribution of development rights as a means of addressing the burdens of protecting public and private resources of the historic properties.
- (g) Penalty for Violation. Any person who shall violate a provision of this section, or fails to comply therewith, or with any of the requirements thereof, shall upon conviction in the County Court, be punished by a fine not to exceed five-hundred dollars (\$500.00) or by imprisonment in the County Jail for not more than sixty (60) days, or both such fine and imprisonment at the discretion of the judge. Any person who violates or fails to comply with this section shall also be subject to fines in accordance with Chapter 2 of the City Code. Each day any violation or non-compliance of any provision of this section shall continue, shall constitute a separate offense.
- (h) Civil Liability; Penalties; and Attorneys' Fees.
- 1. Any person who violates a provision of this section or any lawful rule, regulations or written order promulgated under this section is subject to injunction or other equitable relief to enforce compliance with or other prohibit the violation of this section. Further, such person is liable for any damages to the City caused by such violation, and for the reasonable costs and expenses incurred by the City in enforcing the provisions of this section, including but not limited to the costs of enforcement inspections, preparation of enforcement reports, photographs, title searches, postage and other demonstrable administrative costs for enforcement and collection. All such sums shall become immediately due and payable upon expenditure by the City and shall become delinquent if not paid within thirty (30) days after receipt by the violator of the City's bill itemizing the enforcement costs incurred in enforcing the provisions of this section. All such delinquent sums shall bear interest at the rate of twelve (12%) percent per annum.
 - 2. In addition to the foregoing, any person who violates a provision of this section or any lawful, rule, regulation or written order promulgated under this section is subject to the judicial imposition of a civil penalty for each offense of an amount not to exceed five-thousand dollars (\$5,000.00) per offense. In assessing the penalty, the court may receive evidence in mitigation. Each day any violation or portion of any

- violation occurs constitutes a separate offense.
3. Upon the rendition of a judgement or decree by any of the courts of this State against any person and in favor of the City in any action to enforce compliance with or prohibit the violation of the provisions of this section, the court shall adjudge or decree against that person and in favor of the City a reasonable sum as fees or compensation for the attorney acting on behalf of the City in the suit in which recovery is had. Such fees or compensation shall be included in the judgment or decree rendered in the case.

Sec. 11-13. Compliance Program for Non-Permitted Enclosed Residential Garages.
(2003-17)

- (a) *Intent.* The purpose of these compliance provisions is to enable and encourage property owners cited by the City, or voluntarily submitted for compliance for non-permitted enclosed residential garages constructed prior to January 1, 2000 to comply with life safety and Zoning Code requirements. Compliance provisions as provided herein may be granted for properties located in "R" Residential, Single-Family zoned districts. A limited one (1) year compliance period as specified in this Section waives applicable City fees and penalties, and is intended to allow the conversion of enclosed garages for the purpose of storing vehicle(s), or modifications to the enclosed structure necessary to meet all applicable Florida Building Code requirements, as amended, and/or the construction of a new garage or carport to meet Zoning Code parking requirements for single-family residential properties.
- (b) *Limited Compliance Period.* Property owners who have been cited by the City for a non-permitted enclosed residential garage who satisfy the below listed conditions shall be eligible for compliance provisions:
1. One (1) year from adopting date of these provisions (June 3rd, 2003) for all properties with existing pending citations for non-permitted enclosed garages constructed prior to January

1, 2000, subject to completion of final inspection for all required construction within the one year period.

2. One (1) year from the date of issuance of citation of violation by the City for all future violations for non-permitted enclosed garages constructed prior to January 1, 2000, subject to the completion of final inspection for all required construction within the one year period.

Properties failing to satisfy all applicable Florida Building Code and Zoning Code requirements, and successfully complete the final inspection for required work within the one (1) year compliance period, shall be required to submit all permitting and other City fees, and shall be subject to penalties and prosecution as provided for in the Zoning Code and City Code.

(c) *Requirements and Conditions.*

1. Enclosed garages that were constructed without a lawful permit after January 1, 2000 shall not be eligible for the compliance provisions contained herein.
2. Waiving of fees as provided herein, and a description of required work to be completed, must be submitted in writing and approved by the Building and Zoning Director or his/her designee prior to submittal of plans for permit.
3. "As Built" plans of the non-permitted garage enclosure must be provided by property owner. These plans must be prepared by a registered architect and/or structural engineer, and must include all existing structural, electrical, plumbing, heating, A/C and other information as determined and requested the Building and Zoning Director or his/her designee.
4. Property owner must provide written proof and documentation that the non-permitted garage was constructed prior to January 1, 2000. Confirmation and approval of construction date is required by Building and Zoning Director or his/her designee.
5. Property owners with non-permitted enclosed garages applying for permit

- to retain enclosed garage as habitable space must meet all Florida Building Code and Zoning Code requirements and provide the minimum one (1) on-site parking space as required by the Zoning Code.
6. One (1) dedicated parking space with a minimum size of 9'x18', located entirely on the property, and a driveway approach across public swale, may be provided in lieu of the Zoning Code's requirement for the provision of a minimum one (1) parking space consisting of either a garage or carport for each single-family residence, for properties with a maximum size of the property's primary structure, including enclosed garage, of 1,500 square feet. The dedicated parking space shall not count towards or be included in the calculation of the subject property's minimum landscaped open space as required by Code.
 7. All proposed modifications, renovations and/or new construction shall be required to be reviewed and approved by the Board of Architects. At that time, the Board of Architects shall determine and require any exterior architectural modifications to the residence necessary to maintain the single-family residential character of the structure and property.
 8. A Restrictive Covenant shall be prepared and filed by the property owner for City Attorney's review and approval when a dedicated parking space is provided in lieu of a required garage or carport in item 6 of this Section that complies with the following:
 - a. Restricts the parking of any vehicle prohibited by the Zoning Code.
 - b. Requires that if further additions, modifications or new construction results in the primary structure exceeding 1,500 square foot, the property must come into compliance with the Zoning Code and provide either a garage or carport.
 - c. Requires any existing accessory or auxiliary storage structures, or the construction of new accessory or auxiliary storage structures on the subject property shall satisfy all applicable Zoning Code requirements.
 - (d) *Fees.* All applicable building permit fees for construction of required modifications, renovations and/or new construction shall be waived subject to completion of all required work and final inspection within the one (1) year compliance period. The waiving of fees as provided herein shall not be made available to property owners or applicants which require or request variances to come into compliance with the Zoning Code.

Article 12. BUILDING SITES

Sec. 12-1 - Purpose.

Purpose. The purpose of these regulations is to regulate and administer the development of vacant parcels of land within the City of Coral Gables to maintain and preserve open space, to promote neighborhood compatibility, to preserve historic character, to maintain property values and to enhance the visual attractiveness of residential properties. (2003-11)

Sec. 12-2 - Building sites for "R", Residential and "D", Duplex Use Districts.

- (a) Applicability. Except as may be provided hereinafter to the contrary, in connection with replats, subdivisions, specific regulations and specifically described lots or parcels of land, all buildings or structures located in "R, Residential and "D" Duplex Use Districts shall be constructed or erected upon a building site containing at least one platted lot and such building site shall have a minimum street frontage of fifty (50) feet.
- (b) Building site requirements. Wherever there may exist a single-family residence(s), duplex building(s), or any lawful accessory building(s) or structure(s) which was hereto fore constructed on property containing one or more platted lots or portions thereof, such lot or lots shall thereafter constitute only one building site and no permit shall be issued for the construction of more than one single-family residence or duplex building. Such structures shall include but not be limited to swimming pools, tennis courts, walls, fences or other at grade and above ground improvements. Only one single-family residence or duplex shall be constructed upon any one building site having not less than the minimum street frontage required by this code.
- (c) Removal of buildings. If a single-family residence or duplex building is demolished or removed, whether voluntarily or involuntarily or by an act of God or casualty, no permit shall be issued for the construction of more than one building on the building site.

Sec. 12-3 - Administrative building site determination process.

- (a) Application submittal requirements.
 - 1. Prior to the issuance of a building permit for the construction of a single family residence or duplex, the property owner as defined by the County Tax Assessors Office or representative of the property owner (with written authorization from the property owner) shall submit an application with the required supporting information for a building site determination from the Building and Zoning Department.
 - 2. The applicant shall be required to provide a mailing list and labels of the property owners within one-hundred (1000) foot radius of the perimeter of the property.
- (b) Administrative process for determinations. The Department Director or other designated administrative official shall complete the following process for determinations:
 - 1. Within fifteen (15) days after application submittal, the Department shall issue a written application sufficiency determination. Within ninety (90) calendar days of a sufficiency determination, the Department shall render a written determination on the application.
 - 2. The official shall evaluate the application and shall grant approval if the application satisfies all the criteria contained in Section 12-3 (d). The Department shall maintain a complete and accurate file of all records and exhibits on the application.
- (c) Courtesy public notice. The official shall provide the following notice:
 - 1. Post the property at least ten (10) calendar days prior to the issuance of a final Department determination. The posting shall consist of a sign, no more than forty (40) square inches in total area including the following language, as may be amended from time to time:

Public Notice of a Building Site Determination

The City of Coral Gables, Building and Zoning Department has received an application to determine if this property described as lot(s)____block____, section ____is a building site for future construction. A written determination will be issued on _____. Appeals to this decision must be filed within 60 calendar days of the written determination. If you have any questions, please contact the Department at (305-_____) or @coralgables.com.

2. Provide a courtesy mail notice of the Departments determination to all current property owners as defined by the County Tax Assessor's Office within a 1000-foot radius of the perimeter of the property. The notice shall include the date of the determination, property location, general nature of the application and the appeal provisions. However, failure to mail or receive such courtesy notice shall not affect any action or proceedings taken hereunder.
- (d) Administrative determination review criteria. Any application which meets all of the following criteria shall be deemed a lawful building site:
1. That no more than one building or structure is located on a building site, except as may be provided for herein concerning lawful accessory buildings for accessory use.
 2. That no building site shall be reduced or diminished such that the street frontage of the parcel is less than prescribed by the Zoning Code.
 3. That no encroachments including but not limited to fences, walls and other associated improvements (excluding primary and accessory habitable structures) occupy the site or tie any sites together. For purposes of determining whether a lawful building site exists, the Department may advise a property owner of an encroachment by an abutting property, but shall only consider encroachments created by the current property owner or their predecessor interest.

4. That the building site created, separated or established will not result in existing structures becoming non-conforming as it relates to setbacks, lot area, lot width and depth, ground coverage and other applicable provisions of the Zoning Code and/or City Code.
 5. That none of the following exist on the subject property:
 - a. Unity of title preventing the separation of the parcels or property; or,
 - b. Any declarations of restrictive covenants that prevent the establishment of a building site.
 6. If applicable, the analysis of the permit history identifies exceptional or unusual circumstances unique to the property.
 7. No structure on the proposed site is an accessory use to a structure on an adjacent parcel.
- (e) Approval of a building site.
1. The Department shall issue building site determinations in written form and posted within the Department and City Clerk's Office. Within thirty (30) calendar days of the expiration of the sixty (60) day appeal period, the applicant shall complete the following:
 - a. Record the City determination letter and accompanying survey (signed and sealed) or any other information utilized by the City in its determination.
 - b. Provide one copy of the recorded documents to the Department. Failure of the applicant to complete the above shall render the determination void.
 2. If the property is determined to be a building site, the Department may prescribe conditions, restrictions or safeguards deemed necessary, to satisfy the provisions within this Article.
- (f) Administrative remedies. If the official determines the criteria in Section 12-3 (d) has not been satisfied, the applicant or affected property owners may follow one of two administrative remedies:

1. In the event that the determination concludes that the applicant must apply for the separation to the Planning Department for consideration by the Planning and Zoning Board and City Commission which shall follow the requirements provided in Section 12-5 herein.
 2. All other challenges of a determination, including the established technical criteria upon which administrative building site determinations are based, shall be filed within 60 calendar days of the written determination with the Building and Zoning Department for public hearing consideration by the Board of Adjustment according to the provisions and requirements outlined in Article 26- Appeals, Section 26-1, "Appeals from decisions of the Board of Architects, Building and Zoning Director or Administrative Official". Challenges may only be filed by the property owner or property owners within 1000 feet of the perimeter of the subject property. Any party filing an appeal shall clearly provide in written form the material facts that provide for the basis for the appeal of the administrative official application and /or interpretation.
- (g) Application fees. Applicants shall provide the following fees:
1. Administrative review/processing five-hundred (\$500.00) dollars.
 2. Advertising three-hundred (\$300.00) dollars.
 3. Property owner two (\$2.00) dollars per courtesy notice.

Sec. 12-4 - Exemptions of provisions.

- (a) Construction of a new building(s) on an existing building site. Property owners who demolish an existing lawful building shall be presumed to have lawful building site and may build on such site improvements permitted by the current Code provisions for such site.
- (b) Involuntary destruction of building(s). Parcels which are occupied with existing lawful and/or legally nonconforming building and accessory structure(s) on platted parcels or partially platted parcels if involuntarily destroyed either by an act of

God or casualty shall not be required to undergo the building site determination process but shall be presumed to have a lawful building site provided the following are satisfied:

1. The property owner provides evidence in the form of a survey, aerial, etc. to substantiate existence of a building or accessory structure(s) prior to the event.
 2. The Department after reviewing the evidence provided determines that the property was a lawful building site.
- (c) Sale of property to adjoining property owner. The sale of property between two previously lawfully established building sites which results in an increase/decrease of the size of the properties shall be determined to be lawfully established building sites if all existing structures do not become nonconforming as they relate to all applicable provisions of the Zoning Code for the zoning district in which the property is located and all other applicable Comprehensive Land Use Plan and City Code provisions.
- (d) Involuntary destruction of buildings(s) in association with the sale of property to adjoining property owner. When a parcel that at one time complied with the laws governing building sites, is diminished by the property owner thru the sale of a portion or portions of the building site thus creating a nonconforming parcel, the property owner may only rebuild the structure(s) previously located on the property if said destruction was involuntary. All new improvements shall be required to comply with all applicable codes in effect at the time.

Sec. 12-5 - Separation or establishment of building sites.

- (a) Review process. Any change from the foregoing provisions for the purpose of separating or establishing a building site shall require the following:
 1. Submittal of an application to the Planning Department for review and recommendation.
 2. Planning and Zoning Board review and recommendation in a public hearing.

3. Review and approval in resolution form duly passed and adopted by the City Commission in a public hearing.
- (b) Application review criteria. When reviewing and providing a recommendation on an application, the Planning Department, Planning and Zoning Board and the City Commission shall consider and evaluate the request and provide findings that the application satisfies at least four (4) of the six (6) criteria:
1. That exceptional or unusual circumstances exist, that are site specific such as unusual site configuration or partially platted lots, or are code specific such as properties having two or more zoning and/or land use designations, multiple facings or thru-block sites) which would warrant the separation or establishment of a building site(s).
 2. That the building site(s) created would be equal to or larger than the majority of the existing building site frontages of the same zoning designation within a minimum of 1000-foot radius of the perimeter of the subject property or extending no farther than the immediate vicinity, whichever is less. "Immediate vicinity" shall be defined as an area in which a parcel of land is located, that is physically, functionally or geographically identifiable as a distinct realm, place or neighborhood, or an area within a radius of not more than one-half (½) mile from the subject property, whichever is smaller.
 3. That the building site(s) separated or established would not result in any existing structures becoming non-conforming as it relates to setbacks, lot area, lot width and depth, ground coverage and other applicable provisions of the Zoning Code, Comprehensive Land Use Plan and City Code.
 4. That no restrictive covenants, encroachments, easements, or the like exist which would prevent the separation of the site.
 5. That the proposed building site(s) maintains and preserves open

space, promotes neighborhood compatibility, preserves historic character, maintains property values and enhances visual attractiveness of the area and approval of the request is in the best interest of the public.

6. That the building site(s) created was purchased as a separate building(s) by the current owner prior to September 17, 1977.
- (c) Conditions of approval (if applicable). If an application is recommended for approval, the Planning Department, Planning and Zoning Board, and City Commission may prescribe conditions, restrictions or safeguards deemed necessary, to satisfy the provisions within this Article.
- (d) Application requirements. The application requirements, application review process requirements, and review process time frames/procedures shall be determined by the Planning Director.
- (e) Application review criteria for annexed areas. In reviewing an application for a property or properties located within an area annexed by the City after January 1, 1995, the Planning Department, Planning and Zoning Board and the City Commission shall consider and evaluate the request and provide findings whether the application satisfies at least three (3) of the first five (5) criteria identified in Section 12-5 (b).

Sec. 12-6 - Residential estates.

No replat or subdivision for a Residential Estate shall be approved where the building sites have an area of less than one and one-half (1½) acres, a minimum width of two-hundred (200) feet and a minimum lot depth of two-hundred and fifty (250) feet.

Sec. 12-7 - Replats and subdivisions for R, D and A-Uses--General.

- (a) Except as provided for under Section 3-13(d)(2)(c) and Section 12-6 hereof, no replat or subdivision for R, D and A-Uses shall be approved where the building sites contain an area less than ten-thousand eight-hundred (10,800) square feet and having a street frontage of less than one-hundred (100) feet.

- (b) All lands which have been platted, replatted or subdivided into building sites which are greater in frontage, depth and /or that the required minimum shall not henceforth be divided or resubdivided unless all portions of said lots are used to increase the size of the adjacent lots as platted to create a lot or lots as large in frontage, depth and area as the platted lots without leaving a lot or parcel smaller in any dimension than such average lots.

Sec. 12-8 - Replats and subdivisions for R, D and A-Uses south of the Coral Gables Deep Waterway and east of Old Cutler Road.

- (a) The following minimum size building sites for R, D, and A-Uses shall be required for all replats and subdivisions for all lands lying south of the Coral Gables Deep Waterway and east of Old Cutler Road, excluding the area within the plats of Coral Bay Sections B, C and D.

1. One acre building sites, one tier deep, with a minimum street frontage on Old Cutler Road of one-hundred fifty (150) feet and maximum street frontage on Old Cutler Road of two hundred eight (208) feet on the east side of Old Cutler Road from Casuarina Concourse, as shown on Plat Book 60 at Page 37 of the Public Records of Miami-Dade County, Florida, to the intersection of Old Cutler Road and Red Road, as shown on Plat Book 57 at Page 97 of the Public Records of Miami-Dade County, Florida, and on the east side of Red Road from the intersection of Old Cutler Road and Red Road, as shown on Plat Book 57 at Page 97 of the Public Records of Dade County, Florida, to Avenue Campamento, as shown on Plat Book 57 at Page 97 of the Public Record of Miami-Dade County, Florida.
2. Corner lots not abutting upon a waterway:
 - a. Minimum street frontage of one-hundred-fifteen (115) feet.
 - b. Minimum depth of one-hundred twenty-five (125) feet.
3. Inside lots not abutting upon a waterway:

- a. Minimum street frontage of one-hundred (100) feet.
 - b. Minimum depth of one-hundred twenty-five (125) feet.
4. Corner lots abutting upon a waterway:
 - a. Minimum street frontage of one-hundred fifteen (115) feet.
 - b. Minimum depth of one-hundred forty-five (145) feet.
 5. Inside lots abutting upon a waterway:
 - a. Minimum street frontage of one-hundred (100) feet.
 - b. Minimum depth of one-hundred forty-five (145) feet.

Sec. 12-9 - C and M-Uses General.

No replat or subdivision for C or M-Uses shall be approved where the building sites have a street frontage of less than twenty-five (25) feet and a depth of less than one-hundred (100) feet.

Article 13.
OFF-STREET PARKING AND LOADING

Sec. 13-1 - Requirements--General.

- (a) Subject to the detailed and particular provisions of Sections 13-6 and 13-7 hereof, and further to all other provisions of Article XIII, every new structure constructed and/or erected after March 10, 1964, shall provide off-street parking facilities in accordance with the provisions of this Article.
- (b) All off-street parking facilities which are required under this ordinance shall be continued for as long as a use requiring parking is continued.
- (c) Any building or structure existing as of March 11, 1964, may be renovated, altered, or repaired without providing off-street parking facilities or additional off-street parking facilities if there is no more than a total of five (5%) percent increase in floor area or capacity, figured from March 10, 1964; and if there is no change in zoning to a zoning requiring more off-street parking than the existing zoning would require. (2666, 3233)
- (d)
 - 1. Any single-family residence which is increased in size more than fifty (50%) percent of the gross floor area of the building as it existed as of March 11, 1964, shall provide off-street parking for the residence as required herein. (2966)
 - 2. Any residential unit in a duplex building which is increased in size more than twenty-five (25%) percent of the gross floor area of the residential unit as it existed as of March 11, 1964, shall provide the off-street parking required for the residential unit as required herein. (2966)
 - 3. Any apartment unit in an apartment building which is increased in size more than five (5%) percent of the gross floor area of the apartment unit as it existed as of March 11, 1964, shall provide the off-street parking required for the apartment unit as required herein. Any apartment unit or units which are added to an existing apartment building shall provide off-street parking for the apartment unit added as required

herein. For off-street parking required for apartment buildings which are increased in size more than fifty (50%) percent of the gross floor area, refer to Section 13-1(e) hereof.

- 4. Any building or structure, other than single-family residences, duplexes or apartment buildings, which is increased in size more than five (5%) percent but less than fifty (50%) percent of the gross floor area as it existed as of March 11, 1964, shall provide off-street parking for the added portion as outlined hereinafter but will not be required to provide additional parking facilities for the presently existing portion unless required by a change of zoning. (2666, 3233)
 - (e) Any building or structure other than single-family residences or duplexes, which is increased in size more than fifty (50%) percent of the gross floor area as it existed as of March 11, 1964, shall provide off-street parking for the entire building.
 - (f) Any lot, parcel or tract of land upon which the zoning is changed to a zoning which requires a larger amount of off-street parking than the zoning of any building or structure on such property which existed as of March 11, 1964, shall provide parking facilities in accordance with the requirements for the new zoning of the property, but shall not be required to provide additional off-street parking facilities where the new zoning requires less off-street parking than the existing zoning. (2666, 3233)
 - (g) All lots or portion of lots used for off-street parking shall be paved in accordance with the requirements as set forth herein.

Sec. 13-2 - Plan, size and character.

- (a) A plot plan drawn to scale showing off-street parking shall be submitted and approved by the zoning department and the board of architects before a permit is issued for the construction of or use of the building, structure, or facility being considered. This plan shall show the location, and accurately designate the

number of required spaces, their size, access aisles, driveways, and their relation to the plan, sprinklers or water outlet locations, and the location, size and description of all other landscape materials, the location and size of buildings if any to be served, and shall designate by name and location the plant material to be installed or, if existing, to be used in accordance with the requirements of this section.

- (b) Each parking space shall be directly accessible from a street, or an alley, or from an aisle, or driveway leading to a street or alley. Access aisles and/or driveways shall comply with the off-street parking standards as prepared by the Public Works Department of the City of Coral Gables.

Each space shall be accessible without driving over or through any other parking space, provided, however, that upon application without charge, and after notice to all property owners within three-hundred (300) feet of the subject site, the City Commission may approve attendant parking for the following uses: motel, hotel, restaurant, auto/sales/rental/leasing (when storage of vehicles permitted on site), and commercial parking lots, with the following provisions:

1. That the attendant is present during hours of operation.
2. Attendant spaces are designed in such a way as to not create or promote a hazard or encourage parking off-site.
3. The maximum number of attendant spaces does not exceed twenty-five (25%) percent of the total number of required parking spaces. No parking space or loading space shall be located in such a manner as to block entry or exit to a building, and in this respect a clearance shall be provided adjacent to an entrance or exit door equal to the width of the door or three (3) feet, whichever is greater.

- (c) Each off-street parking space required or provided shall be in accordance with the off-street parking standards shown on Drawing Number 1600-20M dated December 30, 1981, and revised November 14, 2001. (See Figure 1)

The Zoning Division and the Board of Architects are charged with the responsibility of determining whether each and every plan submitted complies with the spirit and intent of all parts of this ordinance. The Board of Architects will give particular attention to the overall parking plan, the landscaping, and the general aesthetics surrounding the development of the site as a whole. (3018, 3560)

- (d) Surfacing of all access aisles, driveways and off-street parking areas shall meet one of the following standards or any combination thereof and shall be approved by the Board of Architects.

1. One inch asphaltic concrete (minimum).
2. Six (6) inch reinforced concrete with 6 X wire mesh (minimum).
3. Clay or cement brick laid four (4) inches thick (minimum).
4. Wood block laid four (4) inches thick (minimum).
5. Chatahoochee gravel laid in asphalt with all loose gravel removed.
6. One-quarter ($\frac{1}{4}$) inch to one-half ($\frac{1}{2}$) inch rock laid in asphalt with all loose gravel removed.
7. Loose gravel providing it is contained within any of the above surfaces having a minimum dimension of seventeen (17) feet from any front, side or rear property line.
8. Decorative concrete pavers with a minimum thickness of two and three-eighths ($2\frac{3}{8}$) inches for use on residentially-zoned properties, and three and one-eighth ($3\frac{1}{8}$) inches for commercial and industrial-zoned properties. The average compressive strength of the pavers shall not be less than eight-thousand (8,000) PSI for test samples, with no individual unit less than seven-thousand and two-hundred (7,200) PSI. (2662)

- (e) Construction of all access aisles, driveways and off-street parking areas shall meet the following minimum specifications: (2662)

1. Base for Items 1, 5, 6 and 8, listed under (d) above, shall be six (6) inch compacted lime rock base.

2. Base for Items 3 and 4 listed under (d) above shall be six (6) inch compacted lime rock base.
 3. Drainage shall consist of one cubic foot of store trench for each twenty-four (24) square feet of paved area which is to be drained or in lieu of a ten (10%) percent non-parking grassed area.
 4. Parking area shall be graded so that it will drain in such a manner as not to throw water on public and/or adjacent private property.
- (f) All off-street parking areas, except those for the use of one and two-family residences shall be marked and bumpered in accordance with City of Coral Gables Parking Standards.
- (g) Off-street parking facilities shall be maintained for as long as the use for which they are provided is continued.
- (h) Lighting of off-street parking facilities for Group E, F and G occupancies as defined under the South Florida Building Code shall be as follows:
1. Open parking lots and access thereto shall be provided with a maintained minimum of one-third ($\frac{1}{3}$) foot-candle of light on the parking surface from dusk until thirty (30) minutes after the termination of business each operating day. A maximum to minimum foot-candle level shall not exceed a twelve to one (12:1) ratio.
 2. Parking and non-enclosed areas under or within buildings at grade shall be provided with a maintained minimum of one foot-candle of light on the parking and walking surfaces from dusk until thirty (30) minutes after the termination of businesses each operating day. A maximum to minimum foot-candle level shall not exceed a twelve to one (12:1) ratio.
- (i) Lighting of off-street parking facilities for Group H occupancies as defined under the South Florida Building Code shall be as follows:
1. Open parking lots and access thereto shall be provided with a maintained minimum of one-third ($\frac{1}{3}$) foot-candle of light on the parking surface from dusk until dawn. A maximum to minimum foot-candle level shall not exceed a twelve to one (12:1) ratio.
 2. Parking and non-enclosed areas under, over, or within buildings shall be provided with a maintained minimum of one foot-candle of light on the walking and parking surfaces from dusk until dawn. A maximum to minimum foot-candle level shall not exceed a twelve to one (12:1) ratio.
- (j) All lights shall be deflected, shaded and focused away from adjacent properties, and lighting shall be accomplished in such a manner as not to be disturbing to passing vehicular traffic and to the user of adjacent properties.
- (k) Nothing in this ordinance shall be construed as intending to prevent the common use of driveways as access to parking areas on adjoining sites; providing, however, that the property owner or owners shall submit to the City Clerk a restrictive covenant in recordable form reserving unto themselves, their heirs, personal representatives and assigns the use of such property for said driveway purposes.
- (l) Paving or surfacing for access aisles, driveways and off-street parking areas for single-family residences, special-uses, duplexes and apartments shall be not closer than eighteen (18) inches to a property line.
- (m) The minimum size required for a carport shall be twelve (12) feet wide by twenty-two (22) feet long inside dimensions. The minimum size required for a two (2) car free standing carport shall be twenty-two (22) feet long inside dimensions. (3007, 3555)
- (n) The minimum size required for a one-car garage shall be twelve (12) feet wide by twenty-two (22) feet long, inside dimensions. The minimum size required for a two (2) car garage shall be twenty-two (22) feet wide by twenty-two (22) feet long, inside dimensions. Carports constructed prior to October 1, 1992, with minimum inside dimensions of at least nine (9) feet wide by nineteen (19) feet long for one car, and eighteen-and-one-half ($18\frac{1}{2}$) feet wide by nineteen (19) feet long for two cars may be enclosed for use as a garage, subject to approval by the Board of Architects. (3007, 3555)

Off-Street Parking Standards

Department of Public Works

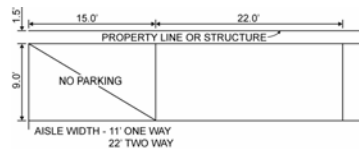
City of Coral Gables

Drawing #1600-20M-December 30, 1981

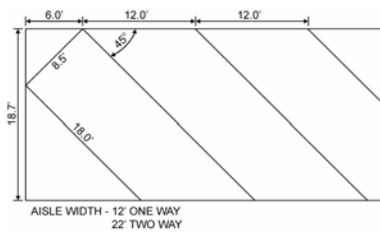
Revised November 14, 2001
(Ord. #3018, 3560)

Standard Stall Dimensions

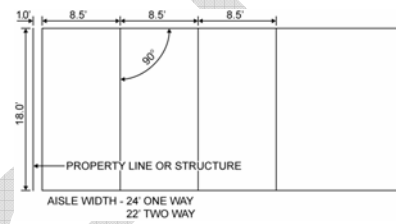
Parallel Parking



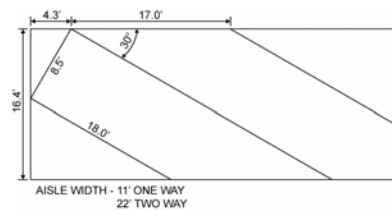
45° Angle Parking



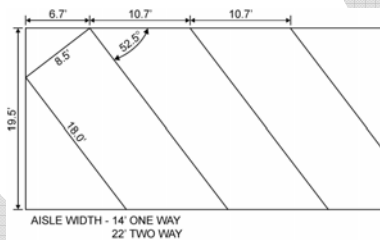
90° Angle Parking



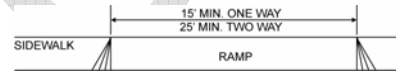
30° Angle Parking



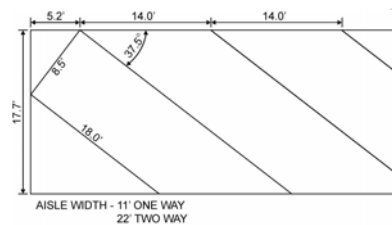
52.5° Angle Parking



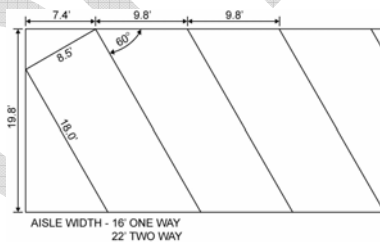
Entrance – Exit



37.5° Angle Parking



60° Angle Parking



Notes

1. Precast concrete wall stops shall be used at each stall abutting a sidewalk or building. Standard cars shall be curbed at sixteen and one-half (16.5) feet.
2. The minimum turning radius shall be eighteen (18) feet inside, twenty-nine (29) outside.
3. A 6" x 12" concrete curb shall be placed around the property perimeter unless otherwise directed by Public Works Director.
4. Access to parking lots from alleys will be permitted only at the discretion of the Public Works Director so as to provide for the orderly flow of traffic.
5. Parking spaces for the handicapped shall be a minimum of 13' x 19' unless directed otherwise by the Public Works Director.
6. Dimensions shown for parking stalls are minimum; columns and other obstructions will be allowed in the front two (2) feet and rear five (5) feet of the length of the stall, and shall not intrude more than six (6) inches into the width of the stall.

Sec. 13-3 - Location--General.

- (a) Generally, parking for special-uses, duplexes and apartments shall be located in the rear yard area (not including the side street setback) or between the building and the side interior property line or a combination of the two above-mentioned areas. The said parking shall be provided in a manner so as to prevent the backing of vehicles into the street traffic. No parking for special-uses, duplexes, and apartments shall be permitted in the front setback area, unless it is in addition to the minimum parking requirements and is approved as provided in this section. Any deviation from the above must be recommended by the Board of Architects and approved by the City Commission without the requirement of appearing before the Board of Adjustment, provided, however, that in all cases where a change of zoning or a variance to the Zoning Code shall be required in connection with construction of special-uses, duplexes or apartments, the City Commission shall take no action upon the recommendation of the Board of Architects until such time as the Planning and Zoning Board has submitted a recommendation upon such proposed change of zoning and/or the Board of Adjustment has taken final action on the requested variance.
- (b) Fifty (50%) percent of the required off-street parking for special-uses, duplexes, apartments or for living units in commercial or industrial areas may be located off-site subject to the following conditions:
 - 1. The off-street parking must commence within three-hundred (300) feet of the building site.
 - 2. The owner shall submit to the City Clerk a restrictive covenant, in recordable form, preserving the off-street parking site for off-street parking for the building for as long as the parking shall be required.
- (c) Parking for commercial or industrial uses may be located off-site subject to the following:
 - 1. It must commence within five-hundred (500) feet of the building site.
 - 2. The owner shall submit to the City Clerk a restrictive covenant, in recordable form, reserving the off-

street parking site for the building for as long as the parking shall be required.

Sec. 13-4 - Landscaping requirements for certain yard areas and off-street parking and other vehicular use areas.

All areas used for the display or parking of any and all types of vehicles, boats or heavy construction equipment, whether such vehicles, boats or equipment are self-propelled or not, and all land upon which vehicles traverse the property as a function of the primary use, hereinafter referred to as other vehicular uses, including but not limited to activities of a drive-in nature such as, but not limited to, filling stations, grocery and dairy stores, banks, restaurants, and the like, shall conform to the minimum landscaping requirements hereinafter provided, save and except areas used for parking or other vehicular uses under, on or within buildings, and parking areas serving single-family and two-family uses.

- (a) Installation: All landscaping shall be installed in a sound workmanship-like manner and according to accepted good planting procedures with the quality of plant materials as hereinafter described. All elements of landscaping exclusive of plant material except hedges shall be installed so as to meet all other applicable ordinances and code requirements. Landscaped areas shall require protection from vehicular encroachment as herein provided in Section 13-4(e) and (f). The Building and Zoning Department shall inspect all landscaping and no certificate of occupancy or similar authorization shall be issued unless the landscaping meets the requirements herein provided.
- (b) Maintenance: The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping which shall be maintained in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. All landscaped areas shall be provided with a readily available water supply with at least one outlet located within one-hundred-fifty (150) feet of all plant material to be maintained.
- (c) Plant material:
 - 1. Quality. Plant materials used in conformance with provisions of this

- section shall conform to the Standards for Florida Number 1 or better as given in Grades and Standards for Nursery Plants Part 1, 1963 and Part II, State of Florida, Department of Agriculture, Tallahassee, or equal thereto. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases. Grass seed shall be delivered to the job site in bags with Florida Department of Agriculture tags attached indicating the seed growers compliance with the Department's quality control program.
2. Trees. Trees shall be species having an average mature spread of crown of greater than fifteen (15) feet in Dade County and having trunk(s) which can be maintained in a clean condition over five (5) feet of clear wood. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) foot crown spread. Palms shall be considered trees in accord with standards promulgated by the Zoning Department and approved by the City Commission. Tree species shall be a minimum of seven (7) feet overall height immediately after planting. Trees of species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than twelve (12) feet to such public works, unless the tree root system is completely contained within a barrier for which the minimum interior containing dimensions shall be five (5) feet square and five (5) feet deep, and for which the construction requirements shall be four (4) inch thick concrete reinforced with #6 road mesh (6 X 6 X 6) or equivalent. A list of such tree species shall be maintained by the Zoning Department for the guidance of the public.
 3. Shrubs and hedges. Shrubs shall be a minimum of two (2) feet in height when measured immediately after planting. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within a maximum of one year after time of planting.
 4. Vines. Vines shall be a minimum of thirty (30) inches in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet physical barrier requirements as specified.
 5. Ground cover. Ground covers used in lieu of grass in whole or in part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within three (3) months after planting.
 6. Lawn grass. Grass areas shall be planted in species normally grown as permanent lawns in Miami-Dade County. Grass areas may be sodded, plugged, sprigged or seeded except that solid sod shall be used in swales or other areas subject to erosion, and providing that in areas where other than solid sod or grass seed is used, nursegrass seed shall be sown for immediate effect and protection until coverage is otherwise achieved.
- (d) Required landscaping adjacent to public right-of-way. On the site of a building or structure or open lot use providing an off-street parking area or other vehicular use area, where such area will not be entirely screened visually by an intervening building or structure from any abutting right of way, excluding dedicated alleys, there shall be provided landscaping between such area and such right of way, as follows:
1. A strip of land at least five (5) feet in depth located between the abutting right-of-way and the off-street parking area or other vehicular use area which is exposed to an abutting right-of-way shall be landscaped, such landscaping to include one tree for each fifty (50) lineal feet or fraction thereof. Such trees shall be located between the abutting right-of-way and off-street parking area or other vehicular use area and shall be planted in planting area of at least twenty-five (25) square feet with a

minimum dimension of at least five (5) feet. In addition, a hedge, wall, or other durable landscape barrier of at least two (2) feet in height shall be placed only along the perimeter of such landscaped strip. If such durable barrier is of non-living material, for each ten (10) feet thereof, one shrub or vine shall be planted abutting such barrier but need not be spaced ten (10) feet apart. Such shrubs or vines shall be planted along the street side of such barrier unless they are of sufficient height at the time of planting to be readily visible over the top of such barrier. The remainder of the required landscaped areas shall be landscaped with grass, ground cover, or other landscape treatment excluding paving.

2. All property other than the required landscaped strip lying between the right-of-way and off-street parking area or other vehicular use area shall be landscaped with at least grass or other ground cover.
 3. Necessary accessways from the public right-of-way through all such landscaping shall be permitted to service the parking or other vehicular use areas and such accessways may be subtracted from the lineal dimension used to determine the number of trees required.
- (e) Perimeter Landscaping relating to abutting properties. On the site of a building or structure or open lot use providing an off-street parking area or other vehicular use area, where such areas will not be entirely screened visually by an intervening building or structure from abutting property, that portion of such area not so screened shall be provided with a wall having a minimum height of three-and-one-half (3½) feet and a maximum height of four (4) feet or a hedge having a height of not less than three-and one-half (3½) feet to form a continuous screen between the off-street parking area or other vehicular use area and such abutting property. Such landscape barrier shall be located between the common lot line and off-street parking area or other vehicular use area exposed to the abutting property provided the purpose of screening off-

street parking area and other vehicular use areas is accomplished. If such barrier consists all or in part of plant material, such plant materials shall be planted in a planting strip of not less than two and one-half (2½) feet in width.

In addition, one tree shall be provided for each seventy-five (75) lineal feet of such landscape barrier or fractional part thereof. Such trees shall be located between the common lot line and the off-street parking area or other vehicular use area. Each such tree shall be planted in at least twenty-five (25) square feet of planting area with a minimum dimension of at least five (5) feet. Each such planting area shall be landscaped with grass, ground cover or other landscape material, excluding paving, in addition to the required tree.

The provisions of this subsection shall not be applicable in the following situations:

1. Where a property line abuts a dedicated alley.
2. Those portions of the property that are opposite a building or other structure located on the abutting property constructed so as to have no setback from the common property line.
3. Where a proposed parking area or other vehicular use area abuts an existing hedge, wall or other durable landscape barrier on an abutting property, said existing barrier may be used to satisfy the landscape barrier requirements of this subsection provided that said existing barrier meets all applicable standards of this ordinance and protection against vehicular encroachment is provided for hedges.
4. Where the abutting property is zoned or used for non-residential uses, only the tree provision with its planting area as prescribed in this subsection shall be required; however, the number of trees may be reduced to one tree for every one-hundred-twenty-five (125) lineal feet or fraction thereof, but all perimeter requirements shall apply within the front setback area.

Off-street parking for commercial uses located adjacent to property zoned for R, D, or A-Uses shall provide a five (5) foot landscaped area adjacent to said R, D, or A-Use zoned property. A commercial use which is separated by a

dedicated alley from an R, D, or A-Use is exempted from providing such five (5) foot landscaped area along the lot line abutting the alley.

- (f) Parking area interior landscaping. Off-street parking areas shall have at least ten (10) square feet of interior landscaping for each parking space excluding those spaces abutting a perimeter for which landscaping is required by other sections hereof and excluding all parking spaces which are directly served by an aisle abutting and running parallel to such a perimeter. In addition, other vehicular use areas shall have one square foot of landscape areas for each one-hundred (100) square feet or fraction thereof of paved area for the first fifty-thousand (50,000) square feet excluding the first five-thousand (5,000) square feet of paved area plus one square foot of landscape area for each two-hundred (200) square feet or fraction thereof of paved area for all paved area over fifty-thousand (50,000) square feet; provided, however, in areas zoned for industrial use these requirements shall be reduced by fifty (50%) percent. Where the property contains both parking areas and other vehicular use areas, the two (2) types of areas may be separated for the purpose of determining the other vehicular use area by first multiplying the total number of parking spaces by four-hundred (400) and subtracting the resulting figure from the total square footage of the paved area. Each separate landscaped area shall contain a minimum of fifty (50) square feet and shall have a minimum dimension of at least five (5) feet and shall include at least one tree having a clear trunk of at least five (5) feet, with the remaining area adequately landscaped with shrubs, ground cover, or other authorized landscaping material not to exceed three (3) feet in height. The total number of trees shall not be less than one for each one-hundred (100) square feet or fraction thereof of required interior landscaped area. Such landscaped areas shall be located in such a manner as to divide and break up the expanse of paving.

In other vehicular use areas where the strict application of this subsection will seriously limit the function of said area, the

required landscaping may be located near the perimeter of the paved area including such perimeters which may be adjacent to a building on the site. Such required interior landscaping which is relocated as herein provided shall be in addition to the perimeter landscaping requirements.

The front of a vehicle may encroach upon any interior landscaped area when said area is at least three-and-one-half (3½) feet in depth per abutting parking space and protected by wheel stops or curbing. Two (2) feet of said landscaped area may be part of the required depth of each abutting parking space.

- (g) Sight distance for landscaping adjacent to public right-of-way and points of access. When an accessway intersects a public right-of-way or when the subject property abuts the intersection of two (2) or more public rights-of-way, all landscaping within the triangular areas described below shall provide unobstructed cross-visibility at a level between three (3) feet and six (6) feet, provided, however, trees or palms having limbs and foliage trimmed in such a manner that no limbs or foliage extend into the cross-visibility area shall be allowed, provided they are so located so as not to create a traffic hazard. Landscaping except required grass or ground cover shall not be located closer than three (3) feet from the edge of any accessway pavement. The triangular areas above referred to are:

1. The areas of property on both sides of an accessway formed by the intersection of each side of the accessway and the public right-of-way line with two (2) sides of each triangle being twenty (20) feet in length from the point of intersection and the third side being a line connecting the end of the other two (2) sides.
2. The area of property located at a corner formed by the intersection of two (2) or more public rights-of-way with two (2) sides of the triangular area being twenty (20) feet in length along the abutting public right of way lines, measured from their point of intersection, and the third side being a line connecting the ends of the other two (2) lines.

- (h) Existing plant material. In instances where healthy plant material exists on a site prior to its development, in part or in whole, for purposes of off-street parking or other vehicular use areas, the Zoning Department may adjust the application of the above-mentioned standards to allow credit for such plant material if, in its opinion, such an adjustment is in keeping with and will preserve the intent of this section.

Sec. 13-5 - Commercial and industrial classification of uses and central business district.

- (a) Specific use. Any building, structure or any tenantable space used for other than residential purposes, and which is designed, when constructed, for use for one or more of the specific uses detailed under Section 13-6, shall be provided with parking spaces on the basis of the minimum requirements set forth in Section 13-6.
- (b) General use. Any building, structure or any tenantable space used for other than residential purposes, which is not specifically designed, when constructed, for use for one or more of the specific uses detailed under Section 13-6, shall be provided with a minimum of one parking space for each three-hundred (300) square feet of gross floor area. (3233)
- (c) Inadequate parking resulting after the application of Section 13-5(b) general use, provision. If, after the required parking spaces are provided in accordance with Section 13-5(b), change of occupancy or unforeseen conditions result in the actual occupancy of the building, structure, or tenantable space being one or more of the

specific uses detailed under Section 13-6, and if the parking spaces already provided in accordance with Section 13-5(b) are less than the number required for said specific use or uses, as detailed under Section 13-6, off-street parking spaces shall be provided by the owner of said building, structure, or tenantable space as provided for in Section 13-7.

- (d) Central business district.
 - 1. The central business district shall consist of all commercially zoned property bordered by LeJeune Road on the west, Douglas Road on the east, Navarre Avenue on the north, and Almeria Avenue on the south.
 - 2. Any building used for other than residential purposes and located in the City of Coral Gables central business district, as herein defined, shall be exempted from the off-street parking requirements of Article XV of this code, provided, however, that the Floor Area Ratio (F.A.R.) of such buildings shall not exceed 1.25.
 - 3. New buildings containing a Floor Area Ratio (F.A.R.) of more than 1.25 and existing buildings being enlarged to contain a Floor Area Ratio (F.A.R.) of more than 1.25 shall provide off-street parking in accordance with the requirements of Article XIII of this code.

Sec. 13-6 - Minimum parking requirements--By use.

- (a) Off-street parking shall be provided and maintained as shown on the schedule designated as "Coral Gables Minimum Off-Street Parking Requirements--By Use," Tables Nos. 1, 2, 3 and 4 as follows:

Coral Gables Minimum Off-Street Parking Requirments—By Use Table 1

Residential Uses	
Single Family Residence	One parking space consisting of a porte-cochere, carport, breezeway or garage. (3233)
Townhouses	(a) One parking space for each one bedroom unit. (b) Two (2) parking spaces for each two (2) or more bedroom units.
Duplex or Two-Family Residence	(a) One and one-half (1½) parking spaces for each one and two (2) bedroom units. (b) Two (2) parking spaces for each three (3) or more bedroom units.
Apartment Building	For that area lying south of U.S. Highway 1 and east of LeJeune Road and Old Cutler Road, the following off-street parking spaces shall be provided; (3233) (a) Two (2) parking spaces for each efficiency, one bedroom, two (2) bedroom or three (3) bedroom apartment unit. (b) Three (3) parking spaces for each apartment containing four (4) or more bedrooms. (c) One parking space for each twenty (20) parking spaces provided for use as supplemental parking. For the remainder of the City of Coral Gables except that area lying south of U.S. Highway 1 and east of LeJeune Road and Old Cutler Road, the following parking spaces shall be provided; (3233) (a) One and one-half (1½) parking space for each efficiency, one bedroom or two (2) bedroom apartment units. (b) Two (2) parking spaces for each three (3) bedroom apartment units. (c) Three (3) parking spaces for each apartment containing four (4) or more bedrooms. (d) One parking space for each fifteen (15%) percent of the apartment units for supplemental parking.
Hotel	(a) One parking space for each sleeping room. (b) One employee parking space for each eight (8) hotel sleeping rooms. (c) Spaces required for other uses in hotel such as retail shops, beauty shops, barber shops, bars, restaurants, meeting rooms, etc.
Apartment-Hotel	(a) One parking space for each hotel sleeping room. (b) One and one-half (1½) parking spaces for each efficiency, one bedroom or two (2) bedroom apartments. (c) Two (2) parking spaces for each three (3) bedroom apartments. (d) Three (3) parking spaces for each apartment containing four (4) or more bedrooms. (e) One employee parking space for each eight (8) hotel sleeping rooms. (f) In each instance, spaces required for other uses such as retail shops, beauty shops, barber shops, bars, restaurant, meeting rooms, etc.
Motel or Motor Court	(a) One parking space for each sleeping room. (b) One parking space for manager. (c) One employee parking space for each eight (8) sleeping rooms. (d) Parking spaces required for other uses such as retail shops, beauty shops, barber shops, beauty barber shops, restaurant, meeting room, etc., if applicable under Section 5-5, 5-6 and 5-7.

**Coral Gables Minimum Off-Street Parking Requirements--By Use Table 2
Commercial Uses**

One parking space required per square feet of gross building area shown below:

100 square feet	200 square feet	250 square feet	300 square feet	350 square feet	400 square feet
Business Schools, Trade Schools, Vocational Schools.	Beauty Shops Clinics, Medical & Dental outside the Central Business District, Medical & Dental Buildings outside the Central Business District, Post Office	Animal Hospitals, Cat Beauty Shops, Civic Clubs, Clinics, Medical & Dental in the Central Business District, Community Centers, Dog Beauty Shops, Fraternal Buildings, Libraries, Lodge Buildings, Medical & Dental Buildings in the Central Business District, Museums, Private Clubs, Union Halls, Veterinary Clinics	Banks, Business & Professional Offices outside the Central Business District, Dry Cleaners, Laundries, Savings Institutions, Self-service Laundries	Art Galleries, Artist Studios, Barber Shops, Business and Professional Offices in the Central Business District, Credit Unions, Finance Companies, Finance Institutions, Photographers, Photo Galleries, Retail Shops, Sales Shops, Travel Agencies, Trust Companies	Blueprinting, Cleaning Plants, Dyeing Plants, Engraving Plants, Newspaper Plants, Picture Framing, Photocopy, Photostatic Copying, Photo Developing and Printing, Printing Plants, Repair Shops (shoes, clothing, appliances, etc)

One and one-half (1½) parking spaces required per square feet of gross building floor area shown below:

100 square feet	200 square feet
Outside Central Business District Bars Delicatessens Beer Gardens Lunch Counters Cafes Restaurants Cafeterias Taverns Cocktail Lounges	In the Central Business District Bars Delicatessens Beer Gardens Lunch Counters Cafes Restaurants Cafeterias Taverns Cocktail Lounges

Mixed-Uses: Off-street parking for mixed-uses shall be provided in accordance with Section 13-7(c).

Central Business District:

- (a) For delineation of the Central Business District refer to Section 13-5(d) 1.
- (b) Buildings not exceeding a F.A.R. of 1.25 located within the Central Business District and used for other than residential purposes are not required to provide off-street parking. (Section 13-5).

Off-Street Loading: Off-street loading spaces shall be provided in accordance with Section 13-9.

Coral Gables Minimum Off-Street Parking Requirements--By Use Table 3

Parking space requirements for uses based on the number of beds, seats, bowling alleys, assembly and dance floor area, etc. as follows:

Hospitals	Two (2) parking spaces for each bed.
Auditoriums and Assembly Halls	One parking space for each four (4) fixed seats plus one parking space for each forty (40) square feet of floor area where movable seats.

Convention Halls Exhibition Halls Gymnasiums Skating Rinks Stadiums Sports Arena	One parking space for each five (5) spectator seats, or one parking space for each two-hundred (200) square feet or gross floor area, whichever is greater.
Churches	One parking space for each five (5) fixed seats plus one parking space for each fifty (50) square feet of assembly room area not having fixed seats (not to include classrooms).
Funeral Chapels Funeral Homes Mortuaries	One parking space for each four (4) fixed seats plus one parking space for each forty (40) square feet of floor area with movable seats, with a minimum of ten-thousand (10,000) square feet of parking area.
Theaters Motion Pictures	One parking space for each four (4) fixed seats.
Bowling Lanes	Four (4) parking spaces for each alley.
University Class room	One parking space for each ten (10) fixed or movable student seats.
Senior High School	One parking space for each ten (10) fixed or movable student seats plus one parking space for each classroom.
Junior High School Elementary Schools	One parking space for each classroom plus one parking space for each two hundred (200) square feet of assembly area.
Kindergarten Nurseries	One parking space for each eight-hundred (800) square feet of gross building floor area.
Dancing Schools	One parking space for each one-hundred (100) square feet of dance floor area, plus one parking space for each six-hundred (600) square feet of gross building floor area.
Dance Halls Ballrooms	One parking space for each one-hundred (100) square feet of dance floor area.
Dormitories Fraternity Houses Sorority Houses	One parking space for each one-hundred-fifty (150) square feet of floor area used for sleeping.
Car, Sales and Service	(a) One parking space for each three-hundred (300) sq. ft. of office space; (b) One parking space for each six-hundred (600) sq. ft. of showroom floor area; (c) One parking space for each five-hundred (500) sq. ft. of remaining gross floor area.
Convalescent Homes Group Home Homes for the Aged Nursing Homes Rest Homes, Sanitariums	One parking space for each staff member and one space for every three (3) residents (based upon the maximum number of residents permitted to reside therein).
Off-street loading	Off-street loading spaces shall be provided in accordance with Section 13-9.

Coral Gables Minimum Off-Street Parking Requirements--By Use Table 4

Industrial and Miscellaneous Uses	
One parking apace for each 300 square feet of office floor area plus one parking space for each 500 or 1,000 square feet of remaining gross building floor area as shown below:	
500 square feet	1,000 square feet
Automobile Repair Shop Paint and Body Shop	Assembly Plants. Boats, Display and Sales. Bottling Plants. Contractor Shop such as General, Plumbing, Electrical, Roofing etc. Distributorship with Warehousing. Electronic Plants. Manufacturing Plants. Research Laboratories. Sign Painting Shops. Storage Establishments. Testing Laboratories. Tire and Recapping Shops. Upholstering Shops. Warehouses and Welding Shops Wholesale Distributor with Warehousing
Off-Street Loading	Off-street loading spaces shall be provided in accordance with Section 13-9.

Sec. 13-7 - Definitions and measurement.

- (a) In construing the provisions of this article where the context will permit, the definitions provided in this section and in Article II herein and in Section 1.01, Florida Statutes, shall apply.
- (b) Uses not specifically mentioned in section 13-6. If the intended use is not listed in Section 13-6, the off-street parking requirement shall be the same as required for a similar use which is referred to herein; however, in case of dispute direct application may be made to the City Commission.
- (c) Mixed-uses. In the case of Mixed-Uses, unless specifically mentioned to the contrary, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately and off-street parking space for one use shall not be considered as providing the required off-street parking for any other use.
- (d) Fractional spaces. When units or measurements determining the number of required off-street parking spaces shall result in a fractional space, any such fraction equal to or greater than one-half ($\frac{1}{2}$) shall require a full off-street parking space.
- (e) Gross area. Gross area shall be considered a gross area obtained by use of exterior building dimensions.
- (f) Seating space, counters. Thirty (30) linear inches of counter space shall be considered as one seating space.
- (g) Seating space, spectators. Twenty (20) linear inches shall be considered as one seating space.

Sec. 13-8 - Commercial parking lots.

- (a) No area designated as a parking area for required off-street parking shall be operated as a commercial parking lot.
- (b) Off-street parking spaces for which fees or charges are included as a part and parcel of the rental fees of space in a building shall not be construed as being used for commercial parking.

Sec. 13-9 - Off-street loading.

- (a) When a need is evident, adequate off-street loading spaces shall be provided for

all commercial, educational and industrial buildings unless specifically exempted as noted below.

- (b) If required, every new building shall provide one loading space, ten (10) feet by twenty-five (25) feet, with fourteen (14) feet minimum height clearance, either in the building or on the site, and such space shall be created in computing the overall parking requirement.
- (c) The final determination on the number of spaces and all other characteristics of off-street loading facilities shall be determined by the Zoning Department in collaboration with the Board of Architects.

Sec. 13-10 - Separation and loss in full or in part of off-street parking areas.

Anything in this ordinance to the contrary, it is hereby specifically provided that the applicant shall exhibit his plan for off-street parking and present to the City proof of his ownership, right, title, interest or claim in and to the area intended for off-street parking, which shall be such that the area to be occupied by the building necessitating the off-street parking and the off-street parking area shall be completely integrated and indivisible so that one may not be separated from the other.

Sec. 13-11 - Additional penalty applicable to off-street parking.

- (a) In the event that at any time and through any cause the building or structure, singular or plural, should lose or be deprived of the accompanying and requisite off-street parking facilities, either in whole or in part, then and in that event it shall be unlawful for the building to be used or occupied for the use zoned, or any other purpose until the parking facilities have been restored or replaced according to the requirements of this ordinance, it being hereby declared that such loss of parking facilities, in addition to any other defect, shall and does constitute a nuisance abatable as such.
- (b) This provision and this penalty in connection with the off-street parking provision of this ordinance shall, and does, constitute a cumulative and additional penalty to the other penalties herein provided.

Sec. 13-12 - Collection or charging of fees for required off-street parking spaces for duplexes, apartment buildings, hotels, apartment-hotels, motels, or any other residential type building.

In interpreting the off-street parking provisions of this ordinance, it shall be construed that the owner, his agent or general manager of a duplex, apartment building, hotel, apartment-hotel, motel or any other residential type building shall make available to the tenants, employees or visitors to such building, the off-street parking as required by the provisions of this code and neither the owner, his agent or general manager shall be authorized to collect or charge a fee for the use of such parking and neither shall the owner, his agent, or general manager refuse the right of such tenant, employee or visitor to such building the right to use the off-street parking spaces which have been provided therefore to meet the requirements of this ordinance.

Sec. 13-13 - Setback requirements for buildings having a height of more than three (3) stories or forty-five (45) feet.

- (a) Parking structures and accessory decks.
 - 1. No setbacks shall be required for parking structures and accessory decks which are constructed completely below established grade.
 - 2. Parking structures and accessory decks which have a height of not more than three (3) feet six (6) inches above established grade shall provide and maintain the following minimum setbacks:
 - a. Front setback--20 feet minimum.
 - b. Side setback--10 feet minimum.
 - c. Side street setback--10 feet minimum.
 - d. Rear setback--20 feet minimum. Parking structures and accessory decks which have a height of more than three (3) feet six (6) inches above established grade shall provide and maintain the same setbacks as required for the principal building.
- (b) Uncovered parking. Uncovered parking shall maintain minimum setbacks of fifteen (15) feet on interior side yards and twenty

(20) feet from the front and side street yards, except directly in front of the structure entrance, said uncovered parking shall be screened from pedestrian street view by a minimum four (4) foot high wall at parking level and landscaping treatment. There shall be a minimum two and one-half (2½) foot landscaped rear setback.

Sec. 13-14 - Shared municipal off-street parking.

Shared off-street parking shall be permitted to serve two or more individual land uses at municipally owned or operated parking facilities for parking spaces required under this Code for private uses in any C, M or S-Use District subject to the following conditions and restrictions: (3316)

- (a) A maximum of fifty (50%) percent of the required number of parking spaces for one or more off-peak, nighttime or Sunday/holiday uses (activities) may be provided, up to a maximum percent of the municipal facility's available daytime parking capacity as determined in the application process.
- (b) Unlimited additional parking for one or more off-peak, nighttime or Sunday/holiday uses (activities), in excess of that required by this Code, shall be permitted up to a maximum percent of the municipal facility's available daytime parking capacity as determined in the application process.
- (c) A recordable agreement for such shared use, in the form of a reciprocal easement acceptable to the Office of the City Attorney shall be filed with the Zoning Administrator and recorded with the City Clerk. The City shall be named in that agreement as one of the parties with right of enforcement.
- (d) An insurance policy must be obtained and furnished to the City to the satisfaction of the City Manager and City Attorney and such policy shall hold the City harmless from any and all claims or causes of action which may accrue as a result of use of premises or due to an incident or occurrence on the premises.
- (e) A municipal off-street parking facility required for the purpose of complying with the provisions of this Code shall not include off-street parking similarly required

for another private use, unless the Parking, Planning, Public Works and Building and Zoning Directors have reviewed the application and determined that the periods of peak usage of such uses will not be simultaneous or in conflict with each other.

- (f) A site plan, landscape plan, lighting plan, circulation and traffic plan, peak use analysis and written description of the proposed use of shared facility shall be submitted by the applicant with each request for shared use approval for properties operated but not owned by the City. Only a peak use analysis and written description of the proposed use shall be required for parking facilities owned by the City.
- (g) Shared required parking must commence within $\frac{1}{4}$ mile of the building site. Additional parking, in excess of code requirements, shall not be subject to this distance requirement.
- (h) All development orders or permits covering such approval shall include the requirements that the order or permit shall be valid only so long as the conditions described in the application or the permit exist.
- (i) Nothing in this section shall be construed to prevent the joint use of municipal off-street parking for two or more uses if the total of such spaces, when used together, will not be less than seventy-five (75%) percent of the sum of the requirements of the various individual uses computed separately in accordance with the requirements of this Code.
- (j) Shared use parking approval described in this section shall not be transferable in any manner.
- (k) An agreement shall be executed by the parties as to the minimum maintenance requirements which shall be the sole responsibility of applicant and which failure to maintain shall result in immediate revocation of the permit herein granted.

Article 14. ROOFS

Sec. 14-1 - Roofs--General.

Except as provided for in this article all roofs for single-family residences, duplexes, motels and special-uses shall be constructed of tile, coral rock slabs, slate or copper as specifically set forth herein.

Sec. 14-2 - Flat roofs without a parapet.

Except on Lots 1 through 18, inclusive, Block 89, Lots 20 through 36, inclusive, Block 91, Riviera Section Part Three and Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 and Lots 11 through 16, Block 6, French Village, flat roofs without a parapet shall be permitted upon buildings subject to restrictions noted hereinafter.

- (a) Over porch or room additions within the L, T or U of an R, D or A-Use building having all tile roofs provided:
 - 1. A tile roof is not practical, as shall be determined by the Board of Architects.
 - 2. The flat roof portion shall not exceed fifteen (15%) percent of the ground area of the building.
 - 3. The flat roof portion is not visible from the front elevation of the building on an inside lot, or is not visible from the front or side street elevations on a corner lot.
- (b) Over one-story rooms in the rear of a two-story residence, duplex or apartment on inside lots, or over one-story rooms in the rear of a two-story residence, duplex or apartment where the room is not visible from the front or side street elevation on corner lots, providing in all cases some type of metal or masonry railing, as shall be approved by the Board of Architects is installed upon such flat roof.
- (c) In M-Use Districts where the roof is constructed entirely of non-combustible materials.
- (d) On boat houses, provided some ornamental railing, design or other treatment, as shall be approved by the Board of Architects, is placed upon such flat roof.
- (e) Over meter rooms, elevator towers, elevator machinery and equipment rooms, stair towers, and air-conditioning rooms in

C-Use Districts where the roof is constructed entirely of non-combustible materials.

- (f) Over one-story areas of a two (2) story building, or as a balcony, tower or other feature used to enhance the architecture of a building (as with the Colonial or Mediterranean style), provided that if located on an elevation visible to the street, the flat roof portions visible to the street shall not constitute more than twenty (20%) percent of the building's total roof area and a metal or masonry railing is installed on such flat roof.

Sec. 14-3 - Flat roofs with an eighteen (18) inch parapet.

Except on Lots 1 through 18, inclusive, Block 89, Lots 20 through 36, inclusive, Block 91, Riviera Section Part Three, and Lots 1, 2, 3 and Lots 5 through 12, inclusive, Block 4 and Lots 11 through 16, Block 6, French Village, flat roofs with a parapet (minimum eight (8) inches thick and eighteen (18) inches above the roof at all points) shall be permitted upon the following buildings subject to restrictions noted hereinafter:

- (a) Over porch or room additions within the L, T or U of an R or D-Use Building having all tile roofs provided:
 - 1. A tile roof is not practical as shall be determined by the Board of Architects.
 - 2. The flat roof portion shall not exceed fifteen (15%) percent of the ground area of the building.
 - 3. The flat roof portion is not visible from the front elevation of the building on an inside lot, or is not visible from front or side street elevations on a corner lot.
- (b) Over one-story rooms in the rear of a two-story residence or duplex on inside lots, or over one-story rooms in the rear of a two-story residence or duplex where the room is not visible from the front or side street elevation on corner lots.
- (c) Over boat houses.
- (d) Upon buildings designed and devoted to A-Uses.
- (e) Over one-story areas of a two-story building or as a balcony, tower or other

features used to enhance the architecture of a building (as with the Colonial or Mediterranean style), provided that if located on an elevation visible to the street, the flat roof portions visible to the street shall not constitute more than twenty (20%) percent of the building's total roof area.

- (f) On additions to existing buildings having a flat roof with a parapet.

Sec. 14-4 - Roofs for commercial buildings.

Except for motels, commercial buildings shall be permitted to have flat roofs with a parapet (minimum eight (8) inches thick and eighteen (18) inches above the roof at all points, provided, however, that where the height of the building and other attendant and connected circumstances and features of said building justify a lesser height, such parapet wall may be as low as six (6) inches at any point above the roof) where the roof is constructed entirely of non-combustible materials.

Sec. 14-5 - Pitched roofs--Material.

Except in Golden Gate, MacFarlane Homestead and St. Alban's Park, Coconut Grove Warehouse Center, that part of the Industrial Section abutting South Dixie Highway (U. S. Highway 1), and where plastic or glass translucent material is used as permitted elsewhere in this article, pitched roofs shall be constructed of:

- (a) Vitrified clay tile.
- (b) White concrete tile. The finished surface for white concrete tile shall be a mixture of one part Portland white cement to three parts white silica sand, together with a waterproofing and plasticizer ad-mix. These ingredients shall be mixed with water to a consistency equal to that of a finishing coat of plaster. The mix thus obtained shall be pressure troweled onto the surface of the freshly extruded tile at the time of manufacture.
- (c) Colored cement tile, provided the tile is color impregnated with the same color intensity throughout and the color is not surface applied, and provided the color meets with approval of the Board of Architects, taken in conjunction with the surrounding areas. Such colored cement tile roofs, which have been installed according to approved plans may be

painted or repainted a different color from the original color of the installed tile subject to approval of the application and the paint specifications by the Board of Architects. (2631)

- (d) Coral rock slabs laid shingle fashion.
- (e) Thick butt variegated colored slate as approved by the Board of Architects.
- (f) White Bermuda roof, as approved by the Board of Architects, and the Building Department, with a minimum pitch of not less than five (5) inches in twelve (12) inches.
- (g) Where there exists a pitched roof of other material that was permitted at the time of the original construction, additions to or replacements to said building may use the same material.
- (h) Roofs on accessory or auxiliary buildings shall conform to the roof requirements for the principal building provided, that bomb shelters and/or fallout shelters may be constructed with a flat roof that the maximum height of such shall not exceed four (4) feet above grade.
- (i) Copper may be used as a roofing material for residences subject to approval of design, manner of installation, conformity with the architectural design, style and composition of the proposed residential structure as shall be approved by the Board of Architects.
- (j) Monier Monray roof tiles with surfaces applied cement glaze under the manufacturers process, provided, that the color meets with the approval of the Board of Architects taken in conjunction with the surrounding area and provided further that the tile shall not be painted or repainted.

Sec. 14-6 - Flat roofs--Material.

All flat roofs shall have coverings of approved standard quality, such as concrete, gypsum, tile, built-up roofing of tar and paper, or tar paper and gravel, asbestos roofing, or of like grade, which would rank as Class A or B under test specifications of the National Board of Fire Underwriters.

Sec. 14-7 - Plastic, fiberglass, glass and aluminum roofs.

Any plastic or glass translucent material or flat aluminum material, as approved by the Board of Architects and the Board of Adjustment may be

used as a roof covering on screened enclosures or screened porches of residences providing it does not extend out from the outside wall of the building more than six (6) feet including any existing roof overhang and further provided it is not visible from the street. (3234)

Sec. 14-8 - Skylights.

Skylights may be constructed in roofs provided that such skylights comply with the following conditions and restrictions:

- (a) The size, location and architectural design of such skylights shall be subject to approval by the Board of Architects.
- (b) The structural design of such skylight shall be subject to approval by the Structural Engineer.

Sec. 14-9 - Roof projections.

Roofs and bay windows that do not extend to the ground may project into the required minimum setback area not more than the following: (3234)

- (a) On setbacks from five (5) feet to ten (10) feet, roofs and bay windows may project not more than two-and-one-half ($2\frac{1}{2}$) feet into the required minimum setback area.
- (b) On setbacks from ten and one-tenth (10.1) feet to fifteen (15) feet, roofs and bay windows may project not more than three (3) feet into the required minimum setback area.
- (c) On setbacks from fifteen and one-tenth (15.1) feet to twenty (20) feet, roofs and bay windows may project not more than three-and-one-half ($3\frac{1}{2}$) feet into the required minimum setback area.
- (d) On setbacks from twenty and one-tenth (20.1) feet to twenty-five (25) feet, roofs and bay windows may project not more than four-and-one-half ($4\frac{1}{2}$) feet into the required minimum setback area.
- (e) On setbacks of twenty-five (25) feet or more, roofs and bay windows may project not more than five (5) feet into the required minimum setback area.

Sec. 14-10 - Trussed rafters.

The minimum size for upper and lower truss cords in all buildings shall be two (2) inches by six (6) inches.

Sec. 14-11 - Tile roof pitch.

Roof tile shall not be laid on a deck with a pitch of less than two and one-half ($2\frac{1}{2}$) inches in twelve (12) inches.

Article 15. ARCHITECTURAL DESIGN STANDARDS

Sec. 15-1 - Architectural type--General. (2003-10)

Except as provided for in Section 15-3 of this ordinance, all buildings hereinafter constructed, reconstructed, altered or added to shall be of classical style of Colonial, Spanish, Venetian, Italian or other Mediterranean or similar harmonious architecture. It shall be the duty and responsibility of the Board of Architects to determine in each and every case whether or not the submitted plans comply with the type of architecture set forth hereinabove and suggest to the designing architect such changes as would bring the plan into conformity. The Board of Architects shall require such changes in the design of the structure so as to preserve the traditional aesthetic treatment and an excellence of design of the community. In considering the design of the building, the Board of Architects shall consider and render a decision as to the feasibility of the following elements in the design concept: (2992)

- (a) Trim.
- (b) Shutters.
- (c) Awnings and canopies.
- (d) Windows (Fenestration).
- (e) Doors.
- (f) Texture of surface.
- (g) Colors.
- (h) Roofs.
 - 1. Materials.
 - 2. Color.
 - 3. Slope.
 - 4. Overhang.
- (i) Planters.
- (j) Window boxes.
- (k) Walls, height, location, materials, design.
- (l) Height of building.
- (m) Location of structure on site.
- (n) Site circulation in regard to pedestrian travel, parking, services, grades and landscaping.
- (o) Location of exposed piping, conduits and rain water leaders.
- (p) Decorative lighting (height, location and style).

The architectural type for a given location, unless specifically specified to the contrary, shall be in reasonable harmony with the architecture of the neighborhood. Additions and alterations to buildings which have been designated by the provisions within the Zoning Ordinance as an

Historic Landmark shall conform to the architecture of the existing building.

Sec. 15-2 - Design standards.

The owner shall require that his plans be designed in such a manner as to enhance the overall architectural character of the city, neighborhood and street. All new buildings, alterations, additions or changes to the facade in any nature shall conform to the following regulations:

- (a) The architectural type shall be in accordance with Section 15-1 and/or Section 15-3 or this ordinance.
- (b) Marked stucco to simulate shutters, flanking window openings and indiscriminate use of stucco scoring or cut lines, unless they perform a function in the design, shall not be permitted.
- (c) Where particular treatment such as scoring, slump brick or other architectural motifs are employed, these shall return on the abutting elevation.
- (d) Excessive use of slump or other brick shall not be permitted. (3235)
- (e) Where wood or metal columns are used, the same shall be well proportioned.
- (f) Shutters shall be architecturally designed to enhance the structure and all tracts and housings shall be concealed from view when not in use. (3041)
 - 1. Plans for all new construction shall incorporate or make provisions for hurricane shutters.
 - 2. Storm panels with removable horizontal tracts shall be permitted on all structures without Board of Architects review and approval.
 - 3. The Board of Architects may approve a hurricane shutter type or system for multi-unit buildings (residential and commercial) as a whole, thereby allowing individual owners or tenants to install pre-approved hurricane shutters without additional Board of Architects review and approval.
 - 4. No shutter shall be placed on a structure so that it will alter or conceal architectural features or details of a structure.

5. Shutters shall not be installed in such a way as to prevent the intended or normal operation of any window or door.
 6. In every area of a structure required by the South Florida Building Code to have egress, there shall be at least one manually operable (non-electric) method of egress when completely enclosed by hurricane shutters.
- (g) Rooftop equipment such as that used in air conditioning and any other type of mechanical or service equipment shall be screened from view, as required by Section 21-12 of this ordinance.
 - (h) Air-cooled condensing and/or compressors equipment, water cooling towers and any other type of mechanical equipment or apparatus installed on or attached to a premises shall be screened from view from the street, waterway, bay or golf course by a wall and landscaping.
 - (i) Exposed concrete or masonry block shall not be permitted. With the exception of slump, red or other brick, crab orchard or other stone and architecturally formed and detailed concrete, all masonry surfaces shall be stuccoed.
 - (j) If metal garage doors are used they shall be painted in accordance with Section 23-7 of this ordinance.
 - (k) No exposed air-conditioning duct work or exposed solar tanks shall be permitted.
 - (l) The approval, materials, slope, construction, location and design of awnings and canopies shall be as set forth under Section 20-1 of this ordinance.
 - (m) The plans and specifications shall be in accordance with Section 22-4 of this ordinance.
 - (n) Any aggrieved person desiring to appeal a decision of the Board of Architects shall follow the procedure as set forth under Section 26-1 of this ordinance.

Sec. 15-3 - Architectural type, specific locations.

The type of architecture for specific locations in the City of Coral Gables shall be as set forth hereinafter in this Section:

- (a) In the Industrial Section, MacFarlane Homestead, and Golden Gate Subdivision, such type of architecture shall be permitted as shall be approved by the

Board of Architects as being harmonious with the immediate neighborhood.

- (b) Where otherwise required by the terms of existing restrictions in deeds conveying lots or lands, or as specifically provided for therein.
- (c) In C and M-Use Districts, such types of architecture shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.

Sec. 15-4 - Preparation, approval and revision of architectural drawings.

The following procedure shall be followed in preparing, obtaining approval and revising preliminary and final working drawings:

- (a) Architectural drawings. All architectural drawings for new residential buildings or alterations or additions to existing residential structures shall be prepared by and bear an impression seal of a registered architect qualified under the laws of the State of Florida to prepare such plans and specifications. All other architectural drawings shall be prepared by and bear an impression seal of a registered architect or registered engineer qualified under the laws of the State of Florida to prepare such drawings.
- (b) Approval in principle. Preliminary Approval in Principle shall be obtained from the Board of Architects before proceeding with the final working drawings. The drawings for Approval in Principle shall preferably be single-line plan or plans and shall have a plot plan, floor plan and shall show all affected elevations. Photographs of adjoining properties shall be presented with the preliminary plans. Plans for additions or exterior alterations to existing buildings shall show all elevations of all facades of the building where the alterations occur, or to which the addition is attached. Whenever the estimated cost of construction of any addition, exterior alteration and/or new construction will exceed twenty-five-thousand (25,000) dollars, such preliminary plans shall be submitted in duplicate.
- (c) Board of architects. It shall be the duty of the Board of Architects to preserve the traditional aesthetic treatment of the community.

- (d) Revisions to preliminary plans. When the designing architect and/or engineer revises preliminary plans in accordance with the suggestions of the Board of Architects, he shall return the original drawings showing the Board's suggestions with the revised drawings.
- (e) Revisions to final working drawings. After plans have been approved, no deviations from the approved design shall be permitted without the approval of the Board of Architects.

Sec. 15-5 - Duplication of elevations and/or exterior architectural design.

No duplication of elevations and/or exterior architectural design shall be permitted in any residential area. Architects in submitting plans for consideration of the Board of Architects shall, as part of said plan, and as a prerequisite to approval thereof, sign a certificate reading as follows: To the best of my knowledge and belief, the within plans and specifications do not duplicate the elevations and/or exterior architectural design of any buildings in the residential area of the City of Coral Gables, previously submitted by me or by my office; that to the best of my knowledge and belief these plans and specifications are not a duplication of elevations and/or exterior architectural design of any building constructed, or for which a permit has been issued, in the City of Coral Gables; I further certify that I am fully familiar with the ordinance under which this certificate is required. (seal)

The provisions of this subsection shall not apply, however, in the following cases:

- (a) In the units of a single-housing project, which shall be deemed and which hereby is defined as not more than three multiple-family units constructed on a lot or on contiguous lots so as to be an architectural entity; and,
- (b) To the interior design or floor plan of any structure.

Article 16.
WALLS, FENCES, SHRUBBERY AND HEDGES

Sec. 16-1 - Walls and fences--Location.

All types of masonry or coral rock walls may be erected anywhere upon any premises, and in certain cases, (see 16-2(b) 2) must be erected along property lines, provided that the design thereof shall first be approved by the Board of Architects. Wire fences may be erected at the following locations on any premises in R, D, A and S-Use Districts: (2705)

- (a) On lots that are not corner lots as defined in this ordinance, wire fences may be erected anywhere along boundaries of a rear yard as defined in this ordinance, or within such rear yards; or along side lot lines from the rear lot line to the front line of building extended to the nearest point in the side lot line, provided that a masonry or coral rock wall connects such wire fence with the building if such wire fence extends farther toward the street than the rear corner of the building closest to the side lot line.
- (b) On lots that are corner lots as defined in this ordinance, wire fences may be erected along boundaries of rear or side yards or within such rear and side yards, provided, however, that such wire fence shall not be erected in any yard area where such areas abut upon a street and provided that if such wire fence extends farther toward the street than the side or rear corner of the building closest to the side or rear lot line, a masonry or coral rock wall extending from the building to the rear or side lot line shall be connected to such fence.
- (c) Wire fences may be erected in the Industrial Section provided that such wire fences are not located closer than one-hundred (100) feet to Bird Road, LeJeune Road or Ponce De Leon Boulevard.

No wire fences may be erected in C-Use Districts, except as provided for herein above in the Industrial Section.

Sec. 16-2 - Walls, fences, shrubbery and hedges—Height. (2705, 2991, 3436)

- (a) 1. All driveway entrances and roadway intersections in or abutting R, D, A, and S-Use districts shall be constructed so that:

- a. Vehicles can enter and exit from the property without posing substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets; and,
 - b. Interference with the free and convenient flow of traffic from adjacent streets is minimized.
2. A triangle of visibility, as defined in Section 16-2 (a) 3 herein, shall be provided and maintained at all driveway entrances and street intersections in or abutting R, D, A and S-Use districts. Each triangle of visibility shall be provided and maintained in accordance with the specifications illustrated in the applicable graphic representation (Figures 1, 2, and 3).
 3. Triangle of visibility shall refer to a triangular area of land occurring at the intersection of a driveway and street or at the intersection of two streets which is maintained free of visual obstructions so as to provide adequate visibility of on-coming pedestrians and vehicles.
 4. Nothing shall be erected, placed, parked, planted, or allowed to grow in such a manner within a triangle of visibility so as to materially impede vision between a height of three (3) feet and eight (8) feet above the established grade, measured at the driveway or at the triangle of visibility and intersection.
 5. Deviation from the requirements and standards set forth by this Section may be allowed by variance only, and shall be considered on a case-by-case basis. Applicants shall provide all professional studies and supporting materials necessary to demonstrate that the level of safety achieved will be comparable to the provisions contained herein.
 6. All exceptions to the requirements contained within this subsection which were in existence and in compliance with Code requirements prior to May 1, 1992, shall be exempt from these standards, unless costs

SECTION 16-2: SITE DISTANCE FOR LANDSCAPING ADJACENT TO INTERSECTIONS

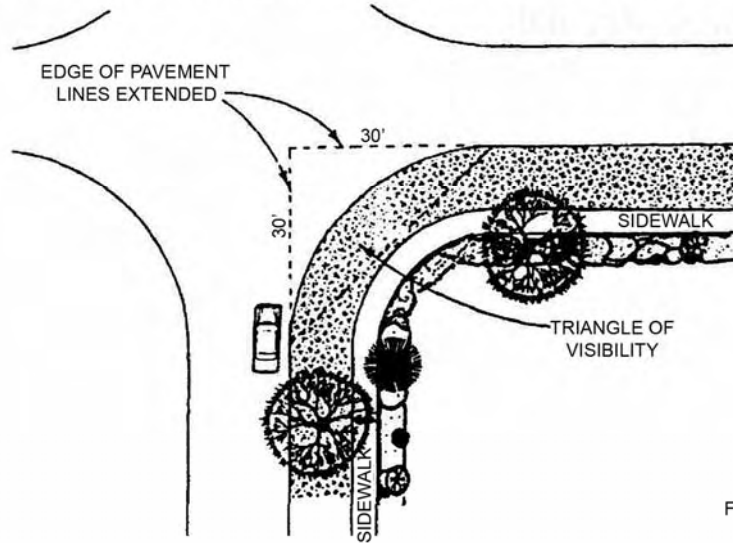


FIGURE 1

SITE DISTANCE FOR LANDSCAPING ADJACENT TO DRIVEWAYS

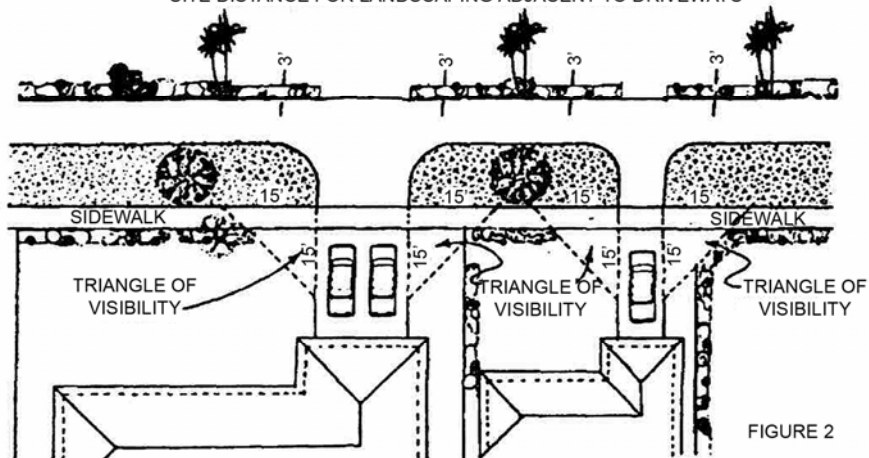


FIGURE 2

SITE DISTANCE FOR LANDSCAPING WHERE THE PROPERTY ABUTS A CITY PARKWAY AND WHERE THERE IS NO CITY SIDEWALK

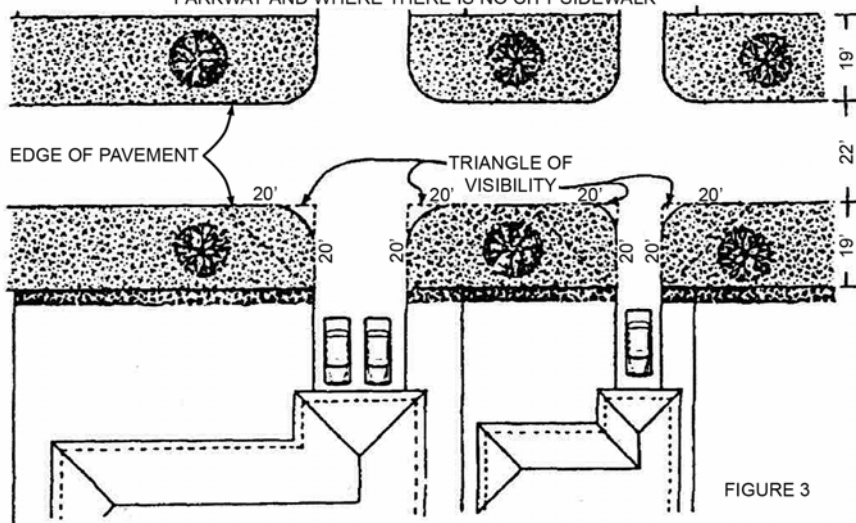


FIGURE 3

- of improvements and/or modifications to the property after that date exceed fifty (50%) percent of the assessed value of the property, at which time such triangle of visibility shall be provided.
- (b) No other wall or fence shall be permitted over four (4) feet high from the actual ground level at such wall or fence, gate or gate feature, whichever is higher, except in the following cases:
1. Wing walls, hereby defined as a wall or walls which extend from a building to or toward the property line, parallel to and in line with the front of said building, may exceed four (4) feet in height in R, D and A-Use Districts, provided the design and height thereof shall first be approved by the Board of Architects.
 2. Subject to the prior approval of the City Manager, concrete block, stuccoed or natural stone walls or chain link type wire fences may be erected to a maximum height of seven (7) feet upon property lines abutting Red Road of all lots facing or abutting upon Red Road from Coral Way to Southwest Eighth Street in cases where such walls or fences do not, in the opinion of the City Manager, create a hazard to pedestrian or vehicular traffic.
 3. Walls confined completely within a U of a residence, duplex or apartment may exceed four (4) feet in height in R, D and A-Use Districts provided, however, the design and height thereof shall first be approved by the Board of Architects.
 4. Walls in connection with residences, duplexes or apartments in R, D and A-Use Districts not included in paragraph 3 above, may exceed four (4) feet in height, provided such walls meet the setback requirements for screened enclosures, and provided further that the enclosed ground area covered by the walls, the auxiliary buildings and the main buildings does not exceed forty-five (45%) percent of the enclosed area of the site and provided the design and height thereof shall be approved by the Board of Architects.
 5. Ornamental wrought iron, cast iron and/or aluminum fences may be erected to a maximum height of six (6) feet subject to the location and design thereof being approved by the Board of Architects.
 6. Ornamental wrought iron, cast iron and/or aluminum fences may be erected on top of a masonry wall provided that the height of the masonry wall shall not exceed four (4) feet and the maximum height of the wrought iron, cast iron, aluminum and masonry wall shall not exceed six (6) feet and provided that the location and design thereof shall be approved by the Board of Architects.
 7. Where residential and commercial use districts adjoin each other, a six (6) foot high wall shall be constructed along the property line between the commercial and residential properties. The wall shall be constructed and maintained by the commercial property owner, however, the abutting residential property owner may construct and maintain the wall.
 8. Residential gate and agate features may be erected to a maximum height of up to eight (8) feet on residential zoned properties which have a street frontage of one-hundred (100) feet or greater and when constructed with a masonry or coral rock wall or wrought iron fence as permitted herein, and provided that the location, material and design thereof shall be approved by the Board of Architects. (3557)
- Sec. 16-3 - Walls and fences--Materials and specifications.**
- (a) Walls may be constructed of the following materials:
1. Coral rock.
 2. Concrete block stuccoed on both sides with concrete cap.
 3. Slump or adobe brick.
 4. Precast concrete.
 5. Used red brick, limed red brick or cement brick painted white, provided the design thereof shall first be approved by the Board of Architects.

(b) Wire fences may be constructed of the following materials:

1. Aluminum chain link.
2. Galvanized steel chain link.
3. Vinyl coated galvanized steel chain link in the following colors only: black, dark green, forest green, turf green and aqua.
4. Aluminum or galvanized steel single or double looped ornamental type fence. (3113) The construction of such wire fences shall meet the following specifications:
 - a. The wire used in construction of such fences shall be of not less than eleven (11) gauge or equal, except that one inch chain link fences may be twelve and one-half (12½) gauge.
 - b. Terminal posts shall be aluminum or galvanized steel pipe of not less than two (2) inches outside diameter or reinforced masonry columns of not less than four (4) inches square.
 - c. Aluminum or galvanized steel angles may be used as intermediate supports.
 - d. All terminal posts and intermediate supports shall be set in concrete, and all terminal posts shall be properly braced when installing any ornamental type fence.
 - e. Top rail, if used, shall be aluminum or galvanized steel pipe not less than one-and three-eighths (1⅜) inches outside diameter and where top rail is not used, terminal posts shall be properly braced with aluminum or galvanized steel pipe.

(c) Ornamental wrought iron, ornamental aluminum cast iron or cast aluminum fences shall be permitted provided the design thereof shall first be approved by the Board of Architects.

(d) Wood fences shall be permitted on Santa Maria Street.

(e) Wood picket fences shall be permitted on residential lots in Golden Gate, MacFarlane Homestead, and Coconut

Grove Warehouse Subdivision, subject to the following conditions:

1. Such fences shall be of cedar, cypress, or redwood, with four (4) inch by four (4) inch terminal posts, two (2) inch by four (4) inch intermediate posts, wood rails and pickets one inch thick. Pickets shall be placed so as to provide a space between of not less than one-half (½) the width of the picket.
2. All such fences shall be painted on each side with an appropriate and harmonious color, and shall be maintained and kept in repair by replacing all rotting wood. Construction and painting shall be completed within a reasonable time after issuance of permit therefore, to be determined by the Building Official.

Sec. 16-4 - Walls and fences in public utility easement areas.

Every permit for the erection of a wall or fence in any public utility easement of record shall provide that it is subject to revocation. Each such wall or fence shall be constructed subject to the conditions that the said wall or fence shall be removed by the owner at any time on request of utility company requiring the use of the space for utility purposes, and that if the owner of such property fails to so remove such wall or fence after request and notice, the utility company or the City may remove such wall or fence at the property owner's expense.

Article 17.
DOCKS, WHARVES, MOORING PILES AND BOAT MORORINGS

Sec. 17-1 - Docks, wharves and mooring piles--Canals, lakes, or waterways.

The construction, erection or installation of mooring piles and/or boat docks or similar landing facilities for water craft, in any canal, lake or waterway, or on land abutting thereon, shall be subject to the following conditions and restrictions: (1926, 2618, 2725, 3205, 3236)

- (a) No dock, wharf or similar structure shall be constructed over or in any canal, lake or more than five (5) feet outward from the bank for specific properties and the Mahi Canal in Section 4.
- (b) No mooring piles shall be placed or set in the canals, lakes or waterways which shall be located at a greater distance than twenty-five (25) feet from the bank of such water or waterways.
- (c) Except as described for specific properties and the Mahi Canal in Section 4, no dock or mooring piles shall be placed in any waterway within the City at a greater distance from the bank thereof, which, when allowance is made for the erection or placing of a dock or mooring piles on the opposite bank at a similar distance from the bank, will leave less than seventy-five (75) feet of open unobstructed navigable water between such piles, docks and similar structures on the opposite bank.
- (d) No dock extending outward over or in the water from the bank shall be permitted in connection with any lot which a reasonable area along the shore thereof shall be at such level as to provide a natural landing stage or platform for persons embarking on or debarking from boats.
- (e) All mooring piles, docks and/or similar structures shall maintain the same minimum setback from the adjacent owner's property line extended as established for the main structure permitted on each building site, except as described for specific properties and the Mahi Canal in Section 4.
- (f) Except as described for specific properties and the Mahi Canal in Section 4, and as provided for under Section 17-1 (d) above, the mooring of boats in canals or waterways shall be forbidden unless such moorings, and similar mooring on the opposite bank, shall leave unobstructed

passageway in the canal or waterway of at least seventy-five (75) feet in width.

- (g) Where the width of the canal or waterway permits mooring of boats parallel to the banks, but does not permit the erection of docks or the placing of outer mooring piles, fender or mooring piles may be placed at a distance not greater than eighteen (18) inches from the bank or shore, and such piles shall be Venetian type, painted and ornamentally capped.

Sec. 17-2 - Docks and mooring piles--Biscayne Bay.

The construction, erection or installation of boat docks or similar landing facilities for watercraft, pilings and dolphins on the bay front edge or in Biscayne Bay shall be subject to the following conditions and restrictions:

- (a) No docks shall extend more than twenty-five (25) feet from the property line into Biscayne Bay.
- (b) All mooring piles, dolphins and/or docks shall set back a minimum distance of twenty-five (25) feet from the adjacent property owner's lot line extended.
- (c) No docks, pilings or dolphins may be set until a permit therefore is first granted by the Department of the Army of United States Government.
- (d) Mooring piles and dolphins shall not be set more than twenty (20) feet into the bay from the dock line.

Sec. 17-3 - Mooring of boats.

In single-family residence districts, where boats are permitted to be moored in canals or waterways, all boats shall be moored parallel to the property line abutting the canal or waterway.

Article 18. SIGNS

Sec. 18-1 - Purpose and intent.

The regulations and requirements set forth in this article are intended to provide the following:

- (a) Regulate signage whereas each sign user has an opportunity to provide information, identification and direction to a permitted use.
- (b) Preserve the character, quality of the City's appearance, protect property values and promote safety by avoiding clutter, reduce conflicts between signs, promoting proper maintenance, requiring removal of abandoned signs, and by subjecting signs to design review.
- (c) Regulate the number, size, scale, proportions and balance of signs according to standards consistent with the type of establishments and their approved architecture.
- (d) Promote sound economic and business climate through the reinforcement and encouragement of graphic excellence.
- (e) Focus and provide incentives to encourage pedestrian scale signs.

Sec. 18-2 - Review by the Board of Architects.

The Board of Architects shall complete design review and approval of all sign(s) except the following sign(s): Section 18-7, Temporary signs (residential and nonresidential), 18-9, 18-10, and 18-12. A permit is required as is indicated in Section 18-3.

Sec. 18-3 - Permit required.

Before the installation, alteration, erection, painting or repainting of any sign shall be commenced, a permit therefore shall first be obtained from the Building and Zoning Department, except in the case of signs permitted under the provisions of Sections 18-7., Temporary signs (residential and nonresidential), 18-9., 18-10., and 18-12. Details and plans of any sign submitted to and approved by the Board of Architects in accordance with this ordinance shall be considered as a part of the permit issued for such sign, as if the same were fully set out therein, and all work performed under and pursuant to such permit shall be in strict conformity with, and shall not vary from, such approved plans and details

Sec. 18-4 - Sign application.

Every application for a permit to erect, install, affix or paint any sign on any structure or awning or to alter or change any existing sign shall be accompanied by the following:

- (a) Written consent of the owner of the property on which the sign is being located or placed.
- (b) Two (2) copies of a scaled drawing showing the complete elevation of the building on which the sign is to be placed; such drawing shall include all exterior dimensions of the structure. Superimposed on this drawing shall be the proposed sign drawn to scale showing the dimensions, type and size of lettering and all colors to be used. The drawing shall be drawn to the following scale:
 $\frac{1}{4}" = 1'0"$ - for structures 0 to 3 stories in height.
 $\frac{1}{8}" = 1'0"$ - for structures more than 3 stories in height.
- (c) A separate scaled drawing of the proposed sign shall be shown at a scale of $" = 1' 0$. This drawing shall also contain all dimensions, size, and color of lettering.
- (d) Color photographs shall be submitted showing the facade of the building on which the sign is to be placed, together with all existing signs on the building, as well as color photographs showing the signs on all abutting structures.
- (e) The drawing for all signs which are to be illuminated shall show the location of electrical outlets, conduits, and lighting sources. (See Section 18-6(f) and (g). The plan shall also indicate the intensity of illumination as certified by an electrical engineer, which shall not exceed the maximum specified herein, under Section 18-6(b).
- (f) The drawing shall indicate the method of fastening the sign to the building. No permit therefore shall be issued until such plan shall have been previously approved by the Board of Architects as herein provided.

Sec. 18-5 - General design standards.

The Board of Architects in reviewing a sign application shall, in addition to other specifications provided herein, assure that the proposed sign adheres to the following design standards:

- (a) No sign shall be placed on a structure so that it will disfigure or conceal architectural features or details of a structure.
- (b) Wall signs shall be proportionate to the facade on which they are located, respecting the integrity of the architecture of the building.
- (c) Size and location of any sign shall be proportional to the scale of the existing structure and compatible with adjacent signage.
- (d) The use of lettering and sign design shall enhance the architectural character of the facade on which the sign is located.
- (e) The use of box signs, cabinet signs, diagonal lettering, vertical lettering, and exposed neon tubing shall be prohibited.
- (f) Bare bulb signs shall not be allowed in any location.

Sec. 18-6 - Illumination.

The following conditions and restrictions shall apply to illuminated signs:

- (a) Except as hereinafter provided in this section, illuminated signs, or illumination in show windows, display windows and displays, in or upon any building or structure, shall have the source of light concealed from view from the exterior of the building or structure, except that where channel letters or figures are used for any sign the illumination thereof may be visible if recessed within the depth of the channel.
- (b) Intensities of illumination in all cases shall be approved by the Electrical Inspector before the issuance of a sign permit for compliance with the following Maximum Illumination Intensity Levels:

Maximum Illumination Intensity Level

Type of illumination	Located within 200 feet and visible from a residential zone	Located within 200-500 feet and visible from a residential zone	Located beyond 500 feet of a residential zone
Direct, Internal or Backlighted	90 foot-lamberts	150 foot-lamberts	250 foot-lamberts
Indirect or Reflected Sign	10 foot-candles	25 foot-candles	50 foot-candles

- (c) Illuminated signs located within five hundred (500) feet of a residential zone, and which are visible from such residential zone, shall be turned off not later than 10:00 p.m. each night.
- (d) No intermittent or flashing illumination will be permitted.
- (e) Hanging exposed neon tubing signs will be permitted on the inside of glass show windows, provided that the size of said signs shall not exceed ten (10%) percent of the total glass area where they occur, or six-hundred (600) square inches, whichever is less. All such signs located within a distance of five (5) feet from any glass show window shall be subject to the above regulations.
- (f) All exterior electrical outlets for signs shall terminate in a galvanized box with a blank cover, which shall be flush with and not protrude beyond the finished surface of the exterior wall.
- (g) Transformer boxes, outlets, conduits, and other accessory equipment for any sign shall be placed so that they are not visible from the exterior.
- (h) Wooden signs shall not have electric lights or fixtures attached to them in any manner.

Section 18-7 - Standards for on premise signs. (2003-16)

The provisions contained in the following table shall be applicable within the following zoning districts:

- (a) CA Use District.
- (b) CB Use District.
- (c) CC Use District.
- (d) M-Use District.
- (e) Mixed Use Districts.
- (f) Single Family Use Districts.
- (g) Apartment Use Districts.
- (h) S-Use Districts.
- (i) X - Designations on the above use districts.

The provisions are as follows:

Type of sign	Maximum number permitted	Maximum sign area	Maximum length of sign	Maximum lettering height	Maximum/minimum height of sign *	Projection and/or separation **	Other requirements
Awning or canopy.	One (1) per awning or canopy.	Four (4) square feet per awning. Sign to occupy no more than sixty (60%) percent of height of valance on which it is placed.	Fifty (50%) percent of awning or canopy.	Six (6) inch lettering, however, height not to exceed sixty (60%) of height of valance on which it is placed.	Twelve (12) feet maximum.	Minimum of three (3) feet from established inside of curb line, adjacent lease line, adjacent property line, or street r.o.w. whichever is less.	1. Awning or canopy signs are prohibited if tenant signs are provided. 2. Sign lettering must be located on valance of awning or canopy. 3. Permitted text shall only include tenant name and/or logo. 4. Street level tenant names signs on awnings/canopies are only permitted for those uses located at street level. 5. Backlighting of awnings and canopies is prohibited. 6. Internal illumination of sign lettering is permitted. 7. External illumination of awnings/canopies is permitted for the purpose of only identifying the lettering, logos, or other text of the awning. The type and location of light fixture shall be included as a part of the review of the sign.
Directory sign.	One (1) per building entrance.	1. Buildings less than 4 floors – fifteen (15) square feet. 2. Buildings 5 or more floors – twenty-five (25) square feet.			Eight (8) feet maximum.	Four (4) inch maximum projection from wall surface (A.D.A. Requirement).	1. Signage locations shall be at street level to be viewed by pedestrians. 2. Logos are permitted. 3. May be freestanding if located a minimum of twenty-five (25) feet from property line or R.O.W.
Doorway entrance sign.	One (1) per street level tenant.	Five (5) square feet.		Six (6) inches.	Twelve (12) feet maximum.	4 inch maximum projection from wall surface (A.D.A. Requirement).	1. Sign shall be located over doorway/entrance. 2. Internal or external Illumination of sign lettering and sign is prohibited. Backlighting via ambient light is permitted.

Type of sign	Maximum number permitted	Maximum sign area	Maximum length of sign	Maximum lettering height	Maximum/minimum height of sign *	Projection and/or separation **	Other requirements
Mixed-use residential buildings with ground/street level uses whereas the building contains seventy-five (75%) percent or more residential square footage.	Signage located at street/ground level is subject to applicable provisions dependent upon type of sign.				Twenty-five (25) feet maximum.	Subject to applicable provisions dependent upon type of sign.	- Signage identifying ground floor/street level retail and commercial uses are prohibited twenty-five (25) feet above the established grade. - One wall sign shall be permitted for residential developments subject to the following: - Sign Area: twelve (12) square feet - Maximum sign length: fifty (50%) of lineal building frontage. - Maximum height of sign: twelve (12) inches or an increase in size to eighteen (18) inches if sign is design sign as provide herein. - Projection: twelve (12) inches.
Parking garage entrance/exit identification signs in association with principal building.	One (1) building name or business name per one (1) entrance/exit.	One-hundred (100) square feet.	Twelve (12) feet.	Ten (10) inches.	Within (10) feet of top of garage opening entrance/exit.	Twelve (12) inch maximum projection from wall surface	- Sign text indicating "Entrance" and "Exit " for parking garages shall be subject to the following: - Maximum lettering height – ten (10) inches. - Maximum sign length – ten (10) feet.
Plaques.	One (1) per public pedestrian entrance/exit.	Four (4) square feet.	Two (2) feet.		Eight (8) feet.	Four (4) inches.	- Construction materials should be fabricated in a manner to complement the architecture of the building. - See definition for further provisions.
Projection sign (Street level).	One (1) per street level tenant. Tenants on corners of r.o.w. shall be permitted one per r.o.w.	Three (3) square feet.		Six (6) inches.	Ten (10) feet maximum.	- Eight (8) feet max. projection from external bldg. wall if awning/canopy exists, or - Four (4) feet maximum projection from ext. bldg. wall with no awning/canopy. - Five (5) feet maximum encroachment into r.o.w. to outer edge of sign is permitted	- One sign is permitted per street level tenant. - Tenants occupying a corner at two r.o.w.'s shall be permitted one additional sign. - Internal or external illumination of sign lettering and sign is permitted. - Sign content/text shall only include tenant name and/or logo. - Wood signs are permitted. - Decorative treatments and three-dimensional use of materials is encouraged. - If canopies or awnings exist, the projection sign shall be located under canopy or awning with sufficient vertical clearance for the passage of pedestrians.

Type of sign	Maximum number permitted	Maximum sign area	Maximum length of sign	Maximum lettering height	Maximum/minimum height of sign *	Projection and/or separation **	Other requirements
Temporary construction signs (nonresidential use districts).	One (1) per site or development.	Sixteen (16) square feet.			Eight (8) feet maximum.	Six (6) inches if attached to a building.	Nonresidential zoned properties. 1. Freestanding signs shall be a minimum of 10 feet from property line and/or r.o.w. b. Sign can be mounted on building or fence subject to all other provisions. 2. Must be removed with 72 hours of the issuance of temporary or final certificate of occupancy. 3. If freestanding the sign shall be fastened securely to each of two supports, one on each end of the sign, installed a minimum of 3 feet below the established grade in a secure manner utilizing concrete or other suitable method. 4. The sign text may only identify the property, the owner or agent, contractor, or professional affiliations, property address and telephone numbers who are involved in the construction of improvements on the property. 5. The sign shall be constructed of metal, plastic, wood or pressed wood. 6. Such sign shall be kept in good repair and shall not be illuminated or constructed of a reflective material and shall not contain any flags, streamers, movable items or like devices.

Type of sign	Maximum number permitted	Maximum sign area	Maximum length of sign	Maximum lettering height	Maximum/minimum height of sign *	Projection and/or separation **	Other requirements
Temporary signs (residential use districts).	One (1) per site or development.	Forty (40) square inches.			Six (6) feet maximum.		Residential zoned properties. A property owner may erect one temporary sign, which may include only one of the following: real estate sign, temporary construction sign or professional affiliation sign. Real Estate signage shall be regulated via the provisions contained in Section 18-9, titled Real estate, for sale, lease or rental of property or buildings. Construction signs and professional affiliation signage may be permitted subject to the following provisions: 1. The sign may identify the property, the owner or agent and the address and telephone number of the agent of work completed to the premises upon which the sign is located. 2. The sign shall be constructed of metal, plastic, wood or pressed wood. 3. If freestanding, the sign shall be fastened to a supporting member constructed of angle iron not exceeding one inch by one inch or two (2) inch by two (2) inch wooden post. The supporting member shall be all white or all black in color and have no letters/ numbers upon it. 4. The supporting member shall be driven into the ground to provide that the top of the face of such sign shall not be more than four (4) feet above the finished grade of the ground. 5. All such signs shall be lettered professionally. Sign shall not require permit issuance or Board of Architects approval. 6. Such sign shall be so erected or placed that its centerline is parallel or perpendicular to the front property line. 7. Such sign shall not be erected or placed closer than five (5) feet to the front property line unless the main part of the building is less than five (5) feet from the front property line, in which case the sign may be placed in or upon a front or side door, window or elevation of the building.

Type of sign	Maximum number permitted	Maximum sign area	Maximum length of sign	Maximum lettering height	Maximum/minimum height of sign *	Projection and/or separation **	Other requirements
							8. Nothing contained herein shall be construed as prohibiting the same wording from being on both the front and back of the sign. 9. Where such sign is suspended from an arm of the support, such arm shall not exceed a length of sixteen (16) inches. 10. All such signs shall be erected on a temporary basis. 11. Such sign shall be kept in good repair and shall not be illuminated or constructed of a reflective material and shall not contain any flags, streamers, movable items or like devices. 12. The sign must be removed with 72 hours of the issuance of temporary or final certificate of occupancy for the property or as determined by the Building and Zoning Department.
Tenant signage (street level).	One (1) per street level tenant per street right-of-way frontage.	Eighteen (18) square feet per tenant.	Fifty (50 %) percent of lineal tenant frontage.	Twelve (12) inches or an increase in size to eighteen (18) inches if sign is design sign as provided herein.	Eighteen (18) feet maximum.	1. Twelve (12) inch maximum projection from wall surface. 2. The maximum projection may be exceeded for design signs, subject to Board of Architect review and approval.	1. Tenant signage is prohibited if awning or canopy signage is provided. 2. Street level tenant names signs are permitted for those uses located at street level. 3. Permitted text shall only include tenant name and/or logo.
Wall mounted signs for buildings 45.0 feet or less in height.*	One (1) per street right-of-way frontage.	1. 0.75 square foot per lineal feet of primary street frontage not to exceed one-hundred-fifty (150) sq. ft.	Fifty (50 %) percent of lineal building frontage.	Eighteen (18) inches.	Twenty-Five (25) feet maximum.	Twelve (12) inch maximum projection from wall surface.	1. Building sign or one curvilinear building name sign is permitted. Only one sign of the above options is permitted. 2. Building sign content/ text may include up to two names, tenants, etc. 3. No off premises sponsors or advertising signs permitted.

Type of sign	Maximum number permitted	Maximum sign area	Maximum length of sign	Maximum lettering height	Maximum/minimum height of sign *	Projection and/or separation **	Other requirements
		2. 0.25 square feet per lineal feet of side street frontage.					
Wall mounted signs for buildings 45.1 to 97.0 feet.*	One (1) per street right-of way frontage.	1. 0.75 square foot per lineal feet of primary street frontage not to exceed one-hundred-fifty (150)sq. ft. 2. 0.25 square feet per lineal feet of side street frontage.	Fifty (50 %) percent of lineal building frontage.	Twenty-four (24) inches.	1. Ninety-seven (97 feet) maximum. 2. Minimum thirty-five (35) feet.	Twelve (12) inch maximum projection from wall surface.	1. Building sign or one curvilinear building name is sign is permitted. Only one sign of the above option permitted. 2. Building sign content/ text may include up to two names, tenants, etc. 3. No off premises sponsors or advertising signs permitted.

Type of sign	Maximum number permitted	Maximum sign area	Maximum length of sign	Maximum lettering height	Maximum/minimum height of sign *	Projection and/or separation **	Other requirements
Wall mounted sign for buildings 97.1 feet or more in height. *	Two (2) per building.	Dependent upon location of the one sign the following standards shall apply: 1 1.0 square foot per lineal feet of primary street frontage not to exceed to-hundred (200 sq. ft.) 2. 0.50 square feet per lineal feet of side street frontage or building façade frontage on buildings not fronting on a street frontage not to exceed one-hundred (150)sq. ft.	Fifty (50 %) percent of lineal building frontage.	Thirty (30) inches.	1. Maximum of twenty-five (25) feet above the ceiling of the top floor. 2. Minimum ninety-seven (97) feet.	Twelve (12) inch maximum projection from wall surface.	1. Building sign or one curvilinear building name sign is permitted. 2. Building sign content/ text may include up to two names, tenants, etc. 3. No off premises sponsors or advertising signs permitted.
Wall mounted signs for S-Use Districts.	One (1) sign.	Twelve (12) sq. ft.	Fifteen (15) feet.	Ten (10) inches.	Twelve (12) feet maximum.	Six (6) inches.	1. Sign shall be subject to the following: a. Shall include no illumination. b. Must be attached to principal building 2. No other signage is permitted.

Type of sign	Maximum number permitted	Maximum sign area	Maximum length of sign	Maximum lettering height	Maximum/minimum height of sign *	Projection and/or separation **	Other requirements
Window sign.		Ten (10%) percent maximum of street level total window area or twenty (20) sq. ft., maximum, whichever is less.		Six (6) inch maximum.			1. Permitted only on primary and side street level frontages. 2. Window signage above the first floor is prohibited. 3. The following text shall be exempt from the sign area calculations: enter; exit and similar decals as indicated below; and, property address of building. 4. Maximum of 1.5 square feet of decal signs is permitted to include the following: entrance; exit; credit card advertising or other decals as approved by the Building and Zoning Department. Physical property address signs shall be subject to these limitations. 5. Window signs must be applied to the window in professional manner. 6. The name of the establishment may only be permitted once. One additional establishment name is permitted subject to design review approval. The additional name shall be the same text, lettering style/height, color, etc for both signs.

*Height is measured from the established grade.

**Including all appendages of sign.

All signs attached to a building shall be fastened directly to the walls by well-secured metal anchors in such a manner as to withstand a wind pressure load equal to one-hundred-fifty (150) miles per hour for a one-hour period. No signs shall be erected so as to obstruct any door, window, or fire escape and any building or structure, or so as to obstruct the visibility of any traffic control sign or traffic control signal.

Sec. 18-8 – Detached Signs.

The purpose of this section is to permit signs that will not, because of size, location, method of construction, or manner of display.

- (a) Endanger the public safety; or
- (b) Create distractions that may jeopardize pedestrian or vehicle traffic safety; or
- (c) Mislead, confuse, or obstruct the vision of people seeking to locate or identify uses or premises; or
- (d) Destroy or impair aesthetic or visual qualities of Coral Gables, which are essential to the City's economic, cultural and social welfare.

Detached signs are subject to the following provisions:

- (a) Advertising or other signs detached from and not affixed to or being a part of a building or structure, shall be permitted as provided in this Article. Such signs may advertise or describe or refer to a business or operation conducted upon the building site or premises upon which the sign is erected, and only one such sign shall be permitted upon any one such building site or premises. The design of all such signs, other than signs erected upon premises during construction of a building thereon [See Section 18-7., Temporary signs (residential and nonresidential)] and signs permitted by Section 18-10 shall be required to be approved by the Board of Architects prior to the erection of such signs. The advertising matter upon or contents of such signs shall be limited to permanent letters or numerals. Any such sign, except signs erected upon premises during construction of a building thereon, may be illuminated, but, if illuminated, the source of light shall be concealed from the exterior of the sign unless recessed within the depth of the channel which make-up

the letters or numerals. No intermittent or flashing illumination will be permitted.

- (b) Specific locations. Except as provided for under Sections 18-8(c) and 18-10 detached signs will be permitted only upon premises zoned for commercial or industrial use and facing, abutting and fronting upon U.S. Highway 1, (also known as South Dixie Highway) or upon Southwest Eighth Street, subject to the following conditions and restrictions:

- 1. The face of any such sign shall not exceed thirty-two (32) square feet in area; and the top of the face of such sign shall not be more than six (6) feet above the finished grade of the ground, except that,

- a. Detached signs, the top of the face thereof being not more than eleven (11) feet above the finished grade of the ground, shall be permitted at the following locations:

- (1) Upon premises abutting and fronting upon Southwest Eighth Street and lying east of LeJeune Road and upon premises lying west of LeJeune Road; and,

- (2) Fronting upon Southwest Eighth Street, where such premises extend as an entity from street to street measured in an east and west direction; and where the building on such premises, or some portion thereof, is at least two (2) stories in height.

Detached signs, the top of the face thereof, being not more than twelve (12) feet above the finished grade of the ground, shall be permitted upon premises facing, abutting and fronting upon U.S. Highway 1 (also known as South Dixie Highway).

- 2. Foundations shall be of masonry; supporting members shall be of metal or masonry construction; the sign itself shall be metal, masonry or plastic construction; each sign shall be constructed so as to withstand winds of one-hundred-fifty (150) miles per hour, subject to the approval of a structural engineer.

3. The face of any such sign shall be set back at least five (5) feet from the front or any side property line, except in the case of such signs erected upon premises abutting and fronting upon Southwest Eighth Street east of LeJeune Road, and upon premises abutting and fronting upon Southwest Eighth Street west of LeJeune Road which meet conditions and requirements described in Section 18-8(a) where no front setback shall be required; the sign shall be so set and placed that its centerline is at a normal to, or is parallel with, the front property line; and both faces of the sign, or the face and the back thereof, shall be parallel to each other.
 4. Each such sign shall be landscaped as approved or required by the Building and Zoning Department.
- (c) Specific cases. Subject to the applicable regulations and requirements of this article, detached signs shall be permitted in the following cases, subject to the conditions and restrictions as noted:
1. Apartment buildings, apartment-hotel buildings and hotel. Detached signs the face thereof not exceeding six (6) square feet in area, shall be permitted to be erected upon premises of an apartment building, apartment/hotel building and hotel, but no more than one such sign shall be permitted in connection with any such building or with any group of such buildings operated together as an entity. Such detached sign shall be placed on a standard with cross arms, and the height thereof shall not exceed nine (9) feet from the finished grade of the ground to the top of the standard or post, except, however, that the height of detached signs upon premises of an apartment building, apartment hotel building and hotel facing, abutting and fronting upon U. S. Highway 1 (also known as South Dixie Highway), shall not exceed a height of twelve (12) feet from the finished grade of the ground to the top of the standard or post.
 2. Service stations. Service stations dispensing products of companies which have a standard trademark sign shall be permitted to erect one such detached trademark sign on the premises of the station, such sign to be of a height and size as in accord with the standard height and size of similar signs of other stations handling the same products, subject to all requirements of the South Florida Building Code and ordinances of this City. Signs which advertise the price of gasoline dispensed at a service station shall be permitted to be affixed or otherwise attached to the detached trademark sign pole subject to the following conditions and restrictions:
 - a. The face of any such sign shall not be larger than a maximum of three (3) feet wide or a maximum of three (3) feet high or larger overall than a total of eight and one-half (8½) square feet, and shall be surrounded by a one-inch aluminum or galvanized iron pipe frame.
 - b. The lettering and context of such signs shall be limited and restricted to the following:
 - (1) The words "Self Serve".
 - (2) The grade and price of not more than three (3) gasoline grades.
 - c. The type style of the letters and numbers shall be Helvetica and the height of the letters and numbers of such signs shall not exceed the following:
 - (1) The words "Self Serve" in upper case letters-three (3) inches.
 - (2) The letters designating the "Grade"-five and one-half (5½) inches.
 - (3) The dollars and cents numbers-eight and one-half (8½) inches.
 - (4) The tenths cent numbers-five and one-half (5½) inches.
 - d. The color scheme of such signs shall be as follows:
 - (1) Letters and numbers-white.

- (2) Background-black.
 - (3) Pipe frame-black.
 - e. The sign may be so designed that the letters and/or numbers can be readily removed and replaced.
 - f. Not more than one price sign shall be permitted to be erected for any one service station. This provision, however, shall not preclude the sign from having a front and back as set forth herein in subparagraph (g).
 - g. Such price sign shall be so attached or erected on the detached sign pole that the face of such sign is perpendicular to, or parallel with the front property line and both faces of the sign or the face and back thereof, shall be parallel to each other.
 - h. No such signs shall be located or placed at a corner intersection of a street in such a manner that it would block or obscure the visibility at the street intersection.
 - i. No illumination shall be permitted for such sign.
 - j. The structural design and method of attachments of such sign shall be subject to approval of the Structural Engineer.
 - k. Such sign shall initially be subject to approval by the Board of Architects and shall not be installed or erected without a permit, however, subsequent changes of the letters and/or numbers shall not require a permit and shall not be required to be submitted to the Board of Architects for approval, provided, however, that all such changes shall be professionally lettered.
 - l. The Code Enforcement Officer shall cause to be removed any such signs not conforming with the provisions of this section.
3. Parking lots. Detached signs may be erected upon off-street parking lots

of ten-thousand (10,000) square feet or more in area, which are operated in connection with stores or other places of business. Prior to the erection of any such sign, the operator of such place of business furnishing off-street parking facilities primarily for the customers of that place of business, shall make written application including a sketch, in duplicate, of the proposed sign to the Board of Architects who shall either grant or reject such application and, if granted, shall designate the size, location, lettering and like matters in connection therewith. Wording on the sign shall be limited to the name of the business and may include the words "Customer Parking Only" or any combination thereof. Only one such sign, not larger than twenty-four (24) square feet, shall be permitted on any one such parking lot. Any necessary entrance or exit signs will be permitted with a limit of two (2) signs to each entrance and exit with a maximum area of three (3) square feet and maximum width of two (2) feet, and location must be approved by the Board of Architects. Only the words "Exit Only" or "Entrance Only" shall be permitted on said entrance and exit signs.

4. Motels. Detached signs, the face thereof not exceeding thirty-two (32) square feet in area, shall be permitted to be erected upon the premises of a motel. Only one such detached sign shall be permitted on the motel premises. The height of such detached sign shall not exceed nine (9) feet from the finished grade of the ground to the top of the sign, provided, however, that the height of detached signs upon premises of a motel facing, abutting and fronting upon Southwest Eighth Street and upon U.S. Highway 1 (also known as South Dixie Highway) may be erected to a height not to exceed the height limits permitted by Section 18-8. (b) hereof for such streets. The words Motel or Motor Court or similar designation of any motel, as defined herein, shall not be used to

- designate any building or facility except in a C or M-Use District, even though the area of living units within such building meet the minimum requirements for motels under the Zoning Code.
5. Historical markers. Whenever any building, structure, site or artifact has been designated as a historic landmark by the Historic Preservation Board, a detached historical marker shall be permitted to be erected upon the site, subject to the following conditions and restrictions:
- a. The size and design of such historical marker shall be in accordance with the historical markers cast for the State of Florida's Bureau of Historical Sites and Properties as if the same were fully set forth herein.
 - b. The historical marker and the letters on such historical marker shall be of cast aluminum or cast bronze.
 - c. The supporting member of such marker shall be of metal imbedded in a masonry foundation.
 - d. The marker may describe events, people, places, ideas and identify the sponsor, but the text on the marker shall be subject to approval of the Historic Preservation Board.
 - e. The letters on such marker shall be painted in gold leaf, but the color of the background of such marker shall be subject to approval of the Historic Preservation Board.
 - f. The face of any such marker erected on private property shall be set back a minimum of five (5) feet from the front property line and a minimum of fifteen (15) feet from any interior property line.
 - g. On corner intersections no such marker shall be placed within fifteen (15) feet of any official right-of-way line.
 - h. Any such historic marker on private property shall be so erected that its face is perpendicular to or is parallel with the front property line.
 - i. The top of such marker shall not be more than seven and one-half (7½) feet above the finished grade of the ground.
 - j. The location of the historical marker on private property shall be subject to approval of the Historic Preservation Board.
 - k. The location of historical markers on public property shall be subject to approval by the City Commission upon recommendation from the Historic Preservation Board.
 - l. Historical markers erected in C or M-Use Districts may be illuminated, provided, however, that the source of illumination be shaded and not directly visible from any public right-of-way.
6. Portable signs. Signs painted or affixed in any manner to any vehicle, vessel, trailer or pick up truck, van or similar transportation device as viewed from a public road shall be prohibited. This section shall not apply to:
- a. Any vehicle or vessel which displays an advertisement or business notice of its owner, so long as such vehicle or vessel is engaged in the usual business or regular work of the owner, and not used merely, mainly or primarily to display advertisement.
 - b. Public buses.
 - c. Taxicabs.
 - d. Bumper stickers.
- Sec. 18-9 - Advertising in residential districts.**
- Except as provided for under Section 18-7 and except for signs herein otherwise permitted upon building sites during construction of a building thereon, no advertising sign, exposed to view from any public street, highway,

thoroughfare, waterway or public place shall be erected, used or maintained upon any lot or parcel of land which is, by the terms of a deed or contract for deed still in force, restricted to purposes of improvements or occupation for residential purposes, or which is now or may hereinafter be zoned by ordinance for residence purpose only, whether such residence purpose be single-family, duplex or multiple-family unless the same shall conform in construction, location, size and type to the provisions of this ordinance.

Sec. 18-10 - Real estate, for sale, lease or rental of property or buildings.

Signs pertaining to the sale, lease, or rental of property or buildings shall be permitted in any use district subject to the following conditions and restrictions: (2803)

- (a) The sign may identify the property, the owner or agent and the address and telephone number of the owner or agent relative to the premises upon which the sign is located. In C and M-Use Districts, signs may also contain information concerning building description, price, terms and availability.
- (b) The face surface of such sign shall not be larger than forty (40) square inches, in R, D, and A-Use Districts, provided, however, that it shall be permissible to attach thereto one of the following additional signs not exceeding forty (40) square inches and containing the wording or information:
 - "By Appointment Only"
 - "Open"
 - "Sold"
 - "Listing Agent Name And Telephone Number"

In C and M-Use districts, the face surface of such signs shall not be larger than two hundred and fifty (250) square inches. (3083)

- (c) The sign shall be constructed of metal, plastic, wood or pressed wood. In R, D and A-Use Districts, said signs shall be fastened to a supporting member constructed of angle iron not exceeding one inch by one inch or two (2) inch by two (2) inch wooden post. Provided that said supporting member shall be all white or all black in color and have no letters or numbers upon it. In C and M-Use Districts, the same criterion applies for

signs requiring a supporting member. (2604, 2678, 2803)

- (d) The supporting member shall be driven into the ground to provide that the top of the face of such sign shall not be more than four (4) feet above the finished grade of the ground.
- (e) All such signs shall be lettered professionally, but such signs shall not be required to be submitted to the Board of Architects for approval and no permit shall be required for the installation or erection of such signs.
- (f) Only one such sign shall be permitted on any one premises, provided, however, that where the property abuts a waterway or golf course, a sign may also be placed or erected to be visible from such waterway or golf course with such sign having a setback from the waterway or golf course of not less than five (5) feet.
- (g) Such sign shall be so erected or placed that its center line is parallel or perpendicular to the front property line.
- (h) Such sign shall not be erected or placed closer than five (5) feet to the front property line unless the main part of the building is less than five (5) feet from the front property line, in which case the sign may be placed in or upon a front or side door, window or elevation of the building.
- (i) Nothing contained herein shall be construed as prohibiting the same wording from being on both the front and back of the sign.
- (j) Where such sign is suspended from an arm of the support, such arm shall not exceed a length of sixteen (16) inches.
- (k) All such signs shall be erected on a temporary basis.
- (l) Such sign shall be kept in good repair and shall not be illuminated or constructed of a reflective material and shall not contain any flags, streamers, movable items or like devices.
- (m) Any such sign shall be removed within five (5) days from the date a binding agreement is entered into for the sale, lease or rental of the property or immediately upon the removal of the property from the market, whichever occurs first.
- (n) Any Code Enforcement Officer may cause to be removed any such sign not conforming to the provisions of this section.

Sec. 18-11 - Temporary.

Paper or other temporary signs may be affixed or otherwise attached to or displayed within glass display windows of commercial establishments and stores, without the requirements of a permit being obtained therefore and without such signs having to be submitted to and approved by the Board of Architects, provided, however, that not more than one such sign shall be permitted within or upon any one display window and not more than two (2) signs shall be permitted in any one business establishment and provided further that no such sign shall exceed two hundred fifty (250) square inches in size.

Temporary signs announcing or advertising a licensed going-out-of-business sale shall also be permitted to be displayed within glass display windows of such business establishments, subject to the following conditions and restrictions:

- (a) No sign permit or approval by the Board of Architects shall be required.
- (b) Such sign shall not be larger than two (2) feet by three (3) feet.
- (c) Not more than one such sign shall be permitted within any one display window and in no event shall be more than two (2) such signs be displayed in any one business establishment.
- (d) Such signs shall not be pasted or attached to the window glass but shall be displayed within the display window.

Sec. 18-12 - Location in show windows, display windows, door or other windows.

No sign of any kind which is visible from the exterior of the building shall be located or displayed in or from any show window, display window, or door or other window when such sign is so designed or displayed so as to attract attention from the exterior of the building providing that: (2992)

- (a) Temporary paper signs will be permitted as provided under Section 18-11.
- (b) Permanent signs shall be permitted to be installed or affixed to or painted upon any show window, display window, or door or other window as provided for elsewhere in this article as shall be approved by the Board of Architects.
- (c) The foregoing shall not prohibit the use of bona fide price tags when such tags are

affixed to or attached to merchandise displayed for sale, providing that the size and number of such signs shall be aesthetically in keeping with the building as shall be approved by the Board of Architects.

Sec. 18-13 - Campaign.

Campaign signs shall be permitted subject to the following conditions: (3002)

- (a) Campaign signs may only be attached to the face of any building located in a C or M-Use District which is the authorized campaign headquarters for the candidate in question.
- (b) Campaign signs may be permitted no earlier than six (6) months prior to the date of election.
- (c) The sign shall be of temporary nature and shall not exceed an overall height of four (4) feet and a length of fourteen (14) feet. The wording on the face of the sign must include the words Campaign Headquarters which shall be clearly visible at street level.
- (d) The top of the face of the campaign sign shall not be more than twelve (12) feet above the ground.
- (e) Only one such sign shall be permitted on the campaign headquarters.
- (f) No permit shall be required for such sign; however, the person in charge of the headquarters or the company erecting the sign shall submit a letter to the Building and Zoning Director requesting approval prior to erection of the sign. The letter shall further state that they will be responsible for removing the sign and such a sign shall be removed within seven (7) days after the election.
- (g) No candidate signs or placards shall be permitted to be erected or placed upon parkways, vacant lots, utility poles, trees, etc.
- (h) Failure to comply with the provisions of this Section shall cause any non-complying sign to be immediately impounded by the City.

Sec. 18-14 - Historical plaques.

Historical plaques may be installed upon buildings, structures and/or artifacts which have been designated as historic landmarks by the

Historic Preservation Board, subject to the following conditions and restrictions: (3154)

- (a) The Historic Preservation Board shall establish a standard for an historical marker, which will include its design, material, color, and text.
- (b) The size of such plaque shall not exceed eighteen (18) inches in width by eighteen (18) inches in height.
- (c) Such plaque shall be erected flat against the surface of building, structure or artifact.

Sec. 18-15 – Exemptions.

The following signs shall be exempt from the provisions of this article:

- (a) Official municipal information signs designed and installed by the City.
- (b) Official traffic signs and sign structures, provisional warning signs and sign structures when erected or required to be erected by a legally constituted governing body.
- (c) Decorative flags and bunting for city-wide celebrations, conventions and commemorations when authorized by the City Commission for a prescribed period of time.
- (d) Signs incorporated on machinery or equipment at the manufacturer's or distributor's level, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, gasoline pumps, etc.
- (e) Signs reading entrance and/or exit to parking lots and parking garages. See Section 18-7 for applicable parking garage provisions. Such exempted signs, however, shall not contain any commercial advertisements.

Sec. 18-16 - Vehicles.

Signs attached to or placed on a vehicle (including trailers) that is parked on public or private property shall be prohibited. This prohibition, however, shall not apply in the following cases:

- (a) Identification of a firm or its principal products on a vehicle operating during the normal hours of business, provided, however, that no such vehicle shall be parked on public or private property with

signs attached or placed on such vehicle for the purpose of advertising a business or firm or calling attention to the location of a business or firm.

- (b) Automobiles carrying advertising signs dealing with the candidacy of individuals for elected office. This exemption, however, shall cease seven (7) days after the date of the election in which the person was finally voted upon.
- (c) Automobiles carrying advertising signs, advertising propositions to be submitted and voted upon by the people. This exemption, however, shall cease seven (7) days after the date of the election in which the proposition advertised was finally voted upon.
- (d) Passenger automobiles which require governmental identification, markings or insignias of a local, state or federal government agency. (3082)

Sec. 18-17 - Pennants, banners, streamers, balloons, blinking lights, flashing lights, flags and similar devices.

Pennants, banners, streamers, balloons, blinking and flashing lights, streamer lights, flags except those set forth under Section 2-108 herein and any other fluttering, spinning, rotating or similar type attention attractors and advertising devices shall be prohibited.

Sec. 18-18 - Removal upon vacation of premises.

Any owner or lessee identification signs advertising a commodity or service associated with a premise shall be removed from the premises by the owner or lessee not later than sixty (60) days from the date the premises are vacated and such activity has ceased to exist on the premises.

Sec. 18-19 - Compliance with sign regulations. (2551, 3106)

- (a) Any sign lawfully existing as of February 26, 1985, may be continued provided such sign shall not be replaced or structurally altered unless such sign is made to comply with the provisions of this ordinance [see also Article VII Section 7-1(g)].
- (b) If a sign is removed from a wall or facade of a building in order to renovate, enlarge,

and/or structurally alter such wall or facades, such sign shall not be replaced unless it is made to comply with the provisions of this ordinance; providing, however, that this provision shall not prevent routine maintenance or repair to either the sign or the wall on which it is mounted.

- (c) See Section 18-26, Nonconforming signs for additional provisions.

Sec. 18-20 - Encroachments over public rights-of-way.

Signs which encroach over public right-of-way shall be subject to the following conditions and restrictions: (2697)

- (a) The property owner shall execute a restrictive covenant prepared by the City Attorney, which shall run with the title of the land, agreeing to provide public liability insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as additional insured under the policy.
- (b) An executed copy of the restrictive covenant, together with certificate of required insurance, shall be presented to the Building Official, prior to the issuance of any permits for such work.
- (c) Signs must be in accordance with the provisions of this section and the South Florida Building Code, and maintained in good condition at all times at the property owner's expenses.
- (d) The City of Coral Gables reserves the right to remove, add, maintain or have the owner remove any sign within the right-of-way at the owner's expense.

Sec. 18-21 - Restaurant menu boards. Restaurant establishments may install one permanent outdoor menu board subject to the following restrictions: (2958)

- (a) Restaurant menu boards shall be located within ten (10) feet of that establishment's main entrance.
- (b) Restaurant menu boards shall be permanently wall-mounted, maintained in good condition and contain current menus.
- (c) Restaurant menu boards shall not exceed 36 (height) x 24 (width) x 4 (depth).
- (d) Framing materials (other than fasteners) for menu boards shall be made of wood,

brass or aluminum, and shall blend in and be consistent with the color of the building façade.

- (e) All restaurant menu boards shall be required to have a sliding or hinged glass door, and must have an operational key lock.
- (f) Backdrop night lighting may be incorporated but must be integrated within the menu board and shielded to reduce glare.
- (g) Information displayed on the menu board shall be limited to the specific restaurant's menus and the restaurant's hours of operation.

Sec. 18-22 - Security and alarm system signs.

Free-standing signs identifying the presence of security and alarm systems shall be permitted in any R, D and A-Use districts subject to the following conditions and restrictions: (3008)

- (a) Printed information on the sign shall be limited to a warning message and manufacturer and/or installer's name, address and telephone number.
- (b) The face surface of such sign shall not be larger than sixty-three (63) square inches in size.
- (c) The sign shall be constructed of metal or plastic and said signs shall be fastened to a supporting member constructed of metal not exceeding one-inch diameter or square. Said supporting member shall be all white or all black in color and have no letters or numbers upon it.
- (d) The overall height of the sign shall not exceed three (3) feet above finished grade of the ground.
- (e) All such signs shall be lettered professionally, but shall not be required to be submitted to the Board of Architects for approval and no permit shall be required for the installation or erection of such signs.
- (f) Only two (2) such signs shall be permitted per property with no more than one per side.
- (g) Such sign shall not be erected or placed closer than five (5) feet to the front property line unless the main part of the building is less than five (5) feet from the property line, in which case the sign may be placed in or upon the front or side door, window or elevation of the building.

- (h) Such sign shall be kept in good repair and shall not be illuminated or constructed of a reflective material.
- (i) Any Code Enforcement Officer may cause to be removed any such sign not conforming with the provisions of this section.

Sec. 18-23 - Sign review as a part of the site plan review for new developments.

Site plan reviews. Applicants requesting site plan review from the Planning Department may request review of signage as a part of the required site plan review process. The Planning Director may require applicants undergoing site plan review to secure sign review and approval in association with site plan review. This shall be applicable to the following reviews:

- (a) Developments of Regional Impact (DRI).
- (b) Mixed use developments.
- (c) Planned Area Developments (PAD).
- (d) S-Use Districts.
- (e) Conditional Uses, and,
- (f) Subdivisions for residential uses with a minimum of fifty (50) homes and five (5) acres.

Review process. Applicants shall apply to the Planning Department for review as a total signage package for such developments. Such applications shall require design review and recommendation before the Planning and Zoning Board and final approval by the City Commission.

Review criteria. In reviewing an application, the Planning Department, Planning and Zoning Board and the City Commission shall review the application to determine if the request satisfies all of the following criteria:

- (a) The design, type, size, number, lettering, logos, construction, materials, type of illumination, and location of the proposed signage are in conformance with the architecture and character of the building, development, etc.
- (b) The potential use of the signs for advertising instead of identification, informational, or directional purposes.
- (c) The visibility and impact of the design, type, size, number, lettering, logos, construction, materials, type of illumination, and location of the proposed signs has on adjoining properties.

- (d) The proposed signage is within the intent and provisions of the current Sign Code provisions.
- (e) If the proposed signage is consistent and not in conflict with the intent of the Zoning Code, Comprehensive Land Use Plan and City Code.

Signage not permitted as part of the Sign Code shall not be permitted.

Application requirements. The Planning Department shall determine the application submission requirements as provided within the Department's Development Review Procedures Handbook.

Sec. 18-24 - Sign review for larger existing developments.

Sign review. Applicants requesting signage for existing developed properties for the below listed may request sign review.

- (a) S-Use Districts; and,
- (b) Subdivisions for residential uses with a minimum of fifty (50) homes and five (5) acres.

Review process. Applicants shall apply to the Building and Zoning Department for review. Such applications shall require design review and final approval before the full membership five (5) or more members of the Board of Architects.

Review criteria. In reviewing an application, the Building and Zoning Department and the Board of Architects shall review the application and determine if the request satisfies all of the following criteria:

- (a) The design, type, size, number, lettering, logos, construction, materials, type of illumination, and location of the proposed signage are in conformance with the architecture and character of the building, development, etc.
- (b) The potential use of the signs for advertising instead of identification, informational, or directional purposes.
- (c) The visibility and impact of the design, type, size, number, lettering, logos, construction, materials, type of illumination, and location of the proposed signs has on adjoining properties.

- (d) The proposed signage is within the intent and provisions of the current Sign Code provisions.
- (e) If the proposed signage is consistent and not in conflict with the intent of the Zoning Code, Comprehensive Land Use Plan and City Code.

Signage not permitted as part of the Sign Code shall not be permitted.

Application requirements. The Building and Zoning Department shall determine the application submission requirements.

Sec. 18-25 - Variances.

In the event that a building, buildings or property exhibits special circumstances, the property owner can submit an application for a variance to the provisions of this Article-

The Building and Zoning Department and Board of Adjustment in its review for justification of a variance shall determine if the request satisfies the following criteria:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
- (b) That the special conditions and circumstances do not result from the actions of the applicant.
- (c) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district.
- (d) That literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and would work unnecessary and undue hardship on the applicant (see also definition of necessary hardship).
- (e) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
- (f) That granting the variance will not change the use to one that is different from other land in the same district.

- (g) That the granting of the variance will be in harmony with the general intent and purpose of the Zoning Code and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Sec. 18-26 - Nonconforming signs.

All signs issued sign permits, or that were otherwise lawfully existing at the time of adoption of this Article, but which are not in conformance, may continue as non conforming signs, subject to the following:

- (a) No such nonconforming sign shall be enlarged, increased, relocated, nor extended to occupy a greater area than was occupied at the effective date of adoption or amendment of this Article.
- (b) If any such use for which the sign ceases for any reason for a period of more than 12 months, any subsequent sign shall conform to the regulations specified herein.
- (c) Nonconforming signs that are damaged by any cause may be repaired if the cost of the repair does not exceed fifty (50%) percent of the current replacement value of the sign. Such repairs shall be limited to routine painting, repair and replacement of electrical components. Change of copy shall not be permitted.
- (d) Signs that were installed at the time of a buildings or structures initial construction, but were removed or altered, and such building or structure is classified as contributing historic structure may be restored or replicated subject to Historic Preservation Department and Historic Preservation Board review and approval.
- (e) The City Commission may require a nonconforming sign to be brought into immediate conformity with all or part of the provisions contained herein or be removed when evidence is presented by City Staff, which indicates the sign to be hazardous to the public or to have been abandoned by its owners. All costs associated may be assessed to the current property owner of record.

Sec. 18-27 - Miscellaneous.

Where discrepancies exist between sections and other sections of the Code, the most stringent standards shall apply.

Article 19. SERVICE STATIONS

Sec. 19-1 - Minimum requirements.

The construction and/or reconstruction of service stations shall comply with the following minimum requirements: (3237)

- (a) A service station shall not be constructed and/or reconstructed anywhere except upon property which is located in a CC or M-Use District, providing, however, that a service station located in a CB-Use District may be reconstructed provided that the plans comply in all respects with the provisions set forth herein and provided further that the number of pump islands shall not exceed two (2) and the number of service bays shall not be increased.
- (b) Service stations sites shall have a minimum street frontage of not less than one-hundred-twenty (120) feet and a minimum area of not less than twelve-thousand (12,000) square feet. Service stations which presently exist on sites less than required by this section may be reconstructed with the provision that the capacity of the new station does not exceed the capacity of the existing station.
- (c) All service stations shall comply with the following minimum floor area requirements:
 - 1. The minimum floor area for an automobile service station shall not be less than one-thousand-two-hundred and fifty (1,250) square feet.
 - 2. The minimum floor area for a self-service gasoline station shall not be less than two-hundred and fifty (250) square feet including the attendant control area, rest rooms, office, storage room and vending machine room.
- (d) The service station building, including the canopies and auxiliary-use buildings and structures, shall not exceed a maximum lot coverage of forty (40%) percent of the area of the service station site.
- (e) The roof over a service station and auxiliary buildings shall be of tile, pitched and shall extend from the station over the gasoline pumps.
- (f) Where an automobile service station site is located at the intersection of two (2) streets, the entrances and exits to the

service bays shall not be located on the front elevation of the building.

- (g) All pump islands shall be delineated by curbs.
- (h) Pump islands shall not be located closer than fifteen (15) feet to a street right-of-way line.
- (i) The service station building shall have the following minimum setbacks:
 - 1. Front Setback--40 feet minimum.
 - 2. Side Setback--10 feet minimum.
 - 3. Side Street Setback--30 feet minimum.
 - 4. Rear Setback--10 feet minimum.
- (j) The canopies over the driveway and pump islands shall have the following minimum setbacks:
 - 1. Front Setback--5 feet minimum.
 - 2. Side Setback--10 feet minimum.
 - 3. Side Street Setback--5 feet minimum.
 - 4. Rear Setback--10 feet minimum.
- (k) Where such service station sites abut an R, D or A-Use District, a solid four (4) foot high wall shall be constructed along the property lines abutting the R, D or A-Use District.
- (l) All service station sites shall comply with the following minimum landscaping requirements:
 - 1. Not less than ten (10%) percent of the service station site shall be landscaped.
 - 2. Each landscaped area shall have a minimum dimension of five (5) feet with a minimum area of one-hundred (100) square feet.
 - 3. A five (5) foot minimum landscaped strip shall be provided along the front and side street right-of-way line except for openings in the driveways.
 - 4. A five (5) foot minimum landscaped strip shall be provided along the rear and side property lines.
 - 5. All landscaped strips shall be delineated by curbs.
 - 6. The trees, shrubbery, hedges, vines, ground covers and other plant materials for the landscaped areas shall be in accordance with the specifications and requirements of the Board of Architects.

7. To accomplish the landscape requirements as forth herein, a landscape plan prepared by a landscape architect shall be submitted to the Board of Architects for approval. The landscape plan shall designate the location of the landscaped areas, designate the name and location of the plant material to be installed and the location of the sprinklers and water outlets.
 8. The landscaped areas shall be installed and maintained in accordance with the provisions as set forth under Section 13-4 of this Code.
- (m) Not more than two (2) driveways shall be permitted from the front street to the service station.
 - (n) Any two (2) driveways connecting with a single street shall be separated by an island area. The side of the island next to and parallel to the abutting street shall be located at the property line and such island shall have a minimum length at the property line of not less than twenty (20) feet.
 - (o) Where the building site abuts property zoned for R, D or A-Use, not more than one driveway shall be permitted from a side street to the service station.
 - (p) The maximum width of any one driveway shall not be greater than thirty-five (35) feet.
 - (q) No driveway shall encroach upon curbs or pavement radii at intersections.
 - (r) No driveway shall cross reserved corner sight distance areas.
 - (s) The edge of the driveway shall be located not less than ten (10) feet from a side street right-of-way line.
 - (t) The driveways and service area adjacent to the service station building and pump islands shall be paved with poured concrete.
 - (u) All paving shall be graded to provide for drainage on the service station site.
 - (v) Except as provided for under Section 2-15 hereof, no automobile service station shall be permitted to perform mechanical, electrical, body or upholstery repairs upon vehicles.
 - (w) All lubrication and greasing equipment, washing equipment, hydraulic lifts and service pits shall be located within the automobile service station building.
 - (x) Service stations shall not be permitted to engage in the selling or rental of cars, trucks and utility trailers.
 - (y) Parking, loading or servicing of vehicles shall not be permitted on the public rights-of-way abutting the service station site.
 - (z) Racks for display of tires, batteries, etc. shall not be displayed or stored outside of the principal building, providing that this prohibition shall not apply to oil can storage racks located at pump locations.
 - (aa) No service stations shall be permitted to store vehicles or to be used as an off-street parking lot.
 - (bb) No service station shall be permitted to engage in the selling or dispensing of packaged foods, breads, eggs, milk, candy, snacks, tobacco and other similar convenience goods, provided, however, that this exclusion shall not prohibit the use of vending machines for soft drinks, snacks, cigarettes, milk, ice, etc., when such vending machines are located within the confines of the service station building excluding the attendant control area. Service stations which are limited to the retail sale of gasoline and motor oil for self-service only may after submission of a site plan and public hearing by the Planning and Zoning Board and approval by the City Commission be allowed to sell or dispense packaged foods, breads, eggs, milks, candies, snacks, tobaccos and other similar convenience goods. (2750)
 - (cc) Each service station shall provide one off-street parking space for each two (2) employees with a minimum of two (2) employee spaces plus one space for each service bay.
 - (dd) The illumination upon any service station site shall have the source of light concealed from view from the exterior of the building site, except that where channel letters or figures are used for any sign, the illumination, thereof, may be visible if recessed within the depth of the channel. Intensification of illumination shall be approved by the Electrical Inspector. No intermittent or flashing illumination shall be permitted.
 - (ee) The approval of the plans for construction, reconstruction or alteration of a service station and the issuance of building

permits shall be in accordance with Articles 24 and 25 of this code.

Sec. 19-2 - Distance requirements.

No service station shall be erected or located within five-hundred (500) feet of any other service station, or within five-hundred (500) feet of any church, school or hospital. Such distance shall be measured, in the case of another service station, church or hospital, by following the shortest route of ordinary pedestrian travel along the public thoroughfares from the main entrance of the place of business to the main entrance of the other service station, church or hospital, and, in the case of a school, by following the shortest route of ordinary pedestrian travel along the public thoroughfare from the main entrance of the place of business to the nearest point of the school grounds in use as part of the school facilities.

For the purpose of determining the distance between a service station, a church, school, hospital or another service station, the applicant for such a service station shall furnish a certified survey from a registered land surveyor in the State of Florida indicating the distance between the proposed service station and any church, school, hospital or any other service station within five-hundred (500) feet. In case of a church, hospital or another service station, each survey shall indicate the shortest distance of ordinary pedestrian travel along the public thoroughfare from the main entrance of said place of business to the main entrance of the church, hospital or service station, and in the case of a school, each survey shall indicate the shortest distance of ordinary pedestrian travel along the public thoroughfare from the main entrance of said place of business to the main entrance of the church, hospital or service station, and in the case of a school, each survey shall indicate the shortest distance of ordinary pedestrian travel along the public thoroughfare from the main entrance of said place of business to the nearest point of the school grounds in use as part of the school facilities. In case there are no churches, schools, hospitals or service stations within five-hundred (500) feet of the place of business, the survey shall so certify.

Sec. 19-3 - Sanitary facilities.

The following minimum sanitary facilities shall be provided for service stations.

(a) Minimum Fixtures

1. Male Water Closets: 1.
Urinals: 1.
Lavatories: 1.
2. Female Water Closets: 1.
Lavatories: 1.

Sec. 19-4 - Miscellaneous requirements.

At least one basket-type floor drain and trap connected to a gas and oil interceptor shall be required for a service station.

Article 20. AWNINGS AND CANOPIES

Sec. 20-1 - General.

Hereafter awnings, shelter canopies, entrance canopies and car-porte canopies placed upon, attached to or forming any part of a building shall conform to the following conditions and restrictions:

(a) Approval.

1. Awnings, shelter canopies. No permit for the erection or replacement in whole or in part of any awning or shelter canopy shall be issued without the approval of the Board of Architects, provided, however, that the building official or his designated representative may issue a permit for awnings, awning replacements and shelter canopy replacements which have been approved by the Board of Architects as standard installations and whose color and/or colors are neutral standard shades.
2. Car-porte canopy, entrance canopy. No permit for the erection or replacement, in whole or part, of any car-porte canopy or entrance canopy shall be issued without the approval of the plans and specifications of such car-porte canopy or entrance canopy by the Board of Architects.

(b) Material.

1. Awnings placed upon, attached to, or forming any part of any building in any area zoned for residential, duplex or apartment use shall be made of canvas, cloth or other similar materials and of fiberglass, aluminum, plastic or other man-made materials.
2. Shelter canopies or car-porte canopies placed upon, attached to, or forming any part of any building in any area zoned for residential, duplex or apartment use shall be made of canvas, cloth, aluminum or other similar materials.
3. Awnings, shelter canopies, entrance canopies and car-porte canopies placed upon, attached to, or forming any part of any building in any area zoned for commercial or industrial use may be made of canvas, cloth,

or other similar materials and of fiberglass, plastic or non-ferrous metals, but in no case shall any such awnings, shelter canopies, entrance canopies or car-porte canopies be made of wood or wood products or of masonite or similar materials; in all cases such awnings, shelter canopies, entrance canopies or car-porte canopies shall generally simulate the appearance of canvas awnings, and must not be corrugated or slatted or with holes or other interstices.

- (c) Slope. In areas zoned for residential, duplex or apartment use, no shelter canopy or car-porte canopy shall be erected which has a minimum slope of less than two (2) inches in twelve (12) inches or a maximum slope of more than five (5) inches in twelve (12) inches.
- (d) Size and number permitted. In a single-family or duplex zoning district, no shelter canopies or carport canopies shall be erected which each covers an area greater than four-hundred-and-forty (440) square feet. Only one shelter canopy and one car-porte canopy shall be permitted per single-family or duplex unit, provided however, that the car-porte canopy and shelter canopy shall not abut or be attached to one another. (2945)
- (e) Clearance over sidewalk. In all cases where an awning, entrance canopy, or shelter canopy is placed upon, attached to, or forming any part of any building and such awning, entrance canopy or shelter canopy projects over a sidewalk, or similar place where the public is accustomed to walk, the rigid or metal parts for any such awning entrance canopy or shelter canopy shall have a clearance of not less than seven-and-one-half (7½) feet from sidewalk elevations, and any non-rigid valance of any such awning, entrance canopy or shelter canopy shall have a clearance of not less than six-and-one-half (6½) feet from sidewalk elevation.
- (f) Construction.
 1. All canvas awnings, shelter canopies, entrance canopies, or car-porte canopies shall be so constructed as either to admit or

permit quick removal such as is necessary in cases of impending storms or hurricanes.

2. Except for those installations which are stationary in character, awnings, shelter canopies, entrance canopies, or car-porte canopies other than those of cloth or canvas or like materials shall be so constructed as easily to lend themselves to the forming of storm shutters or storm protection to the building to which they are attached.
3. Rigid awnings or canopies which are stationary in character shall be designed to resist the following loads:
 - a. Roofs shall be designed for a live load of not less than thirty (30) pounds per square foot except that roofs occupied as roof gardens or for concentrated loads shall be designated for the corresponding occupancies.
 - b. Design shall not be based on the removal or repositioning of parts or the whole during periods of high wind velocity.

(g) Location.

1. All car-porte canopies shall be attached to the building and may be located on either side or the rear of said building.
2. All shelter canopies shall be attached to the building and may be located on the front, sides or rear of said building.
3. No self-supporting or free standing shelter canopy, car-porte canopy or entrance canopy shall be erected without a variance having been approved by the Board of Adjustment.

(h) Maintenance, repair, replacement, and/or removal.

1. All awnings and canopies shall be maintained and kept in good order and repair. Awnings and canopies which are found, upon inspection, to be in disrepair shall be subject to removal and/or replacement.
2. The City of Coral Gables from time to time shall require that an inspection be made of all awnings and canopies encroaching upon

public rights-of-way, and in all cases where said inspection reveals that such awnings and/or canopies are in need of repair and/or replacement, such awnings and canopies shall be declared to be a public nuisance and the City Manager shall so notify the record owner or owners of the property described by registered or certified mail, as their names and addresses are shown upon the record of the County Property Appraiser. Such notice shall be deemed complete and sufficient when so addressed and deposited in the United States Mail with proper postage prepaid. In the event that such notice is returned by postal authorities, the City Manager shall cause a copy of the notice to be served by a law enforcement officer upon the occupant of the property or upon any agent of the owner of record thereof.

The notice shall be in substantially the following form:

NOTICE OF PUBLIC NUISANCE

Name of Owner of Record: _____

Address of Owner of Record: _____

According to our records, you are the owner of record of Lot(s) _____ Block: _____ Section _____

An inspection of the above captioned property reveals that the (awnings and/or canopies) encroaching upon the public right-of-way are in such disrepair as to constitute a public nuisance.

This is to serve as official notice that unless you:

- (1) Repair the existing (awnings and/or canopies).
- (2) Replace the existing (awnings and/or canopies) or,
- (3) Remove the existing (awnings and/or canopies) within a period of thirty (30) days, the City of Coral Gables may undertake the removal of such (awnings and/or canopies) at the property owner's expense; the estimated cost of which shall be approximately \$_____.

If within thirty (30) days after mailing the notice or the serving of the notice upon the occupant of the property or any agent of the owner thereof, the condition described in the notice has not

been remedied, the City Manager may have such (awnings and/or canopies) removed and the cost thereof shall be a lien against the property to the same extent and character as are liens for special assessments or improvements and with the same penalties and with the same rights of collection, foreclosure, sale and forfeiture as obtained in the case of liens for special improvements.

THE CITY OF CORAL GABLES FLORIDA

BY: _____

City Manager

- (i) Manufacturer's identification. All awnings, shelter canopies, entrance canopies and car-porche canopies constructed or erected pursuant to the provisions of this ordinance shall have the manufacturer's identification shown thereon.
- (j) Encroachment over public right-of-way. Awnings and/or canopies which encroach over public rights-of-way shall be subject to the following conditions and restrictions:
 - 1. The property owner shall execute a restrictive covenant prepared by the City Attorney, which shall run with the title of the land, agreeing to provide public liability insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as additional insured under the policy.
 - 2. An executed copy of the restrictive covenant, together with certificates of required insurance, shall be presented to the Building Official, prior to the issuance of any permits for such work.
 - 3. Notwithstanding the above, that prior to the issuance of any permit for the installation of an awning or canopy encroaching over any Public Right-Of-Way under the jurisdiction of the Florida Department of Transportation, the Building Official shall require such evidence, as in his opinion is reasonable, to show that the plans for such encroachment have been approved by the said Department of Transportation.

Article 21.
MISCELLANEOUS STANDARDS, REQUIREMENTS AND RESTRICTIONS

Sec. 21-1 - Exterior walls--Material and color.

All exterior walls of buildings shall be constructed of concrete, glass block, poured concrete, stone, hollow tile, coral rock or clay brick providing, however, that in areas zoned for C and M-Uses porcelain enamel panels, metal panels, pebble-faced block, pebble-faced panels, precast panels and architectural concrete may also be used for exterior walls of buildings designed and used for commercial purposes with the express condition that such materials are approved by the Board of Architects, the Building Official and Structural Engineer. All exterior masonry surfaces shall be stuccoed and painted excepting those of coral rock, stone, glass, clay brick, slump brick, pebble-faced block, pebble-faced panels, precast panels, and architectural concrete. Sunscreens on commercial buildings may be constructed of masonry, metal, glass or plastic where such materials are located in a metal or masonry frame providing that such sunscreens shall be subject to approval by the Board of Architects for architectural design. All exterior coloring shall be approved by the Board of Architects.

Sec. 21-2 - Exterior walls--Facing materials.

- (a) Wood facings. Wood facings shall be permitted on the exterior walls of single-family residences in that area of Coral Gables lying south of the Coral Gables Deep Waterway and east of Old Cutler Road, subject to the following conditions and restrictions:
1. That the exterior walls are constructed of masonry.
 2. That the walls are furred to provide natural air space and moisture control.
 3. That the wood utilized for such wood facings shall be those conducive to salt-sea atmosphere and shall be limited and restricted to the following species:
 - a. Solid select heart cypress.
 - b. Solid heart mahogany.
 - c. Solid heart teak.
 - d. Solid heart cedar.
 - e. Clear vertical grain heart redwood.

4. That where wood facings over masonry walls are approved, the exterior face of all masonry shall be completely and thoroughly covered with one application of black asphaltum waterproofing.
 5. That all blocking and furring strips shall be pressure treated.
 6. That all wood facings shall be secured to furring and/or blocking with stain resistant nails.
 7. That the wood facing material shall have a minimum thickness of three-fourth ($\frac{3}{4}$) inches and shall not be wider than twelve (12) inches.
 8. That all applications and details of wood facings shall be subject to the approval of the Board of Architects.
 9. That stains applied to the wood shall be specifically for exterior use and shall be limited to colors approved by the Board of Architects.
- (b) Stonehenge. Stonehenge may be used as a facing material for commercial buildings.
- (c) Dryvit system. The dryvit system may be used as a facing material on exterior walls of commercial buildings, subject to the following conditions and restrictions:
1. That the dryvit system may be used as a facing material on the exterior masonry walls of commercial buildings, provided, that such buildings have a minimum of one hour fire resistive construction.
 2. That the dryvit system shall be used only above the first floor.
 3. That the color of the exterior surface shall be subject to approval by the Board of Architects, and if any painting or repainting is to be done, the color shall be subject to the approval of the Board of Architects.
 4. That the building shall have a twenty (20) foot distance separation from all structures and lot lines, as required by the Miami-Dade County Products Control Division.
 5. That the method of attaching the dryvit system to the masonry wall shall be subject to approval by the Building Department.

Sec. 21-3 - Bulks and retaining walls.

No bulkhead, retaining wall or similar installation along an ocean front, bay, canal, lake or waterway shall be built or constructed unless such bulkhead, retaining wall or similar installation be constructed of reinforced concrete, pre-stressed concrete or gravity mass non-reinforced concrete, providing, however, that in those canals or waterways west of LeJeune Road and north of Sunset Road, bulkheads and retaining walls may be constructed of concrete block or native stone. All bulkheads and retaining walls shall be subject to the following conditions:

- (a) All plans for such bulkheads and walls shall be designed by a registered engineer, qualified under the laws of the State of Florida, to prepare such plans.
- (b) All such bulkheads and walls and components shall be designed to meet loads imposed by saturated backfill.
- (c) The minimum elevation of such bulkheads and walls shall be plus five (5) and no hundredths feet, U.S.E.D. Bay Datum.

Sec. 21-4 - Driveways--New buildings.

At the time of issuance of a permit for the construction of a building on premises not having a driveway from the property line to the pavement line of the street (and where the normal use and occupancy of such building requires vehicular traffic across the parkway between the street pavement and the property line), the applicant for the permit shall deposit with the City of Coral Gables an amount sufficient to cover the cost of paving a driveway across the parkway between the property line and the street pavement line, conforming to the paving specifications as prepared by the Public Works Department, and the City shall, if the owner or contractor does not do so, construct such driveway pavement in due course, applying so much of such deposit as shall be necessary for the purpose, and the balance of said deposit remaining, if any, shall be returned to the applicant.

Sec. 21-5 - Driveways--Existing buildings.

Where the normal use and occupancy of a premise or building requires vehicular traffic across the parkway between the street pavement and the property line, the owner of record of such premises or building shall be

required to construct and maintain a driveway across such parkway between the property line and the street pavement. The driveway shall conform to the paving specifications as prepared by the Public Works Department.

- (a) Notice of prohibited condition. The City may from time to time inspect all parkways where the normal use and occupancy of a premise or building requires vehicular traffic across the parkway between the street pavement and the property line, and in all cases where said inspection reveals that there does not exist a driveway pavement across the parkway between the property line and the street pavement line or that an existing driveway is in need of repair or replacement, the City Manager shall so notify the record owner or owners of the property described by registered or certified mail, as their names and addresses are shown upon the record of the County Tax Assessor. Such notice shall be deemed complete and sufficient when so addressed and deposited in the United States Mail with proper postage prepaid. In the event that such notice is returned by postal authorities, the City Manager shall cause a copy of the notice to be served by a law enforcement officer upon the occupant of the property or upon any agent of the owner of record thereof.
- (b) Form of notice. The notice shall be in substantially the following form:

NOTICE OF PUBLIC NUISANCE

Name of Owner of Record: _____
Address of Owner of Record: _____
According to our records, you are the owner of record of Lot(s) _____ Block _____ Section _____.

An inspection of the parkway at the above property reveals that you do not comply with Section 21-5 of Ordinance No. 1525, as it pertains to:

1. Paving of a driveway across the parkway, or
2. Maintaining a driveway across such parkway.

This is to serve as official notice that unless you:

1. Install a driveway across such parkway between the property line and the street pavement,

2. Repair the existing driveway between the property line and the street pavement, or,
3. Replace the existing driveway between the property line and the street pavement within a period of thirty (30) days, the City of Coral Gables may undertake the construction of the necessary driveway paving at the property owner's expense; the estimated cost of which will be approximately \$ _____.

**THE CITY OF CORAL GABLES,
FLORIDA**
By: City Manager

- (c) Condition may be remedied by city. If within thirty (30) days, after mailing of the notice, or the service of the notice upon the occupant of the property or any agent of the owner thereof, the condition described in the notice has not been remedied, the Public Works Director may cause the condition to be remedied by the City of Coral Gables at the owner's expense.

Sec. 21-6 - Distance requirements--Sale of alcoholic beverages and liquors. (3406, 3577)

No retail package liquor store, retail package beverage store or club vendor shall be established or operated upon premises closer than five-hundred (500) feet from any church or school without approval by the Board of Adjustment. In reviewing an application for retail package liquor store, retail package beverage store or club vendor, the Board of Adjustment shall consider, but not be limited to the following criteria: (1) location of building on the building site, (2) location of entrances and exits to the licensed establishment, (3) proposed hours of operation, (4) other uses of business adjacent to or between the licensed establishment and the church or school, (5) vehicular and pedestrian paths between the licensed establishment and the church or school, and that the location is not detrimental to the public health, safety and welfare.

The five hundred foot lateral distance shall be measured and computed by following a straight line from the nearest point of the school grounds and/or church grounds in use as part of the

school grounds and/or church facilities to the nearest property line of the building site of the place of business.

For the purpose of determining the distance between alcoholic beverage uses and churches or schools, the applicant for such use shall furnish a certified survey from a registered land surveyor in the State of Florida indicating the distance between the proposed place of business and any church or school within five-hundred (500) lateral feet. The survey shall indicate the shortest distance as measured and computed by following a straight line from the nearest point of the school grounds and/or church grounds in use as part of the school and/or church facilities to the nearest property line of the building site of the place of business. In case there are no churches or schools within five-hundred (500) lateral feet of the place of business, the survey shall so certify.

Sec. 21-7 - Distance requirements--Adult book store, adult motion picture theater and massage salon.

- (a) No adult book store, adult motion picture theater or massage salon shall be established or located within a distance of one-thousand (1,000) feet from any other adult book store, adult motion picture theater or massage salon. Such distance shall be measured and computed by following a straight line between the main entrances of the places of business.
- (b) No adult book store, adult motion picture theater or massage salon shall be located or established within a distance of five-hundred (500) feet from a residentially zoned district and/or from a church or school. Such distance shall be measured and computed, in the case of a church or school, by following a straight line from the nearest point of the school and/or church grounds in use as part of the school grounds and/or church facilities to the closest exterior door of the place of business, and in the case of residentially zoned property by following a straight line from the closest portion of the residentially zoned district to the closest exterior door of the place of business.
- (c) For the purpose of this section, residentially zoned districts shall be those designated by Section 3-1 through 3-4 herein.

- (d) No application for an occupational license for such adult book store, adult motion picture theater or massage salon shall be approved for zoning compliance unless such application is accompanied by a certified survey from a registered land surveyor in the State of Florida showing that such use meets with the distance requirements as set forth herein.

Sec. 21-8 - Temporary construction and/or field office.

Whenever a building permit shall have been issued by the Building Department for construction and/or alteration as therein set forth, a temporary field and/or construction office shall be permitted to be located on the premises covered by a building permit subject to the following conditions and restrictions:

- (a) That such office shall not be used as a sales and/or advertising office and that no sales brochures shall be handed out or distributed from such office.
- (b) That potable water, electricity and sanitary facilities shall be provided for such office as required by the South Florida Building Code and such other applicable ordinances.
- (c) That such office shall not be used for living or sleeping quarters.
- (d) That such office shall be removed by the contractor prior to the approval of the final building inspection and to the issuance of a Certificate of Occupancy or whenever, in the opinion of the Building Official, an inspection discloses that the building or alteration has been completed to the point where the final building inspection would be approved and a Certificate of Occupancy, if applied for, would be issued.

Sec. 21-9 - Temporary land development sales office.

Whenever a plat containing a gross area of not less than ten (10) acres shall have been recorded in the public records of Miami-Dade County, Florida, or a residential multi-family construction project with a site of not less than twenty-thousand (20,000) square feet and twelve (12) living units, a permit may be issued for the location of a temporary land development sales office on the development site subject to the following conditions and restrictions: (3024)

- (a) That the use of such sales office shall be limited and restricted to the sale of lots within a subdivision, replat or multi-family project, and such office shall not be used for the transaction of any other business of whatsoever nature.
- (b) That the setbacks for such sales office shall be the same as that required for the premises upon which such sales office shall be located.
- (c) That such sales office shall be landscaped as required and approved by the Board of Architects and the Building and Zoning Department and such landscaping shall be maintained in good condition as to present a healthy, neat and orderly appearance.
- (d) That a minimum of six (6) paved off-street parking spaces shall be provided on the premises of such sales office.
- (e) That such sales office shall be equipped with adequate potable water, electricity and sanitary facilities.
- (f) That such sales office shall not be used for living or sleeping quarters.
- (g) That not more than one such sales office shall be permitted to be located in any one subdivision, replat or multi-family project.
- (h) That one sign identifying the development may be placed upon such sales office as shall be approved by the Board of Architects.
- (i) That the permit for such sales office shall expire three (3) years from the date of the recording of the plat, or the issuance of a building permit for the multi-family development, provided, however, that the Board of Adjustment, upon application, may authorize the extension of such permit for a good and valid reason.
- (j) That the Building Official may revoke the permit for such sales office should the developer fail to comply with the conditions and restrictions set forth herein.
- (k) That such sales office structures shall be temporary in nature, and shall be removed in the event of a hurricane (on or before issuance of warning status) or other natural and/or man-made disaster.

Sec. 21-10 - Land clearing, filling and excavation.

Before any land shall be cleared of trees and other growth, excavated, filled and/or graded, such land shall have been platted or replatted into lots, blocks or parcels for building

development in the manner prescribed by the Subdivision Ordinance as set forth under Chapter 29 of the Code of the City of Coral Gables, and the owner thereof or his contractor shall have applied for and obtained a permit for such work from the Building and Zoning Department. The fee for such permit shall be thirty (30) dollars for the first lot and ten (10) dollars for each additional lot and such fee shall be deposited to the General Fund of the City of Coral Gables as payment for the cost of inspection of such work as it progresses and at its completion. (2631)

Sec. 21-11 - Solar water heaters and equipment.

The erection and/or installation of solar water heaters and equipment shall be subject to the following conditions and restrictions:

- (a) Collectors located in the same parallel plane of a sloping roof shall be fastened to a maximum of one and one-fourth ($1\frac{1}{4}$) inch by one-eighth ($\frac{1}{8}$) inch metal angles placed directly on the roofing membrane. Surrounding tile shall butt to the edge of the side of the collector.
- (b) Collectors located in a different plane from the roof shall incorporate an architectural masking device to screen the underside and edge of the collector apparatus from ground view where such collector is visible from the street. Such screening device may be roof planes, mansard roofs, shed roofs, parapet walls, chimneys or such other features as may be approved by the Board of Architects.
- (c) Collectors located on a flat roof may be mounted directly upon the roof or may be elevated above the roof provided, however, that all portions of the elevated apparatus are screened from ground view by means of some architectural screening device as provided for under (b) above, and provided further that such screening device shall be approved by the Board of Architects.
- (d) Where rooftop hot water storage tanks are used they shall be screened from view or shall be incorporated in some architectural feature such as cupolas, chimneys, etc.
- (e) Where collectors are mounted on the ground they shall be screened from view from the abutting streets, and the setbacks for such collectors shall be as required for mechanical equipment.

- (f) All piping and other serving utilities shall be concealed from view.
- (g) The size, location, attachment and design of solar water heating devices shall be in conformity with the building design and overall neighborhood character.
- (h) Adequate architectural details shall be drawn to show the proper installation of the system and particularly the roof mounting and method of attachment and such drawings shall be subject to the approval of the Board of Architects.

Sec. 21-12 - Screening of rooftop equipment.

Air-cooled condensing and/or compressor equipment, water cooling towers and any other type of mechanical or service equipment or apparatus installed on roofs of all buildings constructed on or after October 1, 1969, shall be screened from view by a parapet or some other type masonry wall or screening as shall be approved by the Board of Architects for architectural design.

Those buildings constructed prior to October 1, 1969, shall be exempt from this requirement until such time as renovation or rehabilitation of any portion of said building is permitted. At the time of permitting for any renovations or rehabilitation in which the value of such construction exceeds twenty (20) percent of the assessed value of the structure, any air-conditioning and/or mechanical apparatus mounted on roof tops, whether new or existing, shall be screened. Said screen shall be constructed so as to conceal the machinery from the eye on a horizontal plane of observation. (2625)

Sec. 21-13 - Screening or storage areas.

All storage areas permitted under this ordinance shall be enclosed on all sides with a solid or louvered masonry wall, not less than six (6) feet in height, with necessary openings.

Sec. 21-14 - Installation of rock yards.

Prior to installation of rock yards, plans shall be submitted and approved by the Board of Architects.

Sec. 21-15 - Railings on exterior balconies.

The use of redwood, cedar or cypress wood fastened to a continuous metal support shall be permitted as the top handrail only of railings on exterior balconies. Except as provided above, the use of wood for railings or any part of railings on exterior balconies is hereby prohibited. (2721)

Sec. 21-16 - Dormer windows.

The use of wood framed dormer windows shall be permitted on single-family and duplex-residence buildings subject to the approval of the Board of Architects and the Structural Engineer.

For the purpose of this section, a dormer window is defined as a window set upright in a sloping roof.

Sec. 21-17 - Wind break panels.

Wind break panels consisting of soft pliable vinyl material installed in extruded vertical sliding frames may be attached to screened enclosure panels and screened porch panels, provided that the supporting members of the screened enclosure, screened porch and wind break panels are designed to meet and comply with the wind load and structural requirements of the South Florida Building Code and provided further, that when the wind break panels are in an open position the area of the panels shall not exceed twenty-five (25) percent of the area of the screened walls of which they are a part.

The color of the vinyl material shall be approved by the Board of Architects.

Sec. 21-18 - Air-conditioning units and equipment, and other types of mechanical equipment or apparatus installed on or attached to premises.

- (a) In a residence, duplex or apartment district or areas as defined herein, air-cooled condensing and/or compressor equipment which is a part of an air-conditioning system or a water cooling tower, and any other type of mechanical equipment or apparatus installed on or attached to premises shall be completely retained within the primary building, or shall meet side and rear setback requirements for the

principal structure and shall be allowed to within fifteen (15) feet of any street or waterway property line with the following conditions: (2931, 3556)

1. All air-conditioning units or equipment shall meet noise level requirements called out in Section 16-147 of the City Code.
2. Any air-conditioning unit or equipment, except for window wall units, located closer than fifteen (15) feet to any rear or side property line, or closer than twenty-five (25) feet to any street or waterway property line shall be visually screened from view with landscaping which shall be in addition to the requirements of Section 15-2 (h).
3. Any air-conditioning unit or equipment required to be screened from view shall be subject to review and approval by the Board of Architects and the Building and Zoning Department.

NOTE: For additional information regarding the construction, operation, and/or maintenance of such appliances as air-conditioning equipment, fans, blowers, pumps, turbines, compressors, refrigerators, machinery, generators, etc. refer to Ordinance No. 1553, as amended.

Sec. 21-19 - Septic tanks.

(Rescinded 5/12/92--Ordinance No. 2992)

Sec. 21-20 - Miscellaneous requirements for construction.

The following minimum standards shall be required for construction:

- (a) Wall studs. Minimum bearing or non-bearing interior partition studding shall be two (2) by four (4) inches with greater dimension perpendicular to the wall surface provided, however, that studs on non-bearing interior partition within a room may be placed parallel to the wall surface.
- (b) Wall construction. All portions of exterior walls, including interior walls of garages, rooms exceeding twenty-five (25) square feet in area which lie within a garage, recessed areas above or below normal tie beams as in carports or recessed porches, entries or on limited areas, such as gable roof ends, shall be of the same type construction as the main walls of the

building and properly topped with tie beam or rakes, unless the building is located within a designated flood hazard area whereby specially designed blow-out panels are required by local, county, state or federal regulations. Wall construction within a designated flood hazard area where specially designed blow-out panels are required shall be designed with a safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot. Designs in excess of twenty (20) pounds per square foot may be utilized if designed and certified by a Professional Engineer and approved by both the Board of Architects and the City's Structural Engineer. But in no case shall the design load be in excess of one-hundred (100) pounds per square foot. Such enclosed space shall be useable solely for the parking of vehicles, building access, or storage. The use of fill for any reason is prohibited within these spaces. Said blow-out or break-away walls shall be constructed of materials as the Board of Architects and Structural Engineer shall deem suitable. (2615)

- (c) Beams. All structural supporting beams, including beams on external walls of porches, carports, loggias, and similar areas shall be of reinforced concrete or structural steel, provided, however, that pressure treated wood structural members, so stamped and certified will be permitted on entries, loggias and porticos which are not enclosed or intended to be enclosed or screened and where enclosed walls are to be used as vehicular cover.
- (d) Floor elevations--Residential. Minimum floor elevations of residential, duplex, or multiple-family structures, except as otherwise noted herein, shall be not less than sixteen (16) inches above the established grade as determined and established by the Zoning Department, pursuant to this Code and a current survey showing elevations, but in no case shall be less than eight (8) feet above M. L. W. USED Bay Datum. Open or enclosed porches and Florida rooms may be eight (8) inches lower than required for the main structure, except in high flood hazard zones. (2625)
- (e) Floor elevations--Commercial. Minimum floor elevations of commercial, industrial structures, private or public garages,

cabanas, utility rooms, storage rooms and similar structures shall be not less than six (6) inches above the established grade as determined and established by the Building and Zoning Department, pursuant to this Code and a current survey showing elevations, and in no case shall be less than six and one-half (6½) feet above M. L. W. used Bay Datum. The elevation of floors where alley rights-of-way exist shall be elevated near the alley to a point of six (6) inches higher than the highest point of the alley paving abutting the property. Where alleys or streets have not been improved, design grades as furnished by the Engineering Division of the Public Works Department shall apply. (2625)

- (f) Floor elevations--Existing buildings. Floor elevations for improvements to existing buildings shall meet the requirements above, but in no case shall be less than the floor elevation of the existing structure where such existing floor does not meet the above minimum elevations and provided that the cost of the improvements are less than fifty (50) percent of the assessed value of the structure either (1) before the improvements are started, or (2) if the structure has been damaged and is being restored. (2625)
- (g) Yard elevations. Where ground elevations are raised above that of adjoining lots or lots graded to shed water onto adjoining property, a retaining wall or curb and/or drainage ditch or well, subject to the approval of the Building Official, shall be installed to protect said adjoining property.
- (h) Garage and carport floors. Floors of carports and garages shall be of non-absorbent and incombustible materials.
- (i) Bearing--Joist and rafters. The provisions, rules and regulations, as well as the directions of Miami-Dade County, Florida, shall be followed in connection with all joists and rafters bearing on wood plates.
- (j) Miscellaneous electrical standards.
 1. Service entrance caps for residences and duplexes shall be located at the corner of the structure nearest the utility pole from which service is obtained.
 2. All panels and related service equipment shall be electrically connected at the time the roughing-in inspection is made.

3. Where a meter socket is required to be installed on any new structure, a hose bib shall be installed within ten (10) feet of such socket or outlet in order to provide an adequate ground for such electrical system.
- (k) Furring of walls. Exterior walls of habitable areas of all buildings, except commercial and industrial structures, shall be furred with standard one inch by two (2) inch pressure treated strips to provide a three-quarter ($\frac{3}{4}$) inch air space between wall and lath surfaces.
- (l) Foundations. Foundations of buildings may project on public property, provided such projection shall not exceed six (6) inches into an alley, and provided that the top of the foundation is not less than twelve (12) inches below the established grade of a sidewalk nor less than forty-two (42) inches below the grade of an alley.
- (m) Foundations--Special locations. (2631)
 1. All structures lying within the shaded area shown on the Exhibit Map entitled: Special Locations Requiring Pile Foundations contained within this section, must be supported by pile foundations designed by a professional engineer. Construction of the foundations shall be under the inspection control of a special inspector as set forth in Subsection 305.3 of the South Florida Building Code.
 2. Exception. Structures within the area that do not lie in a V-zone (HFH) classification may be founded on spread footings provided that the footings bear on a natural undisturbed sound rock formation that is at least five (5) feet thick and that the bottom of the footings are at least six (6) inches below the top of the natural sound rock formation.
- (n) Sinks, urinals, water closets and other similar facilities. Sinks, urinals, water closets and other similar facilities in areas other than the main building on the premises such as, but not limited to, cabanas or additions which are not tied in or directly connected with the main building, shall be permitted provided proper restrictive covenants, approved as to execution and form by the City Attorney, are given.

Sec. 21-21 - Unity of title and Declaration of Restrictive Covenant in lieu thereof. (3518)

Intent. When it is necessary that two (2) or more lots, parcels or portions thereof are added or joined, in whole or in part, a Unity of Title or Declaration of Restrictive Covenant in lieu of a Unity of Title shall be filed to ensure the properties are planned, developed and maintained as an integral development and/or project and are consistent with and satisfy the requirements of the Zoning Code, Code of Ordinances and Comprehensive Land Use Plan.

Sec. 21-21a - Unity of Title.

- (a) General requirements. As a prerequisite to the issuance of a building permit, the owner(s) in fee simple title shall submit a Unity of Title in recordable form to the Building and Zoning Department providing that all of the property encompassing the building site upon which the building and appurtenances are to be located shall be held together as one (1) tract of land and providing that no part or parcel shall be conveyed or mortgaged separate and apart from the building site, as set forth under the building permit in the following cases:
 1. Whenever the required off-street parking is located on contiguous lots or parcels or is located off-site, as provided for under Section 13-3(b) and (c) of this Code.
 2. Whenever the building site consists of more than one lot or parcel and the main building is located on one lot or parcel and auxiliary or accessory use buildings or structures are located on the remaining lot or parcel comprising the building site.
 3. Whenever the building site consists of more than one lot or parcel and the main building is located on one or more of the lots or parcels and the remaining lots or parcels encompassing the building site are required to meet the minimum zoning requirements.
 4. Whenever a building is to be constructed or erected upon a lot or parcel which is larger in frontage, depth and/or area than the minimum required by the Zoning Code and which lot or parcel would be

susceptible to further resubdivision in accordance with the Zoning Code and Subdivision Ordinance.

5. Whenever the Board of Adjustment provides that a Unity of Title shall be executed as a condition for the granting of a variance.
 6. Whenever a Unity of Title is specifically required by an ordinance or resolution passed and adopted by the City Commission.
 7. Whenever a building site in any R, D, or A-Use District consists of more than one platted lot.
- (b) Requisites.
1. The owner(s) shall provide a Certificate of Ownership by way of an opinion of title from an Attorney-At-Law licensed to practice in the State of Florida or from an abstract of title company licensed to do business in Miami-Dade County, Florida; said opinion of title shall be based upon an abstract or certified title information brought up within ten (10) days of the requirement that such Unity of Title or Declaration of Restrictive Covenant be recorded.
 2. The opinion of title shall include the names and addresses of all mortgagees and lien holders, the description of the mortgages and/or liens and the status of all real estate taxes due and payable.
 3. A subordination agreement signed and executed by the mortgagees and/or lien holders shall accompany and be made a part of the Unity of Title.
 4. The Unity of Title shall be executed with the same formality and manner as a warranty deed under the laws of the State of Florida.
 5. The City may also require that the property owners file additional documents with appropriate state and local agencies to ensure that the properties are treated for the purposes herein as a single building site. Such documents shall include, where appropriate, declaration of condominium, approved by the State of Florida and recorded in the public records of Miami-Dade County. Copies shall be provided to the City

together with the application for Unity of Title.

- (c) Approval. The Unity of Title shall be subject to review and approval by the City Attorney as to form and content, together with any additional legal instruments to preserve the intent of the ordinance to promote single building sites and to properly enforce the Zoning Code and Code of Ordinances.
- (d) Appeal. Appeal of the Building and Zoning Director's decision shall be to the Board of Adjustment. See Zoning Code, Article 26, Appeals for additional information.
- (e) Release. Any Unity of Title required by this section shall not be released except upon approval by resolution passed and adopted by the City Commission and executed by the City Manager and City Clerk.
- (f) Recording. The owner(s) shall pay all fees as required by the Zoning Code or Code of Ordinances for the processing and recording of the Unity of Title.
- (g) Enforcement. Enforcement of the Unity of Title shall be by action at law or in equity with costs and reasonable attorney's fees and City fees to the prevailing party.

Sec. 21-21b - Declaration of Restrictive Covenant in lieu of a Unity of Title.

- (a) General Requirements. In the case of separate but contiguous and abutting building sites located in C-Commercial or M-Industrial Use Districts owned by one (1), separate or multiple owners wishing to use said property as one building site, the Building and Zoning Director or designee may approve a Declaration of Restrictive Covenant in lieu of a Unity of Title together with a Reciprocal Easement and Operating Agreement approved for legal form and sufficiency by the City Attorney. The Declaration of Restrictive Covenant shall run with the land and be binding upon the heirs, successors, personal representatives and assigns, and upon all mortgagees and lessees and others presently or in the future having any interest in the property. In such instances, the property owner(s) shall agree that in the event that ownership of the subject properties come under a single ownership, the applicants, successors and assigns,

shall file a Declaration of Restrictive Covenant covering the subject properties.

(b) Declaration of Restrictive Covenant shall comply with the following:

1. Submit a record of the existing height, existing size and site conditions, to include both plan and photographic evidence.
2. Develop, maintain and operate the property as a single building site.
3. Develop individual building sites within the subject property in accordance with the provisions of the City's Comprehensive Land Use Plan and Zoning Code. Individual building shall not be eligible for height, floor area or development bonuses based on the combined size of the individual properties.

Façade alterations shall be permitted only as necessary to accommodate the internal connection of the separate buildings and improve the building's general appearance. Building façade improvements shall require Board of Architects review and approval. All other applicable improvements may be reviewed and approved by the Building and Zoning Director.

The City shall only release a Declaration of Restrictive Covenant if the individual properties satisfy all applicable Zoning Code, Code of Ordinance and Comprehensive Land Use Plan requirements and the release does not create substandard or nonconforming building sites.

Requests for modification of an existing Declaration of Restrictive Covenant shall be submitted to the Building and Zoning Director and satisfy the following:

- a. Provide written consent of the current owner(s) of the phase or portion of the property for which modification is sought.
- b. The modification shall not create a fire emergency situation or be in conflict with the provisions of the Zoning Code, Code of Ordinances and Comprehensive Land Use Plan.

The Building and Zoning Director may impose conditions within the Declaration of Restrictive Covenant to insure the above provisions are satisfied.

(c) Other applicable provisions. All Declarations of Restrictive Covenant as provided within these provisions shall satisfy the following:

1. The subject site will be developed in substantial accordance with a site plan approved by the Board of Architects and be subject to all applicable public hearing and appeal requirements provided in the Code.
2. Subsequent owners of all parcels shall be bound by the terms, provisions and conditions of the Declaration of Restrictive Covenant.
3. The conveyance of portions of the subject property to third parties shall require a Reciprocal Easement and Operating Agreement executed by the third parties in recordable form including the following:
 - a. Easements in the common area of each parcel for the following:
 - (1) Ingress to and egress from the other parcels.
 - (2) For the passage and parking of vehicles.
 - (3) For the passage and accommodation of pedestrians.
 - b. Easements for access roads across the common area of each parcel to public and private roadways.
 - c. Easements for the following on each parcel to permit the following:
 - (1) The installation, use, operation, maintenance, repair, replacement, relocation and/or removal of utility facilities in appropriate areas.
 - (2) The installation, use, maintenance, repair, replacement and/or removal of common construction improvements such as footings, supports and foundations.
 - (3) The attachment and support of buildings or other associated structures and/or improvements.
 - (4) For building overhangs and other overhangs and projections encroaching upon such parcel from adjoining parcel such as, by way of example, including but not limited to the following: marquees; signage; canopies; lighting devices; awnings; wing walls; etc.

- (5) Reservation of rights to grant easements to utility companies.
- (6) Reservation of rights to road right-of-ways and curb cuts.
- (7) Pedestrian and vehicular traffic over dedicated private right roads and access roads.
- d. Appropriate agreements between the owners of the parcels as to the obligation for maintenance of the property to include but not limited to the following: maintenance and repair of all private roadways; parking facilities; common areas; landscaping; and, common facilities and the like.

The provisions within this section or portions thereof may be waived by the Building and Zoning Director if they are not applicable to the subject property.

These provisions of the Reciprocal Easement and Operating Agreement shall not be amended without prior written request and approval of the City Attorney. In addition, such Reciprocal Easement and Operating Agreement shall contain such other provisions with respect to the operation, maintenance and development of the property as to which the City and the parties thereto may agree, all to the end that although the property may have several owners, it will be constructed, conveyed, maintained and operated in accordance with the approved site plan.

(d) Requisites.

- 1. The owner(s) shall provide a Certificate of Ownership by way of an opinion of title from an Attorney-At-Law licensed to practice in the State of Florida or from an abstract of title company licensed to do business in Miami-Dade County, Florida; said opinion of title shall be based upon an abstract or certified title information brought up within ten (10) days of the requirement that such Declaration of Restrictive Covenant be recorded.
- 2. The opinion of title shall include the names and addresses of all mortgagees and lien holders, the description of the mortgages and/or liens and the status of all real estate taxes due and payable.
- 3. A subordination agreement signed and executed by the mortgagees and/or lien holders shall accompany and be made

part of the Declarations of Restrictive Covenants.

- 4. The Declaration of Restrictive Covenants shall be executed with the same formality and manner as a warranty deed under the laws of the State of Florida.
- 5. The City may also require that the property owners file additional documents with appropriate state and local agencies to ensure that the properties are treated for the purposes herein as a single building site. Such documents shall include, where appropriate, declaration of condominium, approved by the State of Florida and recorded in the public records of Miami-Dade County. Copies shall be provided to the City together with the application for Declaration of Restrictive Covenant in lieu.
- (e) Approval. The Declaration of Restrictive Covenant shall be subject to review and approval by the City Attorney as to form and content, together with any additional legal instruments to preserve the intent of the ordinance to promote single building sites and to properly enforce the Zoning Code, Code of Ordinances, Comprehensive Land Use Plan.
- (f) Appeal. Appeal of the Building and Zoning Director's decision shall be to the Board of Adjustment. See Zoning Code, Article 26, Appeals for additional information.
- (g) Release. A release of a Declaration of Restrictive Covenant shall require approval from the City Commission upon review and recommendation by the Building and Zoning Department. Approval shall be via a Resolution passed and adopted by the City Commission and release executed by the City Manager and City Clerk. The Building and Zoning Department and the City Commission must find that upon demonstration and affirmative finding that the same is no longer necessary to preserve and protect the property for the purposes herein intended.
- (h) Recording. The owner(s) shall pay all fees as required by the Zoning Code and/or Code of Ordinances for the processing and recording of the Declaration of Restrictive Covenant. The Declaration of Restrictive Covenant shall be in effect for a period of thirty (30) years from the date the documents are recorded in the public records of Miami-Dade County, Florida, after

which they shall be extended automatically for successive periods of ten (10) years unless released pursuant to the Release provisions contained herein.

- (i) Enforcement. Enforcement of the Declaration of Restrictive Covenant shall be by action at law or in equity with costs and reasonable attorney's fees to the prevailing party.

Sec. 21-22 - Variances for historic landmarks.

(Rescinded 2/5/03 – Ordinance No. 2003-10)

Sec. 21-23 - Commercial trash containers.

Plans for new commercial construction or plans for renovation of an existing commercial structure where the cumulative cost of such renovation is in excess of twenty (20) percent of the assessed value of the existing commercial structure shall make provisions for a trash container room or enclosure in accordance with the following provisions: (2648)

- (a) All new commercial construction projects; all renovation projects having a setback of less than ten (10) feet on the side of the property best suited for the servicing of trash containers shall include a trash container room for the purpose of housing dumpsters or other trash receptacles.
1. The trash container room may only be located on the rear or side of the project and shall be easily accessible for servicing.
 2. The trash container room shall be fully enclosed and include lockable doors.
- (b) Renovation projects having a setback of ten (10) feet or more on the side of the property best suited for the servicing of trash containers shall include a trash container room pursuant to subsection (a) 1. and (a) 2. above, or a trash container enclosure in accordance with the following:
1. The trash container enclosure may only be located in the rear yard, rear setback area, side yard or side setback area.
 2. The trash container enclosure shall be placed at least five (5) feet from any property line, but not within the triangle of visibility.
 3. The trash container enclosure shall be located such that garbage or

trash trucks will not block the intersections of streets or alleys while servicing trash containers.

4. The trash container enclosure shall consist of:
 - a. a concrete pad or impervious pavers as a base.
 - b. five (5) foot high enclosure walls
 - c. an access gate.
 5. An impervious surface shall be provided between the trash container enclosure and the street or alley from which the containers will be serviced.
 6. Whenever possible, a hedge, or similar landscaping material, shall abut the enclosure walls.
- (c) Trash container rooms and enclosures shall be subject to review and approval by the Building and Zoning Department and the Public Service Director.
- (d) Upon written request of a property owner, the requirements specified in (a) and (b) above may be waived by order of the City Manager or his designee provided the following conditions are met: (3129)
1. The trash generated within the subject commercial building can be disposed of in a shared consolidated waste container/compactor located off-site; and,
 2. The trash disposal location is acceptable to the City's commercial waste disposal contractor; and,
 3. A legal instrument, as prescribed by the City Attorney, is executed by the subject property owners acknowledging that the City Manager shall be empowered to direct full compliance with the above trash enclosure/room requirements if the use of the consolidated waste container is no longer available. (3129)

Sec. 21-24 - Family day-care home.

A family day-care home as defined in Section 2-48, herein, may be permitted in any R, D or A-Use district, subject to the following conditions and restrictions: (2703)

- (a) Each facility shall obtain a family day-care home license from the City of Coral Gables. Said license shall be renewable every year to ensure continued

compliance with the provisions of this Section.

- (b) Upon making application for a family day-care home license, the applicant shall provide the following information:
 - 1. Applicant's name, address and telephone number.
 - 2. Property owner's name, address and telephone number (if different from applicant).
 - 3. Address of family day-care home.
 - 4. Business name to be used.
 - 5. Expected total number of children for which day-care will be provided.
 - 6. Size of residence or dwelling unit (square foot floor area) to be used.
- (c) The maximum number of preschool children unrelated to the resident caregiver, shall not exceed five (5%) per facility. Elementary school siblings of the preschool children may also receive day-care outside of school hours, provided that the total number of children, including those related to the care-giver shall not exceed ten (10).
- (d) Family day-care home facilities shall be limited to one per residential structure and spaced at least ten-thousand (10,000) feet apart measured from property line to property line.
- (e) Family day-care home facilities shall provide a fenced or walled rear yard.
- (f) No signage or other means of identification shall be permitted on the exterior of a facility to indicate the operation of a Family Day-Care Home.
- (g) Family day-care home shall provide no less than two-hundred (200) square feet of gross floor area for each child which receives care within that dwelling unit.
- (h) Family day-care home shall be registered or licensed with the State of Florida, Department of Health and Rehabilitation Services (HRS) prior to obtaining a City of Coral Gables license.

Sec. 21-25 - Outdoor lighting.

Exterior lighting for areas such as but not limited to, tennis courts, golf courses, sporting grounds, outside lighting for security purposes and night lighting of commercial buildings abutting residential areas shall be permitted under the following conditions: (2706)

- (a) Plans indicating the location, height, type of lights, levels of illumination, shades,

deflectors and beam directions shall be submitted to the Building and Zoning Department.

- (b) The Building and Zoning Department may issue a permit for such lighting, if, after review of the plans and after consideration of the adjacent area and neighborhood, the proposed lighting will be deflected, shaded and focused away from adjacent properties and will not be a nuisance to such adjacent properties.
- (c) In addition, such outdoor lighting shall be designed so that any overspill of lighting onto adjacent properties shall not exceed one-half ($\frac{1}{2}$) foot-candle (vertical) and one-half ($\frac{1}{2}$) foot candle (horizontal) illumination on adjacent properties. An outdoor lighting installation shall not be placed in permanent use until a letter of compliance from a registered architect or engineer is provided stating that the installation has been field-checked and meets the requirements as set forth above.

Sec. 21-26 - Newsracks on private property. (2728)

(Rescinded 3/31/92--Ordinance No. 2985)

Sec. 21-27 - Movable planters.

Containers for plant materials which are not permanently attached to a structure or the ground shall be considered movable planters and shall be permitted in setback and right-of-way areas in any C or M zoning district provided that such planters:

- (a)
 - 1. Are made of clay, stone or concrete, and shall be terra cotta, white or earth-tone in color, or the color of the abutting store front facade.
 - 2. Are no greater in size that 2'(H) X 3'(W) X 3'(L) in size.
 - 3. Can be relocatable indoors when a hurricane warning is issued.
 - 4. Do not project more than thirty-six (36) inches into the right-of-way, beyond the face of the building to which they are adjacent.
 - 5. Provide a minimum clear passage of thirty-six (36) inches, do not represent a pedestrian hazard, or obstruct any entrances, exits or pedestrian circulation.

6. Are not anchored or restrained in any visible manner such as with a chain, rope or wire.
7. Are maintained, together with the plant material contained therein, in good condition, are kept clear of all refuse, and are inspected by the property owner or tenant on a daily basis.
8. Are used solely as decorative fixture for the abutting business establishment.
9. Shall not display lettering, signage or advertising.
10. That a Restrictive Covenant be executed by the owner which runs with the title of the property, stating, in addition to the above, that the owner of the property will provide public liability insurance coverage for planters placed in the public right-of-way in the minimum limits required by the City, and naming the City as an additional insured under the policy.

Any movable planters which do not meet the requirements herein shall be removed immediately.

Sec. 21-28 - Miscellaneous fees.

Application fees shall be charged for the following uses which require Special City Commission or City Manager review and approval. Fees shall be charged according to the table below, and shall be paid at the time the request is submitted.

(a) Sauna/Whirlpool Facility (Section 3-6(d) 53).....	\$400.00
(b) Health Athletic Clubs (Section 3-6(f) 17)	400.00
(c) Firearm Sales (Section 3-7(a) 2)	400.00
(d) Concrete Products Manufacturing (Section 3-7(a) 14).....	400.00
(e) Tour Guide Service with Cars/Buses (Section 3-7(a) 49)	400.00
(f) Open Lot Christmas Tree Sales (Section 6-7(a)).....	200.00
(g) Permit to Keep Wild Animals (Section 8-14) (approved by City Manager) (\$10.00 annual renewal fee)	100.00
(h) Attended Parking (Section 13-2(b))	400.00
(i) Parking in Front Setback (Section 13-3(a))	300.00

Sec. 21-29 - Prefabricated fireplace chimneys.

Prefabricated fireplace chimneys constructed of steel angle frame and a stucco finish may be installed on duplexes and single-family residences only when the fireplace addition is proposed on an existing structure and is located on an interior wall. Fireplace chimney additions on exterior walls (outside of existing building footprint) may not be prefabricated. All prefabricated fireplace chimneys shall be subject to Board of Architects review and approval, and must be designed to meet or exceed South Florida Building Code requirements, and be approved by the City Structural Engineer. (3160)

Sec. 21-30 - Authority to enter into development agreement; hearings.

- (a) Authority – The City Commission shall have authority to enter into a development agreement with any person having a legal or equitable interest in real property located within its jurisdiction in accordance with the requirements of the Florida Local Government Development Act, 163.3220 et seq., as amended, F.S.;
- (b) Definition – A development agreement is an agreement entered into pursuant to the Florida Local Government Agreement Act between the City, as a local government, and a developer regarding development of a particular parcel of land. A development agreement shall not exceed ten years in duration unless extended by mutual consent of the City and the developer, subject to a public hearing in accordance with F.S. 163.3225.
- (c) Requirements and Procedures – The requirements and procedures are governed by the Florida Local Development Agreement Act, as provided in F.S. 163.3220 et seq., as amended.

Article 22.

ADMINISTRATION, ENFORCEMENT, PERMITS, PLANS, SPECIFICATIONS AND BONDS

Sec. 22-1 - Administration and enforcement.

- (a) It shall be the duty of the Director of the Department of Zoning to administer and enforce the provisions of this Ordinance and to refuse to approve any plans for any building or for the use of any premises, which would violate any of the provisions of this Ordinance. It shall also be the duty of all officers and employees of the City to assist the Zoning Director by reporting to the Director any seeming violation in new construction, reconstruction or land uses.
- (b) The Zoning Director is authorized, where it is deemed necessary for enforcement of these regulations, to require the execution of an agreement for recording, together with appropriate documents. (3255)
- (c) In case any building is erected, constructed, reconstructed, altered, repaired, or converted, or any building or land is used in violation of this Ordinance, the Zoning Director, or the City in behalf of the Zoning Director is authorized and directed to institute any appropriate action to put an end to such violation.

Sec. 22-2 - Building permits.

No person, firm, or corporation shall commence or cause to be commenced, the erection, construction or alteration of any building, structure, sign, awning or canopy, until an application for a permit therefore has been previously filed with the Building Department, as provided for herein, and in other ordinances of the City, and until a permit therefore has first been issued by the City. No person, firm or corporation shall commence, or cause to commenced, any maintenance repair to any existing building, structure, sign, awning or canopy until an application for a permit therefore has been previously filed with the City, as provided herein and by all other ordinances in the City. No maintenance or repairs shall be commenced upon any building, structure, sign, awning or canopy until a permit therefore has been first issued by the City, in every case where the cost of such proposed repairs will exceed five-hundred dollars (\$500.00) in labor and materials, as determined by the Building Official. All work done under and pursuant to any building or sign permit shall conform to the plans

and/or specifications therefore as approved prior to the issuance of such permit and any deviation therefrom shall constitute a violation of this Code. The maintaining of any building, structure, alteration, sign, awning, canopy or the repairing of any existing building, structure, sign, awning or canopy without first having complied with the above requirements shall constitute a violation for each day it is so maintained. In addition to the requirements provided in this Code, no building, structure, improvement, landscape feature or archaeological site which is designated as an historic landmark or is within a designated Historic Landmark District shall be erected, altered, restored, renovated, reconstructed, excavated, relocated, painted or demolished until an application for a Certificate of Appropriateness regarding any architectural feature, landscape features or site improvements has been submitted and approved pursuant to the provisions of the Zoning Code. (3238, 3488)

Sec. 22-3 - Permit applications.

Any person desiring a permit to be issued by the Building Official, as required hereby, shall file an application therefore in writing on a form furnished by the Building Official for that purpose. Each such application shall describe the land on which the proposed work is to be done, by legal description and address; shall show the use or occupancies of the building; shall be accompanied by plans and specifications as required by this code; shall state the value of the proposed work; shall give such other information as reasonably may be required by the Building Official; and shall be signed by the permittee or his authorized agent, who may be required to submit evidence to indicate such authority.

Sec. 22-4 - Plans and specifications.

Every application for a permit to erect a building or structure or to materially alter a front or side elevation of any existing building or structure, shall be accompanied by two (2) sets of detailed plans and such detail structural drawings thereof as the Building Official may require. If the plans submitted do not furnish sufficient information adequately to show the scope of the planned construction for which a permit has been

requested then there shall be furnished, in addition to the two (2) sets of detailed plans, one set of detailed specifications for such proposed work; both the plans and specifications shall be prepared by a registered architect or registered engineer, qualified under the laws of the State of Florida to prepare such plans and specifications and no permit therefore shall be issued until such plans (and specifications when required) shall have been previously approved by the Board of Architects as herein provided. All such plans and specifications for buildings or structures to be erected in Coral Gables, that are governed by State Laws, shall have the standard approval of the State representative before application is made for permit.

All plans for construction in Coral Gables shall consist of the following:

Wall Section	(Scale $\frac{3}{4}$ "=1' 0")	showing all wall, floor, and roof construction
Elevations	(Scale $\frac{1}{4}$ "=1' 0")	showing all facades of building
Foundation Plan	(Scale $\frac{1}{4}$ "=1' 0")	
Details	(Scale $\frac{3}{4}$ "=1' 0")	of all ornamental work and full size sections of all moldings

Certified Survey Plot Plan (Scale 1/16"=1' 0")

The Plot Plan shall show the actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of proposed and existing buildings and accessory buildings, and the existing and intended use of each building or part of a building existing and/or proposed driveway, provisions for off-street parking and such other information with regard to the lot as may be necessary to determine compliance with these regulations.

The location of a trash container enclosure shall be indicated for new commercial construction or existing commercial renovation where the cumulative cost of such renovation is in excess of twenty (20%) percent of the assessed value of the existing commercial structure and shall be

in accordance with the provisions specified in Section 21-23. (2648)

Specifications, when required, shall be full and complete as to character of the work, structural details, strength of material, and workmanship.

No plans or specifications in violation of this or any other ordinance of the City of Coral Gables shall be approved. No permit for the construction of any building, or for the construction of any addition thereto, shall be issued until and unless the plans therefore are approved by the Board of Adjustment as well as the Board of Architects.

Sec. 22-5 - Review of plans for alterations, additions, restoration or renovation of historic landmarks.

Plans and specifications submitted for alteration, additions, restoration, or renovation of buildings designated as Historic Landmarks or for properties or buildings within designated Historic Landmark Districts shall be submitted to the Board of Architects for their recommendation, prior to being submitted to the Historic Preservation Board to receive a Certificate of Appropriateness as provided for in the Zoning Code. (2927)

Sec. 22-6 - Qualification of applicant.

Application for permits will be accepted only from contractors currently licensed in their respective fields and for whom no revocation or suspension of license is pending, provided, however, a sole owner may make application, and if approved, obtain a permit and supervise the work in connection with the construction, maintenance, alteration or repair of a single-family residence or duplex for his own use and occupancy and not intended for sale and may make application for, and if approved, obtain a permit for maintenance and minor repairs on any type building. The construction of more than one residence or duplex by an individual owner in any twelve (12) month period shall be construed as contracting, and such owner shall then be required to be licensed as a contractor. Such licensed contractor or owner shall be held responsible to the Building Official for the proper supervision and conduct of all work covered thereby.

Sec. 22-7 - Heat-producing appliances.

A permit shall be required to install, repair or alter any heat-producing appliances or piping or flue or accessory thereto and no person, firm or corporation shall commence or proceed with such work without having first made application and secured a permit therefore as set forth herein, except that a permit shall not be required for any fully portable appliance which has no physical connection to piping or flue. Application for permit shall be made to the plumbing inspector for manufactured or natural gas installations, to the Fire Department for liquid petroleum, gas and oil-burning installations or the storage of bulk combustibles, and to the Building Official for all other heat-producing appliances and these persons shall have respective jurisdiction over the apparatus as set forth.

Sec. 22-8 - Compliance with zoning code.

Before any permit is issued, all provisions of the Zoning Code of the City of Coral Gables, and any amendments thereto shall be complied with, and the provisions of the South Florida Building Code shall not be construed to repeal, supersede or modify any part of the Zoning Code or amendments thereto.

Sec. 22-9 - Posting of bond.

Before any permit authorized herein shall be issued, the owner of the affected property or his contractor shall deposit with The City of Coral Gables that amount which in the opinion of the Building Inspector and/or the City Manager shall be adequate to reimburse The City of Coral Gables, or any neighboring property owner, for damage which may result to sidewalks, parkways, parkway trees and shrubs, street pavement or other municipal or private property, or improvement from such work and the equipment and materials used in connection therewith, and for the removal of debris or excess material upon the completion of said work, and shall sign an undertaking to The City of Coral Gables to pay the amount of any deficiency between the amount of said deposit and the cost of repairing any such damage or removal of any such debris or excess materials. Upon completion of the work, the building official, or such other person as may be designated by the City Manager, shall make final inspection and if the person shall find that no

damage has resulted, and no debris or material remains on the site, the said deposit shall be returned to the depositor, or, if any damage shall be repaired by the City, or any debris or excess material be removed by the City, and the cost thereof shall be less than the deposit, then the difference between such cost and the amount of the deposit shall be returned to the depositor. Such bonds shall not be refunded until all code requirements are completed including necessary driveways and sidewalks.

Sec. 22-10 - Uncompleted building.

No building not fully completed in substantial compliance with plans and specifications upon which a building permit was issued, shall be permitted to be maintained on any land for more than one year after the commencement of erection of any building, addition or renovation. A building site inspection shall be conducted six (6) months after the commencement of construction at which time evidence that work is proceeding shall be provided by the builder, as defined herein. Failure to meet any requirement of this Section shall be deemed a violation of the Zoning Code, and shall be set for a hearing before the Code Enforcement Board of the City of Coral Gables.

(a) Work shall be considered to have commenced and be in active progress when, in the opinion of the Building and Zoning Director, a full complement of workmen and equipment is present at the site to diligently incorporate materials and equipment into the structure throughout the day on each full working day, weather permitting. This provision shall not be applicable in case of civil commotion or strike or when the building work is halted due to legal action. (3075)

Sec. 22-11 - Subcontractors list.

All General Contractors, or owner/builders shall submit a list of all subcontractors to be employed on the project. The Building Department will review the list to insure that all subcontractors are properly certified and licensed. Should the General Contractor or owner/builder change subcontractors during the project, it will be necessary for the Building Department to be notified prior to permitting the new subcontractor to commence work on the project. Any project found to be using unauthorized subcontractors is subject to a stop

work order until the Building Official is satisfied that proper conditions exist and all permitting conditions are met. (2631)

Sec. 22-12 - Zoning permits.

No person, firm or corporation shall commence or cause to be commenced, any miscellaneous work which affects the aesthetics, appearance, or architectural design of any structure, site or site improvements until an application for a zoning permit therefore has been previously filed with the Building and Zoning Department, as provided for herein and in other ordinances of the City. No such miscellaneous work which affects the aesthetics, appearance, or architectural design of any structure, site, or site improvements shall commence until a permit therefore has been first issued by the City, in every case where the cost of such proposed work exceeds five-hundred dollars (\$500.00) in labor and materials, as determined by the Building and Zoning Department. All work done under and pursuant to any zoning permit shall conform to the plans and/or specifications therefore as approved prior to the issuance of such permit and any deviation therefrom shall constitute a violation of the Code. The maintaining of any such miscellaneous work which affects the aesthetics, appearance or architectural design of any structure, site, or site improvements without first having complied with the above requirements shall constitute a violation for each day it is so maintained. Work for which a zoning permit has been issued must commence within ninety (90) days of the issuance of the zoning permit, and is valid for a period not to exceed one-hundred and eighty (180) days from the date of the issuance of the permit or the last inspection. In all cases where a zoning permit has been issued, the permit holder must call for and receive approval for a final inspection in regard to the work for which the permit was issued. In those cases where any miscellaneous work which affects the aesthetics, appearance, or architectural design of any structure, site or site improvements is illustrated, shown or detailed in plans and/or specifications for which a building permit has been issued, then such miscellaneous work will not require a zoning permit. (3488)

Sec. 22-13 - Certificate of use.

No person, firm or corporation shall commence any use of any property, nor shall an

occupational license or building permit be issued until an application for a Certificate of Use therefore has been previously filed with the Building and Zoning Department, as provided for herein, and in other ordinances of the City, and until a Certificate of Use therefore has first been issued by the City. Any use of a property under and pursuant to any Certificate of Use shall conform to the Certificate of Use and any conditions or restrictions therefore as approved prior to the issuance of such Certificate of Use and any deviation therefrom shall constitute a violation of this Code. The commencement or maintaining of any use of property without first having complied with the above requirements shall constitute a violation for each day it is so maintained. Any use for which a Certificate of Use has been issued must commence within one-hundred and eighty (180) days of the issuance of the Certificate of Use, and is valid for a period not to exceed one year from the date of the issuance of the Certificate of Use. All Certificates of Use issued by the Building and Zoning Department shall be renewed each year. The application for a Certificate of Use shall state the property address for which said permit is being issued along with legal description, folio number, the proposed use of the property, the use district, land use designation, and whether the parking requirements would be complied with for the proposed use. All Certificates of Use must be reviewed for concurrency as provided for by the Comprehensive Plan of the City. (3488)

Sec. 22-14 - Zoning permit, certificate of use, and other zoning request fees.

The following fees shall be assessed and paid for prior to the issuance of any zoning permit or Certificate of Use: (2969, 3488)

- (a) The minimum fee for a zoning permit shall be sixty-five dollars (\$65.00).
- (b) When the work or use for which a zoning permit or zoning use permit is requested has commenced prior to the issuance of the zoning permit or zoning use or has been cited with a courtesy notice of violation or a notice of violation, the applicant shall be required to pay one-hundred dollars (\$100.00) plus a double zoning permit fee. In no event shall the applicant pay less than two-hundred and thirty dollars (\$230.00). For each offense thereafter, the permit applicant shall be

- required to pay twice the double permit fee plus five-hundred dollars (\$500.00).
- (c) The permit holder is entitled to an initial and a follow-up inspection for each of the mandatory inspections. After the initial and follow-up inspection for any mandatory inspection there shall be a fifty dollars (\$50.00) reinspection fee charge for each additional reinspection. The reinspection fee requirement shall be applicable to all divisions of the Building and Zoning Department. The payment of reinspection fees shall be required before any further permits will be issued to the person or firm owning same, and further inspections shall be refused until payment of reinspection fees have been made.
- (d) Zoning permit fees for the following specific work categories shall be paid prior to the issuance of any zoning permits:
1. Painting, sand blasting, pressure cleaning.
 - a. Single-family or Duplex Uses.....\$65.00
 - b. Apartment, Special Use, Commercial, and Industrial (For each square foot) \$0.05
 2. Pressure cleaning or sand blasting only. Apartment, special use, commercial and industrial . . . \$65.00
 3. Awning and canopy recovers/repairs. Awning and canopy recovers/repairs--\$2.00 per item with a minimum \$65.00.
 4. Chain link installation/fence repairs. Chain link fence installation and fence repairs--\$0.20 per linear foot with a minimum of \$65.00.
 5. Interior and exterior tiling, new wood floors. Interior and exterior tiling, new wood floors--\$0.07 per square foot with a minimum of \$65.00.
 6. Removable storm panels/tracks, pool and spa marblite/paint/sandblast. Removable storm panels/tracks, pool and spa marblite/paint/sandblast, dumpsters placed on private property not in conjunction with a building permit--\$65.00.
 7. Kitchen cabinets/countertops, rain gutters/downspouts. Kitchen cabinets/countertops, rain gutters/downspouts--\$0.05 per linear foot with a minimum of \$65.00.
 8. Asphalt sealant, floor refinishing.
 - a. Single family or duplex.....\$65.00
 - b. Apartment, special use, commercial and industrial--\$0.01 per square foot with a minimum of sixty-five dollars (\$65.00).
 9. Asphalt resurfacing--\$0.05 per square foot with a minimum of \$65.00
 10. General repairs and any work not specifically specified above shall be charged at the rate of \$0.20 per square foot or the minimum fee whichever is greater.
- (e) The fee for a Certificate of Use shall be seventy-five dollars (\$75.00) for each Certificate of Use. In the case where a Certificate of Use is denied and the applicant for the Certificate of Use revises their application, a fee of fifty dollars (\$50.00) shall be charged to review the revised application. A fee of fifty dollars (\$50.00) shall be charged for annual renewal of all Certificates of Use issued by the Building and Zoning Department. (2003-3)
- (f) Fees for other miscellaneous zoning requests.
1. A fee of one-hundred dollars (\$100.00) shall be charged for letters which relate to zoning information.
 2. A fee of one-hundred dollars (\$100.00) shall be charged for courtesy inspections performed by the Code Enforcement Division.
 3. A re-review fee of seventy-five dollars (\$75.00) shall be charged for reviewing a set of plans on the fourth and fifth time. If a set of plans has not been approved by an official by the sixth review, the Building Official will determine if the plans will be given to the Department of Business and Professional Regulation for investigation.
 4. A document preservation fee of one dollar (\$1.00) per page will be charged to microfilm and maintain records for future use.
 5. When any permit application is received, the applicant shall pay a nonrefundable application fee in the amount of seventeen dollars (\$17.00).

Article 23.
BOARD OF ARCHITECTS

Sec. 23-1 - Appointment, number, and term of board members. (3349)

- (a) A Board of Architects is hereby established.
 - 1. The Board shall consist of at least six regular members, two associate members, and a consulting landscape architects. The Board of Architects shall be composed of two panels with a minimum of three members sitting on a panel in order to conduct the business of the Board.
 - 2. In the event that the City Manager finds that a need exists for the formation of a third panel, the City Manager may recommend and which City Commission may authorize the formation of such third panel of the Board, which shall consist of three additional regular members and one additional associate member, and who shall all have specific terms of eighteen (18) months.
- (b) The members of the Board of Architects shall be appointed by the City Manager and approved by the City Commission.
- (c) The regular members of the Board of Architects shall serve for terms not to exceed eighteen (18) months, except as such terms may be fixed otherwise by resolution of the City Commission.
- (d) The associate members of the Board of Architects shall serve for terms of six (6) months, except as such terms may be fixed otherwise by resolution of the City Commission. Each associate member shall be appointed as a regular member of the Board of Architects at the expiration of their associate member term. In the absence or disability of a regular member, or members, the associate members may be requested to substitute for a board member by the Secretary of the Board.
- (e) The term of the members of the Board shall be so established that the terms of two regular members of the Board will expire on June 30 and December 31 of each year, and two new regular members will be appointed on July 1 and January 1 of each year.

- (f) Architects who have previously served on the Board of Architects may be called by the Secretary of the Board to act in the capacity of an associate member of the Board of Architects on a temporary basis provided they meet the membership and qualification requirements for service on the Board of Architects.
- (g) The consulting landscape architect shall serve for a term of twenty-four (24) months, except as such terms may be fixed otherwise by resolution of the City Commission.
- (h) No member of the Board of Architects shall be reappointed as a member of the Board until a minimum of twelve (12) months have intervened between appointments.

Sec. 23-2 - Membership, qualification and organization of board. (3349)

- (a) The two regular members of the Board of Architects with the most seniority serving on the Board shall act as Co-Chairmen of the Board, and each Co-Chairman shall preside over one of the panels conducting the business of the Board. The Chairman of the third panel shall be appointed by the City Manager and approved by the City Commission, when such a third panel is required and formed.
- (b) The Members of the Board shall have the following qualifications:
 - 1. Each member shall have been an architect responsible for the design and construction of projects within the City of Coral Gables during the last five (5) years and shall have a minimum of ten (10) years experience in their profession.
 - 2. Each member shall either be a resident or have their principal place of business in the City of Coral Gables.
 - 3. Each member and the associate member shall be registered architects in the State of Florida.
 - 4. The consulting landscape architect shall have the following qualifications:
 - a. The consulting landscape architect shall have been a

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

- b. The consulting landscape architect shall either be a resident or have their principal place of business in the City of Coral Gables.
- c. The consulting landscape architect shall be registered landscape architects in the State of Florida.

Sec. 23-3 - Meetings and records. (3349)

The Board of Architects shall meet at least once each week, and such other times as the Board may determine, for the consideration of the business before the Board. All meetings shall be open to the public and the order of business and procedure to be followed shall be as prescribed by the Board. Three members shall constitute a quorum for a panel of the Board and the affirmative vote of a majority of the board members sitting on the panel shall be necessary for any action thereof. The City Manager is authorized and empowered to appoint a Secretary for the Board. Only those items on the Agenda of the Board shall be considered by a panel of the Board. The Secretary for the Board shall be responsible for setting the agenda of the Board prior to a meeting of the Board. A record of the proceedings of the Board shall be kept, showing its action on each question considered. Such record shall be filed in the office of the Secretary of the Board of Architects and shall be open for public inspection.

Sec. 23-4 - Majority to approve plans. (3349)

The Board of Architects shall meet to consider and act upon plans and specifications submitted in connection with applications for permits requiring approval by the Board. Individual projects shall only be considered by one panel of the Board. The approval of at least a majority of the Board of Architects, sitting on a panel, signified by their signature on each set of plans and specifications required to be submitted with each application for a permit, shall be a

prerequisite to the issuance of any permit required to be approved by the Board. Policies of the Board shall be approved by a majority of all the regular members of the Board.

Sec. 23-5 - Notice of review of preliminary plans.

In every case where the Board of Architects is scheduled to review preliminary plans for additions, exterior alterations and/or new construction in which the estimated cost of construction will exceed twenty-five-thousand (\$25,000) dollars the Secretary of the Board of Architects shall cause a notice of the meeting to be given in the following manner:

(a) Posting of Property.

1. All such property shall be posted at least five (5) days prior to the Board of Architects meeting. Such posting shall consist of a sign, the face surface of which shall not be larger than forty (40) square inches in area, the color of which shall be yellow with black lettering and shall contain the following language:

**NOTICE
BOARD OF ARCHITECTS
REVIEW OF PRELIMINARY PLANS
PHONE: _____
HEARING NO.: _____
HEARING DATE: _____**

2. The sign shall be erected in full view of the public on each street side of such property. Where large parcels of property are involved with street frontages extending over considerable distances, as many signs shall be erected on the street frontage as may be deemed adequate to inform the public.
3. If such sign be placed on a vacant lot or parcel of land, it shall be securely nailed or otherwise fastened securely to a stake or post which itself shall be fastened securely into the ground. Said sign shall not be located nearer than ten (10) feet nor more than fifteen (15) feet from the street property line, provided, however, that where said property is improved by a building, the main part of which is less than ten (10) feet from said property line, the sign may

be placed upon the front and/or side of the building, or upon a front and/or side door and/or window of the building. Whenever a building on improved property is located more than ten (10) feet from the street property line, the sign shall be erected as provided for on vacant property.

4. The height of such sign shall be erected to project not more than three (3) feet above the surface of the ground.
5. It shall be a misdemeanor in the second (2nd) degree, punishable pursuant to Florida Statute 775.082 and 775.083, if any unauthorized person shall tamper with or remove the signs posted pursuant to this section.

Sec. 23-6 - Changes in plans and specifications may be required.

It shall be the duty of the Board of Architects, the Structural Engineer and the Building and Zoning Director to require such changes, if any, in any plans and/or specifications presented as may be necessary to conform to the provisions of this and all ordinances of the City of Coral Gables, with due regard to any existing deed restrictions not in conflict herewith. The said Board of Architects, Structural Engineer, and the Building and Zoning Director may also suggest or recommend such changes in said plans and specifications as in its or his/her judgment may be requisite or appropriate to the maintenance of a high standard of construction, architecture, beauty and harmony.

Sec. 23-7 - Samples of color in painting or awning work.

Each applicant for or holder of a permit authorizing exterior painting, coloring, awning work or erection of a canopy shall be required to submit to the Board of Architects for its approval, prior to the execution of such work, sample of the color to be used in such work; and the Board of Architects shall require the use of appropriate and harmonious color therein.

Sec. 23-8 - Fees for examination of plans and specifications.

For examination of such plans and specifications, by the Board of Architects and/or Structural Engineer, there shall be charged and collected by the City, in addition to all other building permit fees which are now or which may hereafter be prescribed by ordinance, as follows: (2578, 2969, 2003-4)

- (a) A fee of one dollar and twenty-five cents per thousand (\$1,000) dollars, or major fraction thereof, of the estimated cost of the construction involved, with a minimum fee of five (\$5.00) dollars, for each set of plans and specifications, shall be paid at the time of the submission of the plans and specifications for examination.
- (b) A resubmittal fee of twenty (\$20.00) dollars shall be charged for the first resubmittal. All additional resubmittals shall require a resubmittal fee of ten percent (10%) of the original submittal fee for all projects resubmitted to the Board of Architects, with a minimum resubmittal fee of twenty (\$20.00). Each resubmittal fee shall be paid prior to review by the Board of Architects.
- (c) An additional fee of ten (\$10.00) dollars shall be paid if the project is to be posted prior to the Board of Architects review. This additional fee shall not apply to resubmittals which do not need to be reposted.
- (d) An additional fee of fifty (\$50.00) dollars shall be paid for submitting an application after the application deadline (only when possible for meeting agenda and posting requirements).

Sec. 23-9 - Expenses--Board members.

Each member of the Board of Architects shall receive the sum of twenty-five (\$25.00) dollars for each regular or special meeting of the Board of Architects attended by him. This sum shall not be considered as compensation but shall be considered as travel and other necessary expenses incurred in the performance of their official duties.

Article 24.

BOARD OF ADJUSTMENT

Sec. 24-1 - Appointment.

A Board of Adjustment is hereby established which shall consist of seven (7) members, five (5) of whom shall be appointed by the City Commission, one of whom shall be nominated by the City Manager, subject to approval of the City Commission and one of whom shall be nominated by the six (6) members so appointed, subject to approval of the City Commission. In the event that the six (6) members shall fail to agree on the seventh member, such member shall then be nominated by the City Commission after a thirty (30) day waiting period. All members, except the five (5) members appointed by the City Commission, shall be associated with and ethically responsible to professions having a membership generally familiar with planning and zoning principles; such professions may include Architects, Engineers, Attorneys, Appraisers, Contractors, Realtors, etc. A member of the administrative staff of the Building and Zoning Department shall be named by the City Manager to act as a non-voting ex-officio member of the Board and shall be Secretary of the Board.

Sec. 24-2 - Terms.

The term of each member shall be for a period expiring on May 31, 1971. Thereafter all appointments shall be for a two-year period, commencing June 1 and ending on May 31 of the next odd year or until their successor is appointed. Any member may be removed by a majority vote of the City Commission. Appointments for replacement of any member due to death, resignation or removal shall be for the unexpired term.

Sec. 24-3 - Organization and members.

The members of the Board of Adjustment shall elect one of its members to serve as Chairman. The term of the first Chairman so named shall terminate on May 31, 1971; thereafter, the term of the Chairman named by the Board shall be for a period of one year but not later than May 31 of the year following the date of appointment. Nothing shall prevent the Board from naming a Chairman to succeed himself. Each member of the Board shall be a resident citizen, domiciliary of the City of Coral Gables and an owner of real

property or spouse of owner in the City of Coral Gables during the term of appointment and also for at least five (5) years prior to appointment.

Sec. 24-4 - Meetings and records.

The Board of Adjustment shall hold regular meetings on the first Monday of each month, and special meetings at such times as the Board may determine or at the call of the Chairman thereof, or the Building and Zoning Director for consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Board. Four (4) members of the Board shall constitute a quorum and the affirmative vote of a majority of the Board shall be necessary to authorize a variance, grant an appeal, effectuate a ruling or recommendation or for any other decision or determination thereof. In the event of a tie vote, the matter voted upon shall be automatically deferred to the next regular meeting of the Board and if at such subsequent meeting a tie vote is again obtained the minutes of the Board of Adjustment shall show that the motion was not carried and that the matter voted upon was denied. A written record of the proceedings of the Board shall be kept, showing its action on each question considered. Such record shall be filed in the office of the Secretary of the Board and shall be open for public inspection.

Sec. 24-5 - Authority, powers and decisions.

The Board of Adjustment shall have the following authority and powers:

- (a) Authorize in specific cases such variance from the terms of this Code as will not be contrary to the public interest where, owing to special conditions a literal enforcement of the provisions of this Code would result in unnecessary hardship. A variance from the terms of this Code shall not be granted by the Board of Adjustment unless the Board shall find that the facts exist as set forth under Section 24-7 hereof. Variances shall be granted only after a public hearing has been held by the Board of Adjustment at which persons interested

and/or affected shall be accorded an opportunity to be heard.

- (b) Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Board of Architects, Building and Zoning Director, or any Administrative Official in the enforcement of the Zoning Code. An appeal shall be granted only after a public hearing has been held by the Board of Adjustment at which time persons interested and/or affected shall be accorded an opportunity to be heard. The Board of Adjustment may, so long as such action is in conformity with the terms of this Code, reverse or affirm wholly or partially, or may modify the order, requirements, decision or determination appealed from and may make such order, requirements, decision or determination as ought to be made, and to that and shall have powers of the Board of Architects, Building and Zoning Director, or Administrative Official from whom the appeal is taken.
- (c) Construe the provisions of this Code so that the spirit and the true purpose thereof may be observed.
- (d) The Board of Adjustment shall recommend in writing to the Planning and Zoning Board such amendments to this Code as it may deem proper and expedient or necessary to clarify, or to carry into effect the purposes thereof. All decisions of the Board of Adjustment shall be by resolution. Within fourteen (14) days from the date of such decision, any resolution of the Board of Adjustment may be appealed to the City Commission, as provided for under Section 26-2 herein, otherwise the resolution shall become final.

Sec. 24-6 - Notice of hearings.

In every case where a variance or a ruling is requested to this Code, or where an appeal is requested from a decision of the Board of Architects, Building and Zoning Director, or Administrative Official, as provided for under Section 26-1 hereof, the Secretary of the Board of Adjustment shall cause a Notice of the Public Hearing to be given in the following manner: (3180)

(a) Types of Notices.

- 1. Newspaper publication. A public notice of such variance, request, or

ruling to this Code, or an appeal from a decision of the Board of Architects, Building and Zoning Director, or Administrative Official, shall be published one (1) time in a newspaper of general circulation published in the City of Coral Gables, or in Miami-Dade County, Florida, at least ten (10) days prior to the date of such hearing. All such notices published in a newspaper shall state in substance the variance, ruling, or appeal requested and shall give the date, time, and place of the public hearing.

2. Posting property.

- a. All property being considered by the Board of Adjustment for a variance, ruling or an appeal from a decision of the Board of Architects, Building and Zoning Director, or Administrative Official, shall be posted at least ten (10) days in advance of the public hearing. Such posting shall consist of a sign, the face surface of which shall not be larger than forty (40) square inches in area, the color of which shall be day-glo orange with black lettering and shall contain the following language:

**NOTICE
BOARD OF ADJUSTMENT
PUBLIC HEARING
PHONE: _____
HEARING DATE: _____
HEARING NO. _____**

- b. The sign shall be erected in full view of the public on each street side of such property. Where large parcels of property are involved with street frontages extending over considerable distances, as many signs shall be erected on the street frontage as may be deemed adequate to inform the public.
- c. If such sign be placed on a vacant lot or parcel of land, it shall be securely nailed or otherwise fastened securely to a stake or post which itself

shall be fastened securely into the ground. Said sign shall not be located nearer than (10) feet nor more than fifteen (15) feet from the street property line, provided, however, that where said property is improved by a building, the main part of which is less than ten (10) feet from said street property line, the sign may be placed upon the front and/or side of the building, or upon a front and/or side door and/or window of the building. Whenever a building on improved property is located more than ten (10) feet from the street property line, the sign shall be erected as provided for on vacant property.

- d. The height of such sign shall be erected to project not more than three (3) feet above the surface of the ground.
 - e. It shall be a misdemeanor in the second (2nd) degree, punishable pursuant to Florida Statute 775.082 and 775.083, if any unauthorized person shall tamper with or remove the signs posted pursuant to this section.
3. Mail notices. A courtesy notice of public hearings as to the date, time, place of hearing, property location and general nature of the application may be mailed to the property owners whose addresses are known by reference to the latest ad valorem tax record, within a radius of five-hundred (500) feet of the property described in the application; provided, however, that failure to mail or receive such courtesy notice shall not affect any action or proceeding taken hereunder. Such notice shall be mailed not less than ten (10) days before the day of the hearing. The applicant shall provide the aforementioned mailing list and labels to the City in order for the City to carry out this provision as it may. (3262)

Sec. 24-7 - Variances.

In order to authorize any variance from the terms of the Zoning Code, the Board of Adjustment must and shall find:

- (a) That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district.
- (b) That the special conditions and circumstances do not result from the actions of the applicant.
- (c) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, buildings or structures in the same zoning district.
- (d) That literal interpretation of the provisions of the Zoning Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the Zoning Code and would work unnecessary and undue hardship on the applicant (see also definition of necessary hardship).
- (e) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
- (f) That granting the variance will not change the use to one that is different from other land in the same district.
- (g) That the granting of the variance will be in harmony with the general intent and purpose of the Zoning Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

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

No variance from the Zoning Code shall be authorized by the Board of Adjustment which reduces the minimum square foot floor area more than five (5%) percent for any specifically designated property.

In granting any variance, the Board of Adjustment shall provide that any permit issued in connection with the variance shall conform to

the plans submitted with the application and the Board of Adjustment may also prescribe appropriate conditions and safeguards in conformity with this Code. Violations of such and/or deviation from such plans, conditions and/or safeguards, shall be deemed a violation of this Code and punishable under Section 27-1 hereof.

Under no circumstances shall the Board of Adjustment grant a variance to permit the following:

- (a) A use not permitted in the district involved, or any use expressly or by implication prohibited by the terms of this Code in said district; and,
- (b) The reduction or diminishing of a building site upon which a single-family residence or duplex has heretofore been constructed. When a variance is granted, the proceedings of the Board shall state the basis for granting the variance.

Sec. 24-8 - Applications for variance and other hearings--Procedure.

- (a) Applications for variances involving "R" and "D" Use Districts: (2578, 2641, 2969, 3239, 3489)
Variance.....\$400.00
- (b) Applications for variances involving signs, landscaping, facing materials, fences and walls, all auxiliary and accessory uses, and all conditional uses in "S", "A", "C", or "M" Use Districts—four-hundred and fifty dollars (\$450.00).
- (c) Applications for variances from each section of the Zoning Code (other than as set forth in subsection 2. hereinabove) for building in "S", "A", "C", or "M" Use Districts shall be based on the sum of the total gross floor areas of the existing and proposed buildings as follows:
Four cents (\$0.04) per square foot of gross floor area for each variance requested (with a minimum application fee of seven-hundred dollars (\$700.00).
- (d) Applications involving the following conditions or additional requests shall be charged the following additional fees as are appropriate:
 - 1. "R" and "D" Use Districts:
Requests for rulings or interpretations\$300.00

- Requests for waiving of one (1) year waiting period on subsequent applications.....\$300.00
- Requests for submitting an application after the application deadline (when possible for meeting the legal notice and newspaper publication requirements).....\$300.00
- Applications for variances as a result of a deviation from the approved plans.....\$500.00
- Applications for variances as a result of a violation notice.....\$500.00
- 2. "S", "A", "C" and "M" Use Districts:
Requests for rulings or interpretations..... \$300.00
- Requests for waiving of one (1) year waiting period on subsequent applications.....\$525.00
- Requests for submitting an application after the application deadline (when possible for meeting the legal notice and newspaper publication requirements).....\$525.00
- Applications for variances as a result of a deviation from the approved plans.....\$900.00
- Application for variances as a result of a violation notice.....\$900.00
- (e) Requests for an appeal from a decision of the Board of Architects, Building and Zoning Director or Administrative Official—Three-hundred dollars (\$300.00).
- (f) No fee shall be charged for any postponement of an application at the request of the Board of Adjustment or when the applicant requests a postponement because there are not seven (7) Board Members attending that meeting.
- (g) The maximum fee for an application shall not exceed five-thousand dollars (\$5,000.00).
- 8. Applicants requesting an administrative extension of a variance shall pay a fee of two-hundred dollars (\$200.00).

Sec. 24-9 - Time limit for variances.

Any variance authorized by Resolution shall become void and of no effect six (6) months from and after the date of the resolution granting the same, unless within such period of six (6) months a building permit for the building or structure involved embodying the substantive matter for which the variance was granted shall

have been issued and taken out; or if the use or adoption of such variance does not require the issuance of a building permit, unless the requested action permitted by the variance shall have taken place within the said six (6) months period. Whenever the six (6) months period has elapsed without action by the applicant, the applicant shall be required to file a new application as set forth in Section 24-8 hereinabove.

However, upon application, the City Manager may, after review and determination that substantial progress has been achieved by the applicant in terms of project planning, extend the expiration date of the variance from an additional period of time not to exceed six (6) months. Said extension request shall be filed with the City Manager two (2) weeks prior to the expiration of the initial six (6) months effective period of the variance.

Sec. 24-10 - Limitation of subsequent applications.

Whenever any application for a variance shall have been finally determined, no other or further application for a variance with reference to the particular property affected by said application or with references to other property similarly situated, will be considered for a period of one year following the date of such action. Should conditions affecting such property materially change, in the opinion of the Board of Adjustment, or should a modified plan be presented to the Board of Adjustment either of which in the opinion of the Board of Adjustment would justify action before the expiration of such one-year period, the Board of Adjustment by five-sevenths (5/7) majority may permit the filing of such application notwithstanding the provision of this Code.

Sec. 24-11 - Expenses.

Each member of the Board of Adjustment except the Chairman, shall receive the sum of twenty-five (\$25.00) dollars for each regular or special meeting of the Board of Adjustment attended by such member. The chairman shall receive the sum of thirty (\$30.00) dollars for each regular or special meeting attended by him. This sum shall not be considered as compensation but shall be considered as travel and other necessary

expenses incurred in the performance of their official duties.

Article 25.

PLANNING AND ZONING BOARD

Sec. 25-1 - Appointment.

A Planning and Zoning Board is hereby established which shall consist of seven (7) members, five (5) of whom shall be appointed by the City Commission, one of whom shall be nominated by the City Manager, subject to approval of the City Commission and one of whom shall be nominated by the six (6) members so appointed, subject to approval of the City Commission. In the event that the six (6) members shall fail to agree on the seventh (7th) member, such member shall then be nominated by the City Commission after a thirty (30) day waiting period. All members, except the five (5) members appointed by the City Commission, shall be associated with and ethically responsible to professions having a membership generally familiar with planning and zoning principles; such professions may include Architects, Engineers, Attorneys, Appraisers, Contractors, Realtors, etc. A member of the Planning Department shall be named by the City Manager to act as a non-voting ex-officio member of the Board and shall be Secretary of the Board.

Sec. 25-2 - Terms.

The term of each member shall be for a period expiring on May 31, 1971. Thereafter all appointments shall be for a two (2) year period commencing June 1, and ending on May 31st of the next odd year or until their successor is appointed. Any member may be removed by a majority vote of the City Commission. Appointments for replacements of any member due to death, resignation or removal shall be for the unexpired term.

Sec. 25-3 - Organization and members.

The members of the Planning and Zoning Board shall elect one of its members to serve as Chairman. The term of the first Chairman so named shall terminate on May 31, 1971; thereafter the term of the Chairman named by the Board shall be for a period of one year but not later than May 31st of the year following the date of appointment. Nothing shall prevent the Board from naming a Chairman to succeed himself. Each member of the board shall be a

resident citizen, domiciliary of the City of Coral Gables and an owner of real property, or spouse of owner, in the City of Coral Gables during the term of appointment and also for at least five (5) years prior to appointment.

Sec. 25-4 - Meetings and records.

The Planning and Zoning Board shall hold one regular meeting each month, and special meetings at such times as the Board may determine or at the call of the Chairman or Secretary thereof, for the consideration of business before the Board. All meetings of the Board shall be open to the public. The time and place of the meetings, and the order of business and procedure to be followed at meetings, shall be as prescribed by the Board. Four (4) members of the Board shall constitute a quorum and the affirmative vote of a majority of the Board shall be necessary for the adoption of any motion thereof. A written record of the proceedings of the Board shall be kept, showing its action on each question considered. Such record shall be filed in the office of the Secretary of the Board, and shall be open for public inspection. (2646)

Sec. 25-5 - Authority and powers.

The Planning and Zoning Board shall have the following authority and powers:

- (a) Recommend to the City Commission for adoption of a Comprehensive Plan for the physical development of the City of Coral Gables and periodic amendments thereto. In conducting its work the Planning and Zoning Board may consider and investigate any subject matter tending to the development and betterment of the municipality and may make recommendations as it may deem advisable concerning the adoption thereof to the City Commission. Such Comprehensive Plan may show among other things, existing and proposed streets, highways, expressways, bridges, tunnels and viaducts, and approaches thereto, routes of railroads and transit lines; terminals, ports and airports; parks and playgrounds; forests, reservations and other public open spaces; sites for public

buildings and structures; districts for residences, business, industry, recreation, agriculture and forestry, special districts for other purposes; limited development districts for purposes of conservation; water supply, sanitation, drainage, protection against floods, and the like; areas for housing, slum clearance, urban renewal and redevelopment; location of public utilities whether publicly or privately owned, including but not limited to sewerage and water supply systems; together with time and priority schedules and cost estimates for the accomplishment of the proposals. The Comprehensive Plan shall be based upon and include appropriate studies of the location and extent of present and anticipated use of land, population, special and economic resources and problems, and other useful data. The Comprehensive Plan shall be public record, but its purpose and effect shall be solely to aid the Planning and Zoning Board in the performance of its duties. Before recommending the adoption of or any amendments to the Comprehensive Plan, a public hearing shall be held by the Board.

- (b) Initiate public hearings and recommend to the City Commission such amendments to the Subdivision Ordinance as it may deem proper and expedient, or necessary to clarify or to carry into effect the purpose thereof, and in accordance with the requirement of Chapter 177 of Florida Statutes entitled Maps and Plats.
- (c) Hold public hearings on requests for amendments to the Zoning Code other than historic landmark designations which do not require re-zoning or land use change, and submit recommendations to the City Commission. (3108)
- (d) Initiate public hearings and recommend to the City Commission such amendments to the Zoning Code as it may deem proper and expedient, or necessary to clarify or to carry into effect the purposes thereof.
- (e) Hold public hearings on requests for special-uses (See Section 3-11) or requests for a specific non-complying or qualified use without change of use district (See Section 3-9) and submit recommendations to the City Commission.
- (f) Hear applications and submit recommendations to the City Commission on proposed subdivision plats. The

Planning and Zoning Board in considering an application for a change of zoning may recommend to the City Commission that any ordinance passed and adopted in connection with the rezoning shall provide that the proposed building shall be in accordance with the plans submitted with the rezoning application or subsequently revised during the hearings, provided, however, that the plans submitted for the building permit shall comply with the Zoning Code, South Florida Building Code and all other applicable codes and regulations and the issuance or granting of a permit for the construction of a building on the property shall not be construed as permitting construction in violation of such regulations.

- (g) Submit recommendations to the Historic Preservation Board on proposed designations of Historic Landmarks or Historic Landmark Districts; such designations may include detailed zoning regulations necessary to assure that future improvements and development are compatible with historic preservation objectives.

The recommendation of the Planning and Zoning Board on a proposed designation shall be based upon effects of the proposed designation and accompanying zoning amendments on the City of Coral Gables Comprehensive Plan or other adopted planning and zoning policies, but shall not involve an evaluation of historic significance of the proposed designation. (2523)

If the recommendations of the Planning and Zoning Board are adverse to any change or amendment, such change or amendment may be approved by a majority vote of the City Commission.

Sec. 25-6 - Amendments to the zoning code.

No recommendation to the City Commission shall be made by the Planning and Zoning Board regarding amendments to the Zoning Code without a public hearing having been held before such Board after notice of such public hearing being given in the manner provided for under Section 25-7 of this Code.

Sec. 25-7 - Notice of hearings.

In every case where a public hearing is required pursuant to the provisions of this Code or to amend the Comprehensive Plan the Secretary of the Planning and Zoning Board shall cause a Notice of Public Hearing to be given in the following manner: (2625, 3179, 3262, 3517)

(a) Types of Notices. The requirements for the type of public notice shall be as follows:

1. Newspaper Publication.

a. Except as provided for in paragraph 2., which follows, a proposed ordinance under consideration by the Planning and Zoning Board for recommendation to the City Commission shall be published at least one time in a newspaper of general circulation published in the City of Coral Gables, or in Dade County, Florida, at least ten (10) days prior to the date of such public hearing. The notice of proposed enactment shall state the date, time, and place of the meeting; the title or titles of proposed ordinances; and the place within the City where the proposed ordinances may be inspected by the public. The notice shall also advise that interested parties may appear at the meeting and be heard with respect to the proposed ordinance.

b. A proposed ordinance under consideration by the Planning and Zoning Board for a recommendation to the City Commission initiated by other than the City, that changes the actual zoning map/use and area map designation for a parcel or parcels of land shall be advertised pursuant to paragraph 1., above. Ordinances that change the actual list of permitted, conditional, or prohibited uses within a zoning category/use district, or changes the actual zoning map designation of a

parcel or parcels of land involving ten (10) contiguous acres or more, the secretary of the Planning and Zoning Board shall provide for public notice as follows:

(1) The required advertisements shall be no less than two columns wide by ten inches long in a standard size or tabloid size newspaper, and the headline in the advertisement shall be in a type no smaller than 18 point. The advertisement shall not be placed in that portion of the newspaper where legal notices and classified advertisements appear. The advertisement shall be placed in a newspaper of general paid circulation in the municipality, not one of limited subject matter, pursuant to chapter 50. It is the legislative intent that, whenever possible, the advertisement appear in a newspaper that is published at least five (5) days a week unless the only newspaper in the municipality is published less than five (5) days a week. The advertisement shall be in substantially the following form:

"Notice of (Type Of) Change

The City of Coral Gables proposes to adopt the following ordinance: (title of ordinance)....

A public hearing on the ordinance will be held ... (date and time) ... at ... (meeting place) ..."

Except for amendments which change the actual list of permitted, conditional, or prohibited uses within a zoning category, the advertisement shall also contain a geographic location map which clearly indicates the area covered by the

proposed ordinance. The map shall include major street names as a means of identification of the general area.

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

2. Posting Property.

- a. All specific property being considered at a public hearing by the Planning and Zoning Board shall be posted at least ten (10) days in advance of the public hearing, provided, however, that the posting of specific property shall not be required when the property subject to change constitutes more than ten contiguous acres. Such posting shall consist of a sign, the face surface of which shall not be larger than forty (40) square inches in area, the color of which shall be day-glo orange with black lettering and shall contain the following language:

**NOTICE
OF
PUBLIC HEARING**

PHONE: _____

HEARING DATE: _____

HEARING NO.: _____

- b. The sign shall be erected in full view of the public on each street side of such property. Where large parcels of property are involved with street frontages extending over considerable distances, as many signs shall be erected on the street frontage as may be deemed adequate by the Planning Department to inform the public.

- c. If such sign be placed on a vacant lot or parcel of land, it shall be securely nailed or otherwise fastened securely to a stake or post which itself shall be fastened securely into the ground. Said sign shall not be located nearer than ten (10) feet nor more than fifteen (15) feet from the street property line, provided, however, that where said property is improved by a building, the main part of which is less than ten (10) feet from said street property line, the sign may be placed upon the front and/or side of the building, or upon a front and/or side door and/or window of the building. Whenever a building on improved property is located more than ten (10) feet from the street property line, the sign shall be erected as provided for on vacant property.
- d. The height of such sign shall be erected to project not more than three (3) feet above the surface of the ground.
- e. It shall be a misdemeanor in the second (2nd) degree punishable pursuant to Florida Statute 775.082 and 775.083, if any unauthorized person shall tamper with or remove the signs posted pursuant to this section.

3. Mail Notices.

- a. A courtesy notice of public hearings affecting specific properties containing general information as to the date, time, place of the hearing, property location and general nature of the application may be mailed to the property owners whose addresses are known by reference to the latest ad valorem tax record, within a radius prescribed below for each of the following applications:

Type of Application	Courtesy Notification Radius Requirements
Annexation	1,500 ft.
Change in Zoning District	1,000 ft.
Comprehensive Land Use Plan (CLUP) Map Change	1,000 ft.
Comprehensive Land Use Plan (CLUP) Text Change	1,000 ft.
Conditional Use-Public Hearing Review	500 ft.
Development of Regional Impact (DRI)	1,500 ft.
Development of Regional Impact (DRI) – Notice of Proposed Change (NOPC)	1,500 ft.
Planned Area Development	1,000 ft.
Site Plan	1,000 ft.
Separation/Establishment of a Building Site	1,000 ft.
Subdivision Review for a Tentative Plat	1,000 ft.

The above referenced notification requirements are measured in feet from the perimeter boundaries of the subject property.

However, failure to mail or receive such courtesy notice shall not affect any action or proceeding taken hereunder. The applicant shall be required to provide a mailing list and labels of the area within the radius prescribed above to the City in order for the City to carry out provisions as it may. Individual courtesy notices are not required when the property being considered constitutes more than ten contiguous acres.

The Planning Director may require additional area to be included as a courtesy notice on any of the above applications. The Planning Director may also require courtesy notices on applications that are not typically required to be noticed if it is determined that such notification is required.

- b. Ordinances initiated by the City that change the actual zoning map/use and area map designation of a parcel or parcels of land shall be noticed

pursuant to the following procedures.

- c. In cases in which the proposed ordinance changes the actual zoning map designation for a parcel or parcels of land less than ten (10) acres, the Secretary of the Planning and Zoning Board shall notify by mail each real property owner whose land the municipality will redesignate by enactment of the ordinance and whose address is known by reference to the latest ad valorem tax records. The notice shall state the substance of the proposed ordinances as it affects that property owner and shall set a time and place for the public hearing on such ordinance. Such notice shall be given at least thirty (30) days prior to the date of the public hearing, and a copy of the notice shall be available for public inspection during the regular business hours of the clerk of the governing body.

Sec. 25-8 – Applications and similar requests for services; application fee schedule.
(3487, 2003-12)

- (a) Applicants proposing to process the following application types: Annexation; Change of Zoning District; Comprehensive Land Use Plan Map; Comprehensive Land Use Plan Text; Conditional Use - Administrative Review; Conditional Use - Public Hearing Review; Development of Regional Impact; Development of Regional Impact - Notice of Proposed Change; Planned Area Development; Site Plan; Separation/Establishment of a Building Site; Subdivision Review for Final Plat; Transfer of Development Rights Receiving Site Plan Application; University of Miami Campus Area Development Plans and/or Amendments; Zoning Code Text Amendment shall be required to pay the following development review application fees:

Application Review Fee Schedule	
Application Types	Fee-1
Annexation	\$2,500.00
Change of Zoning District	\$2,500.00
Comprehensive Land Use Plan Map	\$5,000.00
Comprehensive Land Use Plan Text	\$5,000.00
Conditional Use--Administrative Review	\$100.00
Conditional Use--Public Hearing Review	\$1,000.00
Development of Regional Impact	\$10,000.00
Development of Regional Impact Notice of Proposed Change	\$5,000.00
Planned Area Development	\$2,500.00
Site Plan	\$2,500.00
Separation/Establishment of a Building Site	\$1,500.00
Subdivision Review for Tentative Plat	\$1,000.00 + \$100.00/lot
Transfer of Development Rights Receiving Site Plan Application	\$1,000.00
University of Miami Campus Area Development Plan and/or Amendments	\$2,500.00
Zoning Code Text Amendment	\$1,500.00

1- Does not include additional processing fees such as advertising and public hearing notification fees.

These are additional fees.

Supplemental Fee Schedule	
Fee Types	Fee
Advertising charges (All applications except Change in CLUP, Change in Zoning District, DRI and DRI NOPC)	\$300.00
Advertising charges (Change in CLUP, Change in Zoning District, DRI and DRI NOPC)	\$8,550.00-1
Public Hearing Notification Fee-2	\$2.00/envelope
Research	\$50.00/hour
Advisory Letters/Memoranda Regarding Interpretations	
Size of parcel	
under 0.5 acres	\$75.00
0.5--1.5 acres	\$100.00
1.5 + acres	\$125.00
Postponements and deferrals-3	\$300.00 for advertising + Public Hearing notification fee + \$500.00 for postponement = Total Fee
Withdrawal of Application	No refund
After the fact or result of violation approvals required	2x all fees
Development Agreement	\$2,000.00
Restrictive Covenants and/or Easements	\$1,000.00

1- Any additional costs for advertising will be assessed to the applicant.

2- Fee is dependent upon the number of property owners within one-thousand (1000) feet of the perimeter of subject property.

3- Postponement or deferrals by applicant only. Postponements or deferrals by the Planning and Zoning Board and City Commission will not be assessed this fee.

- (b) Additional costs may be incurred and assessed to applicants as a result of consultant fees paid by City to complete a comprehensive review of submitted applications or supplemental documentation including but not limited to the following consultant services: property appraisals; traffic impact analyses; vegetation/environmental assessments; archeological/historic assessments; market studies; engineering studies or reports; and legal fees. Such fees shall be assessed by the Department upon finalization of the application review. Failure to pay the above fees within sixty (60) days of written notification of the City shall result discontinuance of any further reviews, inspections, approvals, etc. or issuance of a stop work order, as applicable or other appropriate action as permitted under the provisions of the Zoning Code or Code of Ordinances.
- (c) The City of Coral Gables shall be exempt from all fees contained herein.
- (d) Applicants shall file the above referenced applications with the Secretary of the Planning and Zoning Board on forms prescribed by him/her. Such application(s) shall satisfy the Departments submittal requirements and time frames for review as prescribed by the Secretary.
- (e) All applications for a change of zoning on unsubdivided land or on large tracts of land which is susceptible to being subdivided shall be accompanied by a Tentative Subdivision Plat, filed in accordance with the Subdivision Ordinance as set forth under Chapter 29 of the Code of the City of Coral Gables and such application shall be acted upon concurrently with the application for a change of zoning.

Sec. 25-9 - Limitation of subsequent applications.

Whenever any application requesting a change in zoning or amendments to this Code shall have been finally determined, no other or further application for a change in zoning or amendment to this Code with reference to the particular property affected by said application, or with reference to other property similarly situated, shall be considered for a period of one year following the date of such action. Should

conditions affecting such property or amendment materially change, in the opinion of the City Commission, or should a modified plan of rezoning or revised amendment be presented to the City Commission, either of which in the opinion of the Commission would justify action before the expiration of such one-year period, the Commission by four-fifths (4/5) majority may permit the filing of such application for rezoning or amendment, notwithstanding the provisions of this Code.

Sec. 25-10 - Expenses.

Each member of the Planning and Zoning Board, except the chairman, shall receive the sum of twenty-five (25) dollars for each regular or special meeting of the Planning and Zoning Board attended by such member. The chairman shall receive the sum of thirty (30) dollars for each regular or special meeting attended by him.

This sum shall not be considered as compensation, but shall be considered as travel and other necessary expenses incurred in the performance of their official duties.

Article 26. APPEALS

Sec. 26-1 - Appeals from decisions of the board of architects, building and zoning director or administrative official.

An appeal from any decision of the Board of Architects, Building and Zoning Director or Administrative Official, may be taken to the Board of Adjustment no later than sixty (60) days after the decision has been made by any aggrieved party. Application for postponement of the public hearing of an appeal shall be allowed according to the provisions stated in Section 26-4 herein.

At the time any such appeal is considered by the Board of Adjustment such Board shall give the Board of Architects, or the Building and Zoning Director or the Administrative Official, as the case may be, and the appellant, an opportunity to be heard. (3046, 3058)

Sec. 26-2 - Appeals from decisions of the board of adjustment, planning and zoning board and historic preservation board. (3058, 3134, 3193)

An appeal from any decision of the Board of Adjustment Planning and Zoning Board or Historic Preservation Board upon any matter initiated before such Board, or before the Board of Adjustment upon appeal from the decision of the Board of Architects, Building and Zoning Director, or any Administrative Official of the City may be taken to the City Commission by any aggrieved party.

Except as to the appeals of tentative plats, which are governed by Chapter 23 of the City Code, "Subdivisions," the following procedure shall govern the filing of appeals: (3284, 3586)

- (a) Any aggrieved party desiring to appeal a decision of the Board of Adjustment or Planning and Zoning Board shall, not less than five (5) days and within fourteen (14) days from the date of such decision, file a written Notice of Appeal with the City Clerk, whose duty it shall then become to send a written notice of such appeal to all persons previously notified by the Board. The matter shall then be heard by the City Commission at its next meeting, provided at least ten (10) days has intervened

between the time of the filing of the notice of appeal and the date of such meeting; if ten (10) days shall not intervene between the time of the filing of the notice and the date of the next meeting, then the appeal shall be heard at the next following regular meeting of the City Commission and the City Commission shall render a decision, without any unnecessary or undue delay, unless application for deferral has been made as permitted in Section 26-4 herein.

- (b) Any individual or their agent or representative filing an appeal from a decision of the Board of Adjustment or Planning and Zoning Board upon any matter which they have initiated as an "applicant" before said Board shall pay a fee of two-hundred (\$200.00) dollars to the City Clerk upon filing such appeal. Any "aggrieved party" filing an appeal from a decision of the Historic Preservation Board shall pay a fee of two-hundred (\$200.00) dollars to the City Clerk upon filing such appeal. In cases where multiple parties have filed an "aggrieved party" appeal, said appeal shall be heard as one appeal and said appeal fee shall be equally divided among the parties. An appeal shall stay all proceedings in the matter appealed from until the final disposition of the appeal by the City Commission.
- (c) Upon the taking of an appeal, the City Commission shall conduct a de novo review of the decision of the Board of Adjustment or Planning and Zoning Board. The property owners, objectors or interested parties may offer or submit additional evidence and testimony at the hearing before the City Commission. The City Commission is authorized to affirm, affirm with conditions, or override the decision of the Board of Adjustment or the Planning and Zoning Board. Any decision by the Board of Adjustment or Planning and Zoning Board can only be reversed by a majority vote of the City Commission. The granting of any appeal by the City Commission shall be by resolution.

Sec. 26-3 - Appeals from decision of the city commission.

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

Challenges to development order decisions based on consistency or inconsistency of the development order with the City of Coral Gables Comprehensive Plan shall be governed by the provisions of Section 163.3215, Florida Statutes (1995). For purposes of this section, the term "development order" shall have the same meaning as defined in Section 163.3164(7) (Florida Statutes).

[No person aggrieved by any zoning resolution, order, requirement, decision or determination of any administrative official or by any decision of the Board of Architects, Board of Adjustment or Planning and Zoning Board may apply to the Court for relief unless he/she has first exhausted the remedies provided in Article 26 of the Zoning Code and taken all available steps provided therein.]

The record when pertaining to the record of the Commission or any board or official from which appeal is taken shall include any application, exhibits, appeal papers, written objections, waivers or consents, considered by the Commission, or such board, as well as transcripts or stenographic notes taken for the Department at a hearing held before the Commission or any such board, the City Commission minutes or the boards minutes and resolution showing its decision or action, and if the record of a lower board is transmitted to the City Commission, the record of the City Commission shall include the record of the lower board. The record shall also include any and all applicable portions of the Zoning Code and where applicable the City Code, the report and recommendations of the Departments, the City Use and Area Maps and Comprehensive Plan, as well as applicable district boundary maps, aerial photographs and final zoning resolutions

or ordinances. It shall also include the record made as a result of any prior zoning applications on the same property. The Clerk of the City Commission shall identify all exhibits used at the Zoning hearing. All exhibits so identified or introduced shall be a part of the record. [Interested parties are advised that review of certain comprehensive planning decisions may be subject to the review provisions contained in Chapter 163, Florida Statutes, and the Florida Rules of Appellate Procedure in lieu of the provisions of this Article]. (3212)

Sec. 26-4 - Postponement of appeals of the Board of Adjustment, Planning and Zoning Board, Board of Architects, Building and Zoning Director or administrative official. (3134, 3365, 3411, 3561)

- (a) Applicants and/or aggrieved parties desiring postponement of an appeal before the City Commission on an application from the Board of Adjustment or an appeal to the Board of adjustment on an application from the Board of Architects, building and Zoning Director, or Administrative Official, shall adhere to the following provisions for postponement:
1. First postponement must be requested in writing to the Office of the City Manager for items being considered by the City Commission, or to the Building and Zoning Director for items being considered by the Board of Adjustment, which will be automatically granted. Payment of three-hundred (\$300.00) dollars Postponement Fee shall be required to defray expenses associated with readvertisement and/or notification. The City and any Board member thereof shall not be required to pay for an appeal postponement. The item will then be placed on the next month's agenda.
 2. Second postponement by the same party must be requested in the same manner as the first postponement, which will be automatically granted upon payment of a three-hundred (\$300.00) dollars Postponement Fee.
 3. Following two postponements, the item will then be placed on the next month's agenda and there shall be no further postponements absent approval of the reviewing body. The third and each additional postponement, if approved,

shall only be granted upon payment of a three-hundred (\$300.00) dollars Postponement Fee.

- (b) Applicants and/or aggrieved parties desiring postponement of an appeal before the City Commission on an application from the Planning and Zoning Board, shall adhere to the following provisions for postponements:

- (1) First postponement. Requests for initial postponement must be requested in writing to the Office of the City Manager. A copy of the request shall be forwarded to the Board Secretary and the City Clerk. The request shall include a specific time frame for postponement. No more than 90 calendar days may be requested and will be automatically granted.
- (2) Second postponement. Requests for second postponement must be requested in writing to the Office of the City Manager. A copy of the request shall be forwarded to the Board Secretary and the City Clerk. The second postponement request may not exceed 30 calendar days. The City Manager's Office shall evaluate the request and may administratively grant the request or schedule the request for City Commission review and approval.
- (3) Third postponement. If the appeal is not considered by the City Commission within the 120 calendar days as provided above, the application shall be scheduled for City Commission consideration at the next available City Commission meeting. The City Commission shall evaluate the application and determine if additional postponement are warranted. The maximum time frame an appeal can be postponed from the initial date the application was scheduled for City Commission consideration is 180 days.
- (4) Appeal postponement fees. Applicants and/or aggrieved parties shall be required to pay all applicable costs for all postponement requests, which as a minimum shall include a three-hundred (\$300.00) dollar postponement fee to cover all applicable administrative costs in

connection with the request. If the City Commission requests adjacent property owners be notified or advertised, all costs shall be the responsibility of the applicant or aggrieved party.

- (5) Applicant responsibility. It shall be the responsibility of the applicant to adhere to the requirements provided herein, which shall include monitoring and insure the application proceeds forward for City Commission consideration. Failure of the applicant to follow the above provisions shall render the application as expired.
- (6) Appeal review expiration. Appeals which do not secure City Commission consideration as provided in the above sections or are not considered by the City Commission within six (6) months shall be deemed abandoned and void. The applicant shall be subject to all applicable code provision under the appeal process.

Article 27

PENALTIES, REMEDIES AND MISCELLANEOUS

Sec. 27-1 - Violation and penalties.

For any and every violation of the provisions of this Code the owner, general agent or contractor of a building or premises where such violation has been committed or shall exist, and the lessee or tenant of any part of a building or premises in which part such violation has been committed or shall exist, and the general agent, architect, builder, contractor, subcontractor or any person who commits, takes part in or assists in such violation or who maintains any building or premises in which any such violations shall exist, shall for each and every violation and for each and every day or part thereof that such violation continues, be subject to a fine of not more than five-hundred (\$500.00) dollars, or imprisonment in the county jail for a term not exceeding sixty (60) days, or both, at the discretion of the County Judge. Legal remedies for violations shall be had and violations shall be prosecuted in the same manner, as is prescribed by law or ordinance for the prosecution of violations of other ordinances of the City of Coral Gables.

Sec. 27-2 - Remedies.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this Code or any other ordinances or lawful regulations, the Code Enforcement Officer shall take the following action:

- (a) Upon receipt of a complaint of an alleged code violation, report back to the complainant, within a period of ten (10) days, the disposition of the alleged violation.
- (b) Where it has been determined that a violation exists, issue a written notice specifying the violation and directing the owner to correct such violation within a period of seven (7) days at which time a reinspection shall be made of the premises to verify the continuing violation.
- (c) Should the reinspection determine that the violation still remains, the Code Enforcement Officer shall issue a second violation notice to the owner by Certified Mail, Return Receipt Requested, specifying that if said violation is not corrected within a period of fourteen (14) days from the date of the first notice, the case shall be set for a hearing before the Code Enforcement Board of the City of Coral Gables.
- (d) Where it has been determined that a violation exists which can be corrected within twenty-four (24) hours, said offense shall be known as a minor violation. The Code Enforcement Officer shall issue a written notice specifying the minor violation and directing the owner and occupant to correct such minor violation within a period of forty-eight (48) hours at which time a reinspection shall be made of the premises to verify that the minor violation has been corrected.
- (e) Should the reinspection determine that the minor violation still remains, the Code Enforcement Officer shall issue a second violation notice to the owner by Certified Mail, Return Receipt Requested, specifying that if said minor violation is not corrected within seventy-two (72) hours of the owner's receipt of notice, the case shall be set for a hearing before the Code Enforcement Board of the City of Coral Gables.
- (f) Whenever a property owner is cited at least three (3) times for the same violation at the same location within a period of twelve (12) consecutive months, said offense shall be known as a continuous violation. On the third occurrence of said continuous violation, the case shall be forthwith set for a hearing before the Code Enforcement Board of the City of Coral Gables and the property owner and occupant shall be notified by Certified Mail, Return Receipt Requested, of the hearing. The proper authorities of the City of Coral Gables, in addition to the remedies herein provided for, may institute any appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to impose a penalty for such violation or to restrain, correct or abate such violation in order to prevent the occupancy or use of said building, structure or land contrary to the provision hereof, or to prevent any

illegal act, conduct, business or use in or about such premises.

Sec. 27-3 - Validity of ordinance repeal.

If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgement shall not affect, impair, invalidate or nullify the remainder of this ordinance, but in effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which such judgement or decree shall be rendered.

Sec. 27-4 - Effect of present ordinances.

This ordinance shall not be construed as repealing or modifying any other valid ordinance of The City of Coral Gables now in effect which restricts the location of industries, enterprises, occupations, establishments or entertainments of any kind, except insofar as this ordinance shall be in conflict therewith.

Sec. 27-5 - Postponement of applications of the Planning and Zoning Board and scheduled for consideration by the City Commission shall adhere to the following provisions for postponement. (3562)

- (a) First postponement. Requests for initial postponement must be requested in writing to the Office of the City Manager. A copy of the request shall be forwarded to the Board Secretary and the City Clerk. The request shall include a specific time frame for postponement. No more than 90 calendar days may be requested and will be automatically granted.
- (b) Second postponement. Requests for second postponement must be required in writing to the Office of the City Manager. A copy of the request shall be forwarded to the Board Secretary and City Clerk. The second postponement request may not exceed 30 calendar days. The City manager Office shall evaluate the request and may administratively grant the request or schedule the request for City Commission review and approval.
- (c) Third postponement. If the application is not considered by the City Commission within the 120 calendar days as provided above, the application shall be scheduled

for City Commission consideration at the next available City Commission. The City Commission shall evaluate the application and determine if additional postponements are warranted. The maximum time frame an application was scheduled for City Commission consideration is 180 days.

- (d) Application postponement fees. The applicant shall be required to pay all applicable cost for postponement which as a minimum shall include a three-hundred (\$300.00) dollars postponement fee to cover all applicable administrative costs in connection with the above requests. If the City Commission requests adjacent property owners be notified or advertised, all costs shall be the responsibility of the applicant.
- (e) Applicant responsibility. It shall be the responsibility of the applicant to adhere to the requirements provided herein, which shall include monitoring and insure the application proceeds forward for City Commission consideration. Failure of the applicant to follow the above provisions shall render the application as expired.
- (f) Application review expiration. Applications which do not secure City Commission consideration as provided in section (b) above or are not considered by the City Commission within six (6) months shall be deemed abandoned and void. The applicant shall be required to resubmit as new application subject to all applicable application review and code provisions.

Article 28

Coral Gables Mediterranean Style Design Bonus Regulations

Sec. 28-1 - Title.

This Article shall be known and may be cited as the Coral Gables Mediterranean Style Design Bonus Regulations for the City of Coral Gables, Florida.

Sec. 28-2 - Applicability.

- (a) Zoning district applicability. These regulations are available for new construction, additions, restorations and/or renovations of existing buildings using all types of architecture styles as described herein provided such property is located within an A, C, or M Use zoning districts. These provisions do not apply to the A District/Special Area.
- (b) Coral Gables Mediterranean Architectural Design. Applications for new construction and additions restorations and/or renovations of existing buildings, as Coral Gables Mediterranean Architecture may secure bonuses as provided in Section 28.7 (c) and shall be subject to the provisions contained in Section 28.9, Coral Gables Mediterranean Architecture Design.

Sec. 28-3 - Purpose.

The purpose and intent of these regulations is to:

- (a) Provide bonuses and incentives to property owners to encourage and expand the creative use of the various architectural styles in association with promoting public realm improvements.
- (b) Provide for a two level bonus program that provides amenities and features typically provided in Mediterranean Style buildings.
- (c) Provide additional bonuses for "Coral Gables Mediterranean Architecture" design to continue to support George Merrick's vision consistent with the established historic building fabric of the City.
- (d) Enhance the image of the City by providing a visual linkage between contemporary development and the City's unique historic thematic appearance.

- (e) Promote an assortment of street level public realm and pedestrian amenities in exchange for increases in building height, residential density, and floor area ratio granted via a discretionary review process.
- (f) Provide for the ability to reduce setbacks and encroachment into the public rights-of-way with public open space improvements.
- (g) Promote and require architectural and design elements focused to a pedestrian scale;
- (h) Encourage landmark opportunities, including physically defined squares; plazas; urban passageways; parks; public open spaces; and, places of public assembly and social activity for social, cultural and religious activities.
- (i) Provide a strong emphasis on aesthetics and architectural design with these regulations and the planned mixing of uses to establish identity, diversity and focus to promote a pedestrian friendly environment. This can be accomplished by the following:
 - 1. 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.
 - 2. Integration of street level plazas, courtyards, opens space and public gathering areas including the creation and preservation of corridors, vistas and landmark features.

Sec. 28-4 - Additional Requirements.

- (a) Designated historic landmarks. Pursuant to Article 31, all plans affecting designated historic landmarks must receive a Certificate of Appropriateness from the Historic Preservation Board prior to submittal to the Board of Architects. Bonuses shall not be awarded for development on property that is historically designated where a Certificate of Appropriateness has been denied.
- (b) Supplemental approval provisions. Applicants, property owners, successors or assigns may be required to provide

agreements, covenants, contracts, deed restrictions or sureties as a part of the approval granted which may include the following:

1. Undertaking of all conditions in accordance with the approved application.
2. Bind all development successors or assigns in title to any conditions and commitments made of these provisions and approved application.
3. Provide for the financial responsibility to continuing the operation and maintenance of the public open space areas, public realm, pedestrian amenities, functions and facilities that are provided, at the expense of the designated property owner and/or property owners association, etc., as applicable.

Sec. 28-5 - Board of Architects review and authority.

- (a) Review and authority. The Board of Architects shall be the responsible City review Board on this Article. The Board of Architects may grant approval of all the provisions of this Article unless noted otherwise within these provisions. The Board of Architects shall review all applications for compliance of the provisions of this Article and if the Board of Architects deems an application does not satisfy the provisions the Board shall not award the bonuses. The Board of Architects in its review may complete either of the following:
 1. Approve the application; or,
 2. Approve the application with modifications; or,
 3. Defer the application and request the applicant redesign the application and resubmit the application to satisfy the provisions of this Article; or,
 4. Deny the application.
- (b) Staff review. The Building and Zoning Department shall review and provide a recommendation to the Board of Architects advising of compliance of all provisions contained within this Article.
- (c) New construction applications. The Board of Architects shall not grant any

development bonus for new construction unless the application satisfies the provisions in Section 28.7(a), Table 1, Required Standards. The Board of Architects may grant the development bonuses provided in Section 28.7(b) and (c) provided that the Board of Architects in its discretion determines that the application complies with all the standards for the development bonus or bonuses provided in Section 28.7 (b) and (c).

- (d) Additions, restorations and/or renovations of existing buildings. The Board of Architects may grant a development bonus for the Coral Gables Mediterranean Style Design provided in Section 28.7 as an addition, restoration and/or renovation of an existing building provided that the Board of Architects in its discretion determines that the application satisfies the standards provided in Section 28.7 and Section 28.9. The Building and Zoning Department shall provide a recommendation to the Board of Architects whether to grant bonuses for the entire building or only the proposed area of the addition, restoration and/or renovation. The Board of Architects shall have final determination as to the amount of bonus granted. No building permit for an addition restoration and/or renovations of an existing building shall be granted by the Building and Zoning Department unless the Board of Architects in its discretion determines that the building(s) will continue to satisfy all previously approved conditions of approval granting that bonus and the provisions of this Article.
- (e) Appeals. Appeals shall be processed pursuant to Article 26, Appeals, as amended.

Sec. 28-6 - Special locational review for properties adjacent to R and D Use Districts.

- (a) Special locational site plan review. Properties assigned A, C, and M Use districts which are contiguous to R and D Use districts or contiguous to public rights-of-way or waterways, which are contiguous to an R and D Use district, shall comply with the following provisions to secure bonuses:

1. Height limitations. Limited to a maximum height of three-and-one-half (3 ½) floors/forty-five (45) feet.
2. Review process. The review process shall be as follows:
 - a. Submit an application and secure Board of Architects preliminary review and approval.
 - b. Submit an application with the Planning Department for special locational site plan review.
 - c. Secure special locational site plan review and recommendation for approval from the Planning and Zoning Board and approval from the City Commission.
 - d. Secure Board of Architects final review and approval for architecture prior to issuance of a building permit.
3. Review criterion. Applications considered pursuant to these regulations must demonstrate that they have satisfied all of the below listed criterion. The Planning Department shall evaluate the application with reference to each of the below criteria and provide a recommendation to the Planning and Zoning Board and City Commission. The Planning Department, Planning and Zoning Board and City Commission shall make specific findings of fact that all of the below listed criterion are satisfied. The criterion is as follows:
 - a. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to density, size, area, bulk and use, and the reasons why such departures are or are not deemed to be in the public interest.
 - b. The physical design of the site plan and the manner in which said design does or does not make adequate provision for public services, parking, provide adequate control over vehicular traffic, provide for and protect designated public open space areas, and further the amenities of light and air, recreation and visual enjoyment.
 - c. The compatibility of the proposed building with reference to building height, bulk, and mass with the contiguous and adjacent properties.
 - d. The conformity of the proposed site plan with the Goals, Objectives and Policies of the Comprehensive Land Use Plan (CLUP).
 - e. That the site plan and associated improvements provides public realm improvements, public open space, and pedestrian amenities for the public benefit as provided for in Section 28.7.
 - f. Those actions, designs, construction or other solutions of the site plan if not literally in accord with these special regulations, satisfy public purposes and provide a public benefit to at least an equivalent degree.
4. Approval. Approval if granted by the City Commission shall be in Resolution form.

Sec. 28-7 - Development bonus standards.

- (a) Required standards. Applications shall be required to satisfy all of the requirements in Table 1, "Required Standards" in order to secure bonuses based upon the applicable residential (A Use districts), nonresidential (C and M Use districts) and mixed use zoning district designations. The standards are as follows:

Table 1. Required standards

Reference Number	Residential	Non-Residential	Mixed Use	Type	Requirements
1.	✓	✓	✓	Architectural elements on building facades.	Similar exterior architectural relief elements shall be provided on all sides of all buildings. No blank walls shall be permitted unless required pursuant to applicable City, State and Federal requirements (i.e., Fire and Life Safety Code, etc). Parking garages shall include exterior architectural treatments compatible with buildings or structures that occupy the same property and/or street.
2		✓	✓	Architectural relief elements at street level.	On any building facades fronting streets, where an adjoining pedestrian sidewalk is located, one or more of the following design features shall be included at the street level: a. Display windows or retail display area; and/or, b. Landscaping; and/or, c. Architectural relief elements or ornamentation.
3.	✓	✓	✓	Architectural elements located on the top of buildings.	Exclusion from height. The following shall be excluded from computation of building height in C, A and M-Use Districts: (3373) a. Air-conditioning equipment room. b. Elevator shafts. c. Elevator mechanical equipment rooms. d. Parapets. e. Roof structures used only for ornamental and/or aesthetic purposes not exceeding a combined area of twenty-five (25%) percent of the floor area immediately below. Such exclusion shall be subject to the provisions that no such structure shall exceed a height of more than twenty-five (25) feet above the roof, except for commercial buildings in the Central Business District (CBD) where no such structure shall exceed a 1/3 of the allowable total building height.
4.	✓	✓	✓	Bicycle storage.	To encourage the use of bicycles, bicycle storage facilities (racks) shall be provided. A minimum of five (5) bicycle storage spaces shall be provided for each 250 parking spaces or fraction thereof.
5.	✓	✓	✓	Building facades.	Facades in excess of 150 feet in length shall incorporate vertical breaks, stepbacks or variations in bulk/massing at a minimum of 100-foot intervals.
6.	✓	✓	✓	Building lot coverage.	No minimum or maximum building lot coverage is required.
7.	✓	✓	✓	Drive through facilities.	Drive through facilities including but not limited to banking facilities, restaurants, pharmacies, dry cleaners, etc. are prohibited access to/from Ponce de Leon Boulevard from S.W. 8 th Street to Bird Road, Miracle Mile from Douglas Avenue to LeJeune Road, and Alhambra Circle from Douglas Avenue to LeJeune Road.
8.	✓	✓	✓	Landscape open space area.	Each property shall provide the following minimum landscape open area (percentage based upon total lot area): a. 5% for nonresidential properties; b. 10% for mixed use properties; and, c. 25% for residential properties. The total area shall be based upon the total lot area. This landscape area can be provided at street level, within the public right-of-way, elevated areas, planter boxes, planters, etc.
9.	✓	✓	✓	Lighting, street.	Street lighting shall be provided and located on all streets/rights-of-way. The type of fixture shall be the approved City of Coral Gables light fixture and location/spacing, etc. shall be the subject to review and approval by the Department of Public Works.
10.	✓	✓	✓	Parking garages.	Ground floor parking as a part of a multi-use building shall not front on a primary street. ADA parking is permitted on the ground floor. Ground floor parking is permitted on secondary/side streets and shall be fully enclosed within the structure and/or shall be surrounded by retail uses and/or residential units. Ground floor parking is permitted on alley frontages. Parking facilities shall strive to accommodate pedestrian access to all adjacent street(s) and alleys.
11.	✓	✓	✓	Porte-cocheres.	Porte-cocheres are prohibited access to/from Ponce de Leon Boulevard from S.W. 8 th Street to Bird Road, Miracle Mile from Douglas Avenue to LeJeune Road, and Alhambra Circle from Douglas Avenue to LeJeune Road.
12.	✓	✓	✓	Rights-of-way improvements.	Landscape islands, landscape bulbouts, curbing, pedestrian crosswalks, bulbouts and other associated traffic calming improvements shall be installed within the sidewalk and/or rights-of-way (subject to encroachment review and approval) equal to the length

Table 1. Required standards

Reference Number	Residential	Non-Residential	Mixed Use	Type	Requirements
					of the property frontage of the adjacent rights-of-way for all rights-of-way abutting the proposed uses. In lieu of the above requirements, the City in accordance with its rules and regulations may allow for the payment of the above improvements into a designated fund in lieu of providing the improvements if the off site improvements exist or if off site constraints exist or it is determined that a comprehensive installation of the improvements will be more beneficial to the public realm. The estimate shall be based upon design, installation and cost of all improvements. Applicants shall provide staff an estimate prepared by a certified civil engineer. City Staff shall evaluate and approve all estimates in accordance with the City's rules and regulations.
13.	✓	✓	✓	Rights-of-way planting requirements.	Street planting requirements. The below listed vegetation shall be installed within the sidewalk and/or rights-of-way (subject to encroachment review and approval) equal to the length of the property frontage of the adjacent rights-of-way for all rights-of-way abutting the proposed uses. The options available as to the types of trees to be planted and installation requirements at the time of planting area are as follows: a. Shade or ornamental shade street trees shall be provided subject to the following requirements: (1) One tree per 35 linear feet or fraction thereof of rights-of-way frontage. (2) Minimum height of 16 feet at time of planting; or, b. Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements: (1) One tree per 35 feet linear feet or fraction thereof of rights-of-way frontage. (2) Minimum height of 14 feet at time of planting. c. Shrub or ground cover planting requirements shall be one (1) shrub per three (3) linear feet or fraction thereof of the rights-of-way frontage, or ground cover shall be three (3) plants per one (1) lineal foot or fraction thereof of the rights-of-way frontage. Median planting requirements. If a median can be established or exists on larger rights-of-way, the median shall include the below listed vegetation: a. Shade or ornamental shade street trees shall be provided subject to the following requirements: (1) One tree per 35 linear feet or fraction thereof of median length. (2) Minimum height of 16 feet at time of planting; or, b. Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements: (1) One tree per 35 linear feet of median length. (2) Minimum height of 14 feet at time of planting. c. Shrub or ground cover planting requirements shall be one (1) shrub per 2.5 linear feet or fraction thereof of two (2) foot width planting area within median, or ground cover shall be three (3) plants per one (1) foot or fraction thereof of the median length. Alley planting requirements. If vegetation can be located within an alley, the below listed vegetation shall be installed within the sidewalk and/or right-of-way abutting the proposed uses. a. Shade or ornamental shade street trees shall be provided subject to the following requirements: (1) One tree per 35 linear feet or fraction thereof of rights-of-way frontage. (2) Minimum height of 16 feet at time of planting; or, b. Palm tree. Maximum of 25 percent of the required total may be this variety subject to the following requirements: (1) One tree per 35 linear feet or fraction thereof of rights-of-way frontage. (2) Minimum height of 14 feet. c. Shrub or ground cover planting requirements shall be one (1) shrub per ten (10) linear feet or fraction thereof of the rights-of-way frontage or ground cover shall be three (3) plants one (1) lineal foot or fraction thereof of the rights-of-way frontage.

Table 1. Required standards

Reference Number	Residential	Non-Residential	Mixed Use	Type	Requirements
					All landscape areas shall be irrigated with a fully operational underground irrigation system providing 100% plant material coverage. In lieu of the above requirements, the City in accordance with its rules and regulations may allow for the payment of landscaping into a designated fund in lieu of providing the landscaping if the off site landscaping exists, or off site constraints exist or it is determined that a comprehensive installation of improvements is more beneficial to improving the public realm. The estimate shall be based upon all costs associated with the design, installation and cost of all materials. Applicants shall provide Staff an estimate prepared by a State of Florida landscape architect. City Staff shall evaluate and approve all estimates in accordance with the City's rules and regulations.
14.		✓	✓	Sanitation areas.	All refuse/sanitation areas for the storage of sanitation dumpsters or similar refuse containers for food refuse or perishable refuse shall be within a fully enclosed air-conditioned area.
15.		✓	✓	Sidewalks/ pedestrian access.	All buildings, except accessory buildings, shall have their main pedestrian entrances oriented towards adjoining streets. Pedestrian pathways and/or sidewalks shall be provided from all pedestrian access points and shall connect to one another to form a continuous pedestrian network from buildings, parking facilities, parking garages entrances, etc. Wherever possible pathways shall be separated from vehicular traffic.
16.	✓	✓	✓	Soil, structural.	Structural soil shall be utilized within in all rights-of-way for all street level planting areas with root barriers approved by the Public Service Department.
17.	✓	✓	✓	Windows on Mediterranean buildings.	Mediterranean buildings desiring bonuses shall provide a minimum window casing depth of 4 inches as measured from the face of the building.

- (b) Level 1 bonus - Standards for all types of architectural design. Bonuses are available up to a maximum of 0.2 floor area ratio and up to a maximum of one (1) story for all types of architectural designs of buildings. The allowable

floors are subject to the subject property applicable CLUP Map designation and the height is regulated by the Zoning Code. The allowable floors and height is as follows:

CLUP Map Designations	Maximum allowable stories/feet	Additional stories/feet available for all types of architectural design
Residential Uses (Multi Family)		
Low Density	4 stories/ 50 feet	+ 1 stories/13.5 feet = 5 stories/63.5 feet
Medium Density	6 stories/70 feet	+ 1 stories/13.5 feet = 7 stories/83.5 feet
High Density	13 stories/ 150 feet	+ 1 stories/13.5 feet = 14 stories/163.5 feet
Commercial Uses		
Low-rise Intensity	4 stories/ 50 feet	+ 1 stories/13.5 feet = 5 stories/63.5 feet
Mid-Rise Intensity	6 stories/72 feet	+ 1 stories/13.5 feet = 7 stories/85.5 feet
High-Rise Intensity	13 stories/150 feet	+ 1 stories/13.5 feet = 14 stories/163.5 feet
Industrial Uses	6 stories/72 feet	+ 1 stories/13.5 feet = 7 stories/85.5 feet
Mixed use	The numbers of stories are dependent upon underlying CLUP Map designation.	

1. All applications desiring bonuses shall meet the minimum requirements of Table 2 to secure a bonus under these provisions.
2. The Board of Architects shall review all applications for compliance of the provisions of Table 2 and if the Board of Architects deems an application does not satisfy the provisions the Board of Architects shall not award the bonus. The bonuses is awarded based upon the Board of Architectures determination

that the application satisfies the following qualifications of Table 2:

- a. Residential uses (A Use Districts) shall satisfy a minimum of 6 of the 10 qualifications in Table 2.
- b. Nonresidential uses (C and M Use Districts) shall satisfy a minimum of 8 of the 12 qualifications in Table 2.
- c. Mixed use developments shall satisfy a minimum of 8 of the 12 qualifications in Table 2.

Table 2. Architectural and Public Realm Standards					
Reference Number	Residential	Non-Residential	Mixed Use	Type	Qualifications
1.	✓	✓	✓	Arcades and/or loggias.	Arcades, loggias or covered areas constructed adjacent, parallel, and/or perpendicular to building to provide cover and protection from the elements for pedestrian passageways, sidewalks, etc. thereby promoting pedestrian passage/use. Limitations of encroachments on corners of buildings may be required to control view corridors and ground stories building bulk and massing. Awnings or other similar items do not satisfy these provisions.
2.	✓	✓	✓	Building rooflines.	Incorporation of horizontal and vertical changes in the building roofline.
3.	✓	✓	✓	Building stepback.	Stepbacks on building facades of the building base, middle and/or top facade to further reduce the potential impacts of the building bulk and mass.
4.	✓	✓	✓	Building towers.	The use of towers or similar masses to reduce the mass and bulk of buildings.
5.	✓	✓	✓	Driveways.	Consolidation of vehicular entrances for drive-thru facilities, garage entrances, service bays and loading/unloading facilities into one curb cut per street to reduce the amount of vehicular penetration into pedestrian sidewalks and adjoining rights-of-way.
6.	✓	✓	✓	Lighting of landscaping.	Uplighting of landscaping within and/or adjacent to pedestrian areas (i.e., sidewalks, plazas, open spaces, etc.).
7.	✓	✓	✓	Materials on exterior building facades.	The use of natural materials shall be incorporated into the base of the building on exterior surfaces of building. This includes but not limited to the following: marble, granite, keystone, etc.
8.		✓	✓	Overhead doors.	If overhead doors are utilized, the doors are not directed towards residentially zoned properties.
9.	✓	✓	✓	Paver treatments.	Inclusion of paver treatments in all of the following locations: a. Driveway entrances minimum of 10% of total paving surface. b. Sidewalks. Minimum of 25% of total ground level paving surface. The type of paver shall be subject to Public Works Department review and approval. Poured concrete color shall be Coral Gables Beige.
10.	✓	✓	✓	Pedestrian amenities.	Pedestrian amenities on both private property and/or public open spaces including a minimum of four (4) of the following: a. Benches. b. Expanded sidewalk widths beyond the property line. c. Freestanding information kiosk (no advertising shall be permitted). d. Planter boxes. e. Refuse containers. f. Public art. g. Water features, fountains and other similar water features. Ground and/or wall mounted. Above amenities shall be consistent in design and form with the City Public Realm Design Manual.
11.		✓	✓	Pedestrian pass-throughs/ paseos on properties	Pedestrian pass throughs provided for each 250 linear feet or fraction thereof of building frontage provided on properties contiguous to alleys and/or streets or other publicly owned properties. Buildings less than 250 feet in size shall provide a minimum of one pass through. The pass throughs shall be subject to the following:

Table 2. Architectural and Public Realm Standards					
Reference Number	Residential	Non-Residential	Mixed Use	Type	Qualifications
				contiguous to alleys and/or streets.	a. Minimum of 10 feet in width. b. Include pedestrian amenities as defined herein. In lieu of providing one pass through of 10 feet in width every 250 feet of building frontage, two pass throughs can be combined to provide one (1) 20-foot wide pass through.
12.	✓	✓	✓	Underground parking.	The use of underground (below grade level) parking, equal in floor area of a minimum of 75% of the total surface lot area. Underground parking shall be located entirely below the established grade as measured from the top of the supporting structure and includes all areas utilized for the storage of vehicles and associated a circulation features.

- (c) Level 2 bonus - Bonuses for Coral Gables Mediterranean Architectural Design. An additional bonus up to 0.3 floor area ratio and one (1) story or two (2) stories shall be permitted if Coral Gables Mediterranean Architectural

Design is utilized subject to the maximum available number of stories is based upon the CLUP Map designation and permitted building height as outlined in the Zoning Code subject to the designation of the subject property:

CLUP Map Designations	Allowable stories/feet	Additional stories/feet available pursuant to Section 28.7(b)	Additional stories available/maximum stories for Coral Gables Mediterranean Architectural Style
Residential Use (Multi Family)			
Low Density	4 stories/50 feet	+ 1 stories/13.5 feet = 5 stories/63.5 feet	5 stories/63.5 feet + 1 stories/13.5 feet = 6 stories/77 feet
Medium Density	6 stories/70 feet	+ 1 stories/13.5 feet = 7 stories/83.5 feet	7 stories/83.5 feet + 1 stories/13.5 feet = 8 stories/97 feet
High Density	13 stories/150 feet	+ 1 stories/13.5 feet = 14 stories/163.5 feet	14 stories/163.5 feet + 2 stories/27 feet = 16 stories/190.5 feet
Commercial Use			
Low-rise Intensity	4 stories/50 feet	+ 1 stories/13.5 feet = 5 stories/63.5 feet	5 stories/63.5 feet + 1 stories/13.5 feet = 6 stories/77 feet
Mid-Rise Intensity	6 stories/70 feet	+ 1 stories/13.5 feet = 7 stories/83.5 feet	7 stories/83.5 feet + 1 stories/13.5 feet = 8 stories/97 feet
High-Rise Intensity	13 stories/150 feet	+ 1 stories/13.5 feet = 14 stories/163.5 feet	14 stories/163.5 feet + 2 stories/27 feet = 16 stories/190.5 feet
Industrial Uses	6 stories/72 feet	+ 1 stories/13.5 feet = 7 stories/85.5 feet	7 stories/85.5 feet + 1 stories/13.5 feet = 8 stories/99 feet
Mixed use	The number of stories are dependent upon underlying CLUP Map designation as provided above.		

The Board of Architects shall review all applications for compliance of the provisions of Section 28.9 and if the Board of Architects deems an application does not satisfy the provisions shall not award the Coral Gables Mediterranean Architectural Design bonus. The bonuses are awarded based upon the Board of Architectures determination that the application

satisfies the Coral Gables Mediterranean Architectural Design provisions in Section 28.9.

- (d) Total available bonus provisions within level 1 and 2. Bonuses are available in two levels as provided in Section 28.7 (b) and (c). The level 1 and 2 bonuses available in the above Sections 28.7 (b) and (c) shall only be granted if an application satisfies Section 28.7 (a),

Required Standards. Bonuses may be granted for only level 1 or bonuses can be granted cumulatively including level 1 and 2 bonuses. To secure Mediterranean Architecture bonuses, Level 2, as provided in Section 28.7(c), all provisions in Section 28.7 (a) and (b) and Section 28.9 shall be satisfied.

Sec. 28-8 - Other development options available with Level 1 and/or 2 bonuses.

- (a) Applications for bonuses may also utilize the following development options for Level 1 and/or Level 2 bonuses as is provided in Table 3:

Table 3. Other development options					
Number	Residential	Non-Residential	Mixed Use	Type	Options
1.		✓	✓	Building setback reductions.	Reduction in setbacks. Setbacks may be reduced to zero (0) foot setbacks on all property lines subject to the following standards: - Minimum open space. A minimum of 25% percent of the total ground stories square footage received from the setback reduction is provided as publicly accessible street level open space and landscape area on private property. - The minimum square footage of allowable ground stories open space (i.e. plazas) shall be 400 square feet. - Types of open space. Types of open space shall be in the form of courtyards, plazas, arcades/loggias, and pedestrian pass-throughs adjacent/contiguous to the adjacent rights-of-ways. - Applicants, property owner's, successors or assigns desiring to develop pursuant to these regulations may not seek a variance for relief or reduction in building setbacks. Reductions in setbacks are only permitted subject to these regulations.
2.		✓	✓	Encroachments for loggias and/or arcades located as a part of an adjacent building within rights-of-way.	Encroachments up to a maximum of 10 feet into public rights-of-way (not including alleys) may be permitted for the placement of a street level pedestrian arcade/loggia as a part of an adjacent building subject shall satisfy the following regulations: - Encroachment. The total amount of encroachment shall be evaluated based upon the total width of the contiguous rights-of-way. Rights of ways less than 60 feet or less may be approved for less than the maximum 10 feet. - Minimum percentage of open space. A minimum of 50% percent of the total ground stories square footage encroachment requested must be provided as publicly accessible open space and landscape area on private property. The open space is subject to the following: - 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. - Landscape. Include both hard and softscape landscape improvements and pedestrian amenities as defined herein. - Vertical volume. As a minimum include a vertical volume of space equal from street level to the first stories height or 18 feet, whichever is greater. Additional height may be recommended. - 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 review. Limitations of encroachments on corners of buildings may be required to control view corridors and ground stories building bulk and mass. - Vertical encroachment. Structure shall be limited to the following: 3 stories or 45 feet (whichever is less) on 60 foot rights-of-way. 1 stories 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. - All applicable costs for improvements and/or relocation to utilities, sanitary sewer, stormwater, and other associated infrastructure improvements as a result of the

Table 3. Other development options

Number	Residential	Non-Residential	Mixed Use	Type	Options
					request shall be the responsibility of the property owner. d. On street parking displaced as a result of the encroachment shall be provided as public parking spaces within the proposed development and compensation for the removed spaces shall be subject to the established City provisions. The building shall include City's public parking signage on the exterior portions of the building to clearly identify public parking spaces are available within the facility. The total number and location of the signage shall be determined at the time of application review. e. Any encroachments, construction and penetration into the right-of-ways shall be subject to the following: - The property owner's shall be responsible for all maintenance of all encroachments and/or property of all surrounding public right-of-ways, 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. - In the event that the owner or any assign and successor shall at any time after approval of the site plan fail to maintain the areas in reasonable order and condition in accordance with the approval, Zoning Code, City Code or other applicable local, state and federal requirements, the City shall implement appropriate measures pursuant to applicable City provisions. f. Encroachments and the total amount of encroachment shall require review and approval pursuant to applicable City provisions.
3.		✓	✓	Parking requirement exemption for Mediterranean Architectural Design buildings of 1.45 FAR or less (Central Business District only).	Any new building construction or restoration/renovation of a building located in the Central Business District which is designed as Coral Gables Mediterranean Architectural Design as provided for in Section 28.9 and satisfies all other provisions of this Article, may be exempted from off-street parking requirements if the FAR of such building(s) does not exceed 1.45. Property owners, successors and/or assigns shall be limited to the above use restriction in perpetuity. The above provisions shall be enforced via a restrictive covenant or other acceptable means as determined by the City Attorney, subject to City Attorney review and final approval prior to the issuance of a certificate of occupancy for the building.
4.	✓			Multi-family residential density bonus for Mediterranean Architectural Design buildings.	A 25 percent residential density bonus may be awarded to the permitted residential density if the proposed building is designed as Coral Gables Mediterranean Architectural Design as provided for in Section 28.9 and satisfies all other provisions of this Article.

- (b) The Board of Architects shall review and provide final determination of all applications desiring the utilize the above options. The above options are only available in association with level 1 and level 2 bonuses. The Board of Architects shall not grant the above unless an application satisfies all applicable bonus provisions of Section 28.7.

Sec. 28-9 - Coral Gables Mediterranean Architecture Design.

- (a) Coral Gables Mediterranean Architecture Design. All applications requesting Coral Gables Mediterranean Architecture Design bonuses shall be required to satisfy all of the following:
- Includes design elements and architectural styles of the following buildings as provided in Appendix A:
 - H. George Fink Offices, 2506 Ponce de Leon Boulevard.

- b. The Colonnade Building, 169 Miracle Mile.
 - c. Douglas Entrance, 800 Douglas Road.
 - d. Coral Gables Elementary School, 105 Minorca Avenue.
 - e. Granada Shops/Charade Restaurant, 2900 Ponce de Leon Boulevard (demolished).
 - f. San Sebastian Apartments, 333 University Drive.
 - g. Coral Gables City Hall, 405 Biltmore Way.
 - h. Biltmore Hotel, 1200 Anastasia Avenue.
2. Satisfies the City of Coral Gables Mediterranean Design Guidelines as provided in Appendix A.

Sec. 28-10 - Time limitation of approvals.

Application approval time limitation. Upon receipt of approval, applicants securing approval shall submit an application for building permit within 24 months of final approval. Failure to submit an application for building permit shall render the approval void and require resubmission of an application.

Sec. 28-11 - Reassessment of provisions.

These provisions shall remain in effect for a period of seven (7) years from the date of approval by the City Commission (03.23.04) at which time the City shall reevaluate the provisions for future amendments or elimination of the provisions.

Article 29.
CORAL GABLES COTTAGE REGULATIONS

Sec. 29-1 - Purpose.

The purpose of these regulations is to maintain the architectural quality and character of Coral Gables' traditional, small scale, residential neighborhoods by encouraging the preservation of the existing Coral Gables Cottage style houses. (3029, 3219)

Sec. 29-2 - Authority.

- (a) To achieve the above stated purpose, selected incentives are established herein which supersede the standard regulations for single-family residential development contained in other sections of this Zoning Code.
- (b) If not specifically addressed in this Section, the regulations and requirements of the underlying zoning district shall apply.
- (c) The Building and Zoning Department shall determine the eligibility of all Cottage properties seeking to qualify for incentives except those already identified on the Coral Gables Cottage Qualified Properties Map. In making their determination of eligibility, the Building and Zoning Department may seek the guidance of the Board of Architects and the Planning Department, particularly the Historic Preservation Department.
- (d) Proposed plans for additions and alterations shall be reviewed by both the Building and Zoning Staff and Planning Staff and their recommendations shall be transmitted to the Board of Architects together with the proposed plans for a determination on whether the incentives contained herein may be utilized. (3219)
- (e) No variances from this section, or the parking regulations, height regulations, or floor area factor requirements shall be permitted.

Sec. 29-3 - Definitions.

- (a) Coral Gables Cottage detached, single-family dwelling which is distinguished by its movement in plan, projections and recessions, asymmetrical arrangement of entrances, frequently employed surface ornament for embellishment, and at least

twelve (12) of the following specific features:

- 1. No greater than one and one-half (1½) stories in height.
 - 2. Coral rock or stucco finish.
 - 3. Combination roof type (e.g., gable, shed, hip or flat roof).
 - 4. Front porch.
 - 5. Projecting bay on front elevation.
 - 6. Masonry arches or arches springing from columns on front elevation.
 - 7. Decorative doorway surrounds.
 - 8. Decorative and/or predominant chimney.
 - 9. Detached garage to the rear of the property.
 - 10. Similar decorative features, parapet and/or roof slope on main house and detached garage.
 - 11. Porte-cochere or carport.
 - 12. Decorative wing walls.
 - 13. Barrel tile roof.
 - 14. Varied height between projecting and recessed portions of the front elevation.
 - 15. Vents grouped as decorative accents.
 - 16. Cast ornament and/or tile applied to front elevation.
 - 17. Built-in niches and/or planters.
 - 18. First floor above crawl space.
 - 19. Casement or sash windows.
 - 20. Loggias/arcade.
- (b) Cottage property: A building site which meets the requirements for eligibility as outlined in Section 29-5. (3219)

Sec. 29-4 - Applicability.

The provisions of this section may only be applied to the following: (3219)

- (a) Any property identified on the Coral Gables Cottage Qualified Properties Map.
- (b) Any existing development which meets the eligibility standards contained in Section 29-5, herein (as determined by the Building and Zoning Department).
- (c) Any existing development which, by virtue of proposed development plans, would return sufficient original features to the building to render it eligible as a

Coral Gables Cottage as outlined in Section 29-5.

Sec. 29-5 - Eligibility (existing development).

To qualify for the incentives contained in Section 29-6, the subject property must:

- (a) Be located north of Sunset Road.
- (b) Be zoned R, single-family residential.
- (c) Have a frontage no greater than sixty-five (65) feet.
- (d) Include a single-family dwelling built prior to 1940.
- (e) Include a single-family dwelling having at least twelve (12) of the features identified in the Coral Gables Cottage definition. (Section 29-3)

Sec. 29-6 - Incentives for existing development.

The following provisions may be utilized by qualified cottage properties in order to modify, alter or add to an existing Coral Gables Cottage, provided that the resulting changes made to the dwelling do not diminish its character or its status as a Coral Gables Cottage (as outlined in the eligibility criteria, Section 29-5).

- (a) Setbacks:
 - 1. New additions and alterations may utilize the same setbacks and extend as close to the property line as the main walls of the existing Coral Gable Cottage with the limitation that the addition/alteration may not be closer than two (2) feet, six (6) inches to the property line, and, when combined with all other existing structures may not result in the following: (3240)
 - a. side yard of less than 250 sq.ft.
 - b. front yard of less than 750 sq.ft.
 - c. rear yard of less than 150 sq.ft.
 - 2. Where existing setbacks meet current standards, a reduction in the setback requirement of up to twenty-five (25%) percent shall be permitted, with the same limitation outlined in subsection.
 - a. 1, above.
 - b. Ground Area Coverage: Coral Gables Cottages shall be permitted to occupy up to forty-eight (48%) percent of the building site. Auxiliary buildings or structures, whether

free standing or attached to the primary building, including swimming pools, may occupy additional site area provided, however, that the total ground area coverage for all structures shall not exceed fifty-eight (58%) percent of the site.

- c. Enclosed garages may be converted to living space or storage space subject to the following requirements:
 - (1) That a carport, porte-cochere or breezeway is provided for the storage of an automobile;
 - (2) That the converted garage may not be used as a rental unit.
- d. The landscape open-space requirement of thirty-five (35%) percent for single-family dwellings (Section 3-1(o)) may be reduced by five (5%) percent.

Sec. 29-7 - Eligibility (new construction).

(Deleted 1/14/97--Ordinance No. 3219).

Sec. 29-8 - Incentives for new construction.

(Deleted 1/14/97--Ordinance No. 3219).

Article 30.
DOWNTOWN OVERLAY DISTRICT.

Sec. 30 - Downtown Overlay District.

- (a) Legislative intent. The intent of this Section is to produce a District that promotes the goals, objectives, and policies of the City's Comprehensive Land Use Plan. The purpose of this Overlay District is to provide a set of comprehensive standards to be approved within the City's Downtown area. These standards are provided for the continuance and enhancement of the historic Downtown area as the functional and symbolic center of the City. The district is established in order to maintain the following objectives for the Downtown District:
1. Maintain the aesthetic, physical, historic and environmental character of Downtown Coral Gables.
 2. Provide continued protection for residential neighborhoods from incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.
 3. Promote and encourage pedestrian activities in Downtown Coral Gables by promoting the concepts of mixed-use development and pedestrian-friendly design alternatives.
 4. Limit building height, bulk, mass and intensity on Miracle Mile of large scale developments to promote compatibility with the existing low-rise scale of development in Downtown Coral Gables as it presently exists;
 5. Generate pride and confidence in the Downtown area.
 6. Protect property values through quality control.
- (b) Applicability. The Downtown Overlay District applies to the area bounded by the following streets: Douglas Road (SW 37 Avenue) on the East, LeJeune Road (SW 42 Avenue) on the West, Aragon Avenue and Merrick Way on the North, and Andalusia Avenue on the South.
- (c) Unless otherwise provided in this section, all provisions of applicable underlying

zoning district designations affecting individual property shall control use and development.

- (d) Overlay regulations. Within the area defined as the Downtown Overlay District, abutting or adjacent property owners having more than two-hundred (200) feet of frontage on Miracle Mile, containing more than twenty-thousand (20,000) square feet of combined lot area, and designated Commercial High-Rise Intensity pursuant to the Coral Gables Comprehensive Land Use Plan, shall be required to submit an application for site plan review, as provided below, and the subject properties shall be considered as if they were a single building site for all zoning code purposes and such application shall be subject to the following requirements:
1. The properties shall be designated High-Rise Intensity Commercial Land Use on the Comprehensive Land Use Plan Map from the right-of-way line of Miracle Mile north to Aragon Avenue and the right-of-way line of Miracle Mile south to Andalusia Avenue.
 2. The building height of the development of the properties shall be limited to not more than six (6) stories or seventy (70) feet of building height or, whichever is less, for properties from Miracle Mile to the centerline of the alley to the north or south of Miracle Mile.
 3. A minimum of ninety (90%) percent of the lot front facing Miracle Mile, at ground level, shall be storefronts limited to retail, restaurant, art galleries, personal service, 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. In the review of the site plan the Planning and Zoning Board shall determine that the site plan, as proposed, meets the general provisions of the Comprehensive Land Use Plan, Zoning Code and Code of Ordinances. The Board shall also determine that the project would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, do not tend to create fire or other equal or greater dangerous hazards, when considering the reasonableness of such use in relation to the present and future development of the area concerned and the compatibility of the development use with such area and its development.

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. Said covenant shall be approved for form and

sufficiency by the City Attorney, prior to the hearing before the Planning and Zoning Board for the site plan and within ninety days (90) after approval of the site plan by the City Commission. It shall be executed by all parties and recorded in the public records of Miami-Dade County at the sole cost and expense of the owners. Such Covenant shall be in accordance with the provisions of Section 21-21(b) and specifically with sections (c), (d), (e), (f), (g), (h) and (l), subject to approval by the Planning and Zoning Board. Further, in the event of multiple Owner(s) subsequent to the site plan approval, the subsequent Owner shall be permitted to file a Covenant in Lieu of Unity of Title with the City, subject to review and approval by the City Attorney for legal form and sufficiency. Such Covenant shall be in accordance with the provisions of Section 21-21(b) and specifically with sections (c), (d), (e), (f), (g), (h) and (l), and subject to the provisions provided herein: The Restrictive Covenant in Lieu of Unity of Title shall run with the land and be binding upon the heirs, successors, personal representatives and assigns, and upon all mortgages and lessees and others presently or in the future having any interest in the property.

7. Applicability. Alterations, expansions, renovations, and similar improvements of existing structures shall, to the extent feasible, conform to the requirements of this article and all regulations of the City.

Article 31. HISTORIC PRESERVATION

Sec. 31-1 - Miscellaneous fees.

Provide for setting miscellaneous fees for the purpose of processing certain applications and procedures in connection with Article 31, with such fees to be established and adjusted, from time to time, by the City Commission.

Sec. 31-2 - Guidance standards and review procedures for preservation of historic landmarks and historic landmark districts.

Sec. 31-2-1 - Purpose.

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

Sec. 31-2-2 - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Addition means a construction project located on the exterior of an historic building, structure, or property.

Alteration means any change affecting the exterior appearance of an existing improvement by additions, reconstruction, remodeling, partial demolition or maintenance involving change in color form, texture or materials, or any such changes in appearance of specially designated interiors.

Applicant means an individual or group who provides sufficient written information to the Historical Resources Department staff to ascertain that the property meets the minimum eligibility requirements for local historic designation or in the case of a request for a Certificate of Appropriateness the property owner, or authorized representative of the property owner.

Archaeological site means a single specific location which has yielded or is likely to yield information on local history or prehistoric history. Archaeological sites may be found within historic sites or historic districts.

Archaeological zone means a geographically defined area, designated pursuant in this article, which may reasonably be expected to yield information on local history or prehistoric history based upon broad prehistoric or historic settlement patterns and including items such as clothing, buckles, pottery and house wares.

Board means the Historic Preservation Board.

Building means a structure or an edifice designed to stand permanently and intended for use, occupancy or ornamentation.

Certificate of Appropriateness means a written document, issued pursuant to this article, permitting specified alterations, demolitions, additions, or other work to a designated historic landmark or contributing or non-contributing building within a designated historic landmark district.

Standard Certificate of Appropriateness means those certificates based on such specific guidelines and standards as may be officially adopted by the Historic Preservation Board and for which issuance has been authorized by such board upon findings by the board's staff that

proposed actions are in accord with such official guidelines and standards.

Special Certificate of Appropriateness means those certificates involving the demolition, removal, reconstruction, alteration or new construction, alteration or new construction at an individual site or in a district, which requires determination by the Historic Preservation Board before such certificate can be issued.

Certified Local Government (CLG) means a program administered by the U.S. Department of the Interior which enables communities to have a more direct part in the federal historic preservation program.

Contributing building or property means a building or property contributing to the historic significance of a district which by location, design setting, materials, workmanship, and association adds to the districts sense of time, and place, and historic development.

Coral Gables Register of Historic Places means a listing of the properties within the City that have been designated as local historic landmarks or local historic landmark districts.

Demolition means the act or process of wrecking, destroying, or removing any building or structure or any part thereof.

Designated exterior means all outside surfaces of any improvement listed in the designation report as having significant value to the historic character of the building, structure or district.

Designation report means a document prepared by the historic landmark officer for all properties or districts which are proposed for local historic designation. The designation report includes the boundaries of the proposed historic property or district, a summary of its historic significance, and contains location maps and a review guide which describes the physical characteristics of the property or district.

Excavation means the removal or shifting of earth from its original position.

Exterior means all outside surfaces of any building or structure.

Historic landmark means any site, building, structure, landscape feature, improvement, or

archaeological site, which property has been designated as an historic landmark pursuant to procedures described in this article.

Historic landmark district means a geographically defined area possessing a significant concentration, linkage, or continuity of landmarks, improvements, or landscape features united by historic events or aesthetically by plan or physical development, and which area has been designated as an Historic Landmark pursuant to procedures described in this article; said district may have within its boundaries non-contributing buildings or other structures that, while not of such historic and/or architectural significance to be designated as landmarks, nevertheless contribute to the overall visual character of the district.

Historic landmark officer means the historic landmark officer as provided for herein or his/her officially authorized representative.

Historic Preservation Board means a board consisting of residents of the City.

Historic survey means the results of a systematic process of identifying significant buildings, sites and structures through visual reconnaissance and research for compilation in the Florida Master Site File maintained by the Bureau of Historical Resources, Tallahassee, Florida.

Improvement means any building, structure, fence, gate, wall, walkway, parking facility, light fixture, bench, fountain, sign, work of art, earthworks, or other manmade objects constituting a physical betterment of real property, or any part of such betterment.

Landscape feature means any improvement or vegetation including, but not limited to, outbuildings, walls, courtyards, fences, shrubbery, trees, sidewalks, planters, plantings, gates, street furniture and exterior lighting.

Multiple property nomination means a group of related significant properties which share common themes, and are organized by historic contexts and property types.

National Register of Historic Places means a federal listing maintained by the U.S. Department of the Interior of buildings, sites, structures, and districts that have attained a

quality of significance as determined by the historic preservation act of 1966, as amended.

Noncontributing building or property means a building or property which does not add to the district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship, and association have been so altered or have so deteriorated that the overall integrity of the building has been irretrievably lost. Unless otherwise specified, exterior alterations, additions, demolitions, etc. to non-contributing structures or properties within historic landmark districts shall be reviewed and approved by the Historic Preservation Board and/or Historical Resources Department.

Ordinary maintenance or repair means any work for which a building permit is not required by law, where the purpose and effect of such work is to correct any physical deterioration or damage of an improvement, or any part thereof by restoring it, as nearly as practical, to its appearance prior to the occurrence of such deterioration or damage.

Reconstruction means the process of reproducing by new construction the exact form and detail of a demolished building, structure or object as it appeared at a certain point in time.

Rehabilitation means the process of repairing or altering an historic building or structure so that an efficient contemporary use is achieved, while preserving those significant, historical architectural or cultural features which establish the character of the property.

Relocation means the act of preserving an historic structure which cannot remain on its existing site by physically moving it to a new location.

Restoration means the act of accurately recovering the form and details of a property as it appeared at a particular period of time, which may involve the removal of later additions or alterations, or the replacement of missing features.

Review guide means the component of the designation report prepared by the historic landmark officer, which lists some of the more prominent features, which contribute to the overall character of a structure and/or district.

The review guide may be used to address the impact of new construction, additions, modifications, alterations, and/or renovations which may become the subject of some future Certificate of Appropriateness or to address the existing physical characteristics, and may be used to determine whether or not elements which create the character of the structure and/or district are present, or whether subsequent changes to the property have rendered it ineligible for listing.

Secretary of the Interior's Standards for Rehabilitation (Revised March, 1990) means measures which provide guidance on the sensitive rehabilitation of an historic property. The ten (10) standards generally address design issues which include: character defining elements; changes which have occurred over the course of the property's history; desirable approaches to the repair of damaged features; appropriate cleaning methods; archaeological resources; and new construction in connection with an historic property.

Structure means a combination of materials to form a construction for use, occupancy, or ornamentation, whether installed on, above, or below the surface of land or water.

Transfer of development rights (TDR) means the transfer of unused development rights or undeveloped floor area from lots containing a designated historic landmark or within a designated historic landmark district in order to encourage historic preservation and to provide an economic incentive to property owners.

Undue economic hardship means an exceptional financial burden that would amount to the taking of property without just compensation, or failure to achieve a reasonable economic return in the case of income producing properties. The evidence and testimony needed to establish an undue economic hardship is specified in Section 31-5.9.

Sec. 31-2-3 - Appointment, duties of officer.

The City Manager shall appoint a person to serve as historic landmark officer to serve as secretary to the Historic Preservation Board. The appointee shall be experienced and knowledgeable in respect to architectural history, local history, landscape materials, site

planning and land use regulations. The historic landmark officer shall:

- (a) Schedule meetings of the Historic Preservation Board, prepare agendas and ensure that proper notice is carried out by persons or departments assigned to such duties.
- (b) Prepare designation reports, which establish and define the historic significance and character of the proposed designated historic landmarks and historic landmark districts and all other items as described in Section 31-2.4 et seq., for designation reports under this article.
- (c) Prepare national register of historic places nomination proposals.
- (d) Provide applicable advice, standards, guidelines and procedures to prospective applicants for certificates of appropriateness for historic landmarks and historic landmark districts.
- (e) Upon receipt of a complete application for a Certificate of Appropriateness for a designated historic landmark and for properties within an historic landmark district, review such application, which may include a field check of the site and referral to other departments or agencies as necessary, to determine any adverse effect upon the public welfare; and approve or deny standard certificates of appropriateness.
- (f) Maintain and update an official inventory and map delineating historic landmarks and a photographic documentation of all officially designated historic landmarks and historic landmark districts.
- (g) Prepare summary reports of all decisions on applications for all certificates of appropriateness for designated historic landmarks and historic landmark districts including criteria and conditions for approval or denial.
- (h) Issue all approved certificates of appropriateness for designated historic landmarks and for properties within historic landmark districts.
- (i) Review and approve all final development plans for designated historic landmarks and historic landmark districts, for compliance with terms and conditions of applicable certificates of appropriateness, prior to issuance of any building permit.
- (j) Work with state, county, other local governments, other city departments, public agencies, and private groups as

required to provide a continuing effort to protect and preserve significant elements of the manmade and the natural environment through public education and encouragement of sound conservation policies.

- (k) Complete assignments as directed by the City Manager as it relates to historic preservation.

Sec. 31-2-4 - Designation of historic landmarks--Criteria.

In order to qualify as a local historic landmark or local historic landmark district, individual properties must have significant character, interest or value as part of the historical, cultural, archaeological, aesthetic, or architectural heritage of the city, state or nation. For a multiple property nomination, eligibility will be based on the establishment of historic contexts, of themes which describe the historical relationship of the properties. The eligibility of any potential local historic landmark or local historic landmark district shall be based on meeting one (1) or more of the following criteria:

- (a) Historical, cultural significance:
 - 1. Is associated in a significant way with the life or activities of a major historic person important in the past; or
 - 2. Is the site of an historic event with significant effect upon the community, city, state, or nation; or
 - 3. Is associated in a significant way with a major historic event whether cultural, economic, military, social, or political; or
 - 4. Exemplifies the historical, cultural, political, economic, or social trends of the community; or
 - 5. Is associated in a significant way with a past or continuing institution, which has contributed, substantially to the life of the City.
- (b) Architectural significance:
 - 1. Portrays the environment in an era of history characterized by one (1) or more distinctive architectural styles; or
 - 2. Embodies those distinguishing characteristics of an architectural style, or period, or method of construction; or
 - 3. Is an outstanding work of a prominent designer or builder; or

4. Contains elements of design, detail, materials or craftsmanship of outstanding quality or which represent a significant innovation or adaptation to the South Florida environment.
- (c) Aesthetic significance:
1. By being a part or related to a subdivision, park, environmental feature, or other distinctive area, should be developed or preserved according to a plan based on a historical, cultural, or architectural motif; or
 2. Because of its prominence of spatial location, contrasts of sitting, age, or scale, is an easily identifiable visual feature of a neighborhood, village, or the city and contributes to the distinctive quality or identity of such neighborhood, village, or the city. In case of a park or landscape feature, is integral to the plan of such neighborhood or the city.
- (d) Archaeological significance: Has yielded or may be likely to yield information important in prehistoric history or history.
- (e) Criteria considerations: Ordinarily cemeteries, birthplaces, or graves of historical figures, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past fifty (50) years shall not be considered eligible for the Coral Gables Register of Historic Places. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories.
1. A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with an historic person or event; or
 2. A birthplace or grave of an historical figure of outstanding importance if there is not appropriate site or building directly associated with his or her productive life; or
 3. A cemetery which derives its primary significance from graves of persons of transcendent importance, from

age, from distinctive design features, or from association with historic events; or

4. A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and no other building or structure with the same association has survived; or
5. A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance; or
6. A property achieving significance within the past fifty (50) years if it is of exceptional importance.

Sec. 31-2-5 - Procedures.

Properties which meet the criteria for local historic landmarks and local historic landmark districts set forth in Section 31-2-4 shall be designated according to the following procedures:

- (a) Proposals for designation of potential local historic landmarks and local historic landmark districts:
 1. Proposals for designation of potential local historic landmarks and local historic landmark districts may be submitted to the Historical Resources Department for recommendation to the Historic Preservation Board by any citizen who provides information, which illustrates that the property meets the criteria for listing as set forth in Section 31-2-4. The information submitted must include sufficient preliminary information to enable the staff's review for an initial determination that the property meets the minimum eligibility criteria. The proposal shall include a legal description of the property and a statement explaining its historic, cultural, aesthetic or architectural significance. In addition to furnishing any necessary information, the applicant may be required to pay applicable fees, if any. If the department's initial determination is that the property does not meet the minimum eligibility criteria for listing, the applicant may present the

- proposal for designation to the Historic Preservation Board; or
2. Directive of the Board: The Board may, upon the recommendation from staff or any citizen who pursuant to Part (1) of this section, direct staff to begin the designation process by preparing a designation report pursuant to Part (3) of this section and any other standards the Board may deem necessary, submitting this report to the procedures described herein, and arranging for a public hearing before the Historic Preservation Board on this matter.
 3. Whenever a determination is made by either the Director of the Historical Resources Department or the Historic Preservation Board that an application for historic designation shall proceed to public hearing as provided herein, a demolition permit shall not be issued until the public hearing is held and a determination made on the subject designation. In the case where an owner seeks to demolish the property the public hearing shall be held at the next regularly scheduled meeting if the provided statutory notice is complied with at which time the provisions of this article shall apply.
- (b) Preparation of historic landmark designation report. For every proposed designated historic landmark and historic landmark district, the historic landmark officer shall prepare a designation report, which shall be presented to the board at a regularly scheduled meeting. The report shall contain the following:
1. Proposed boundaries. Boundaries for individual historic sites shall generally include the entire property or tract of land, unless such tract is so large that portions thereof are visually and functionally unrelated to any significant historic improvement. Proposed historic district boundaries shall, in general, be drawn to include all appropriate properties reasonably contiguous within an area and may include noncontributing properties which individually do not conform to the historic character of the district, but which require regulation in order to control potentially adverse influences on the character and integrity of the district. Where reasonably feasible, historic district boundaries shall include frontage on both sides of streets and divide the proposed historic landmark districts from other zoning districts in order to minimize interdistrict frictions. Archaeological zone boundaries shall generally conform to natural physiographic features, which were the focal points for prehistoric and historic activities.
 2. Optional internal boundaries. Internal boundaries may subdivide an historic landmark district into sub areas and transitional areas as appropriate for regulatory purposes. If a proposed historic landmark or historic landmark district is visually related to the surrounding areas in such a way that actions in the surrounding area would have potentially adverse environmental influences on its character and integrity, proposed boundaries for such transitional areas may be included within the historic landmark or historic landmark district.
 3. Detailed regulations. Every historic landmark and historic landmark district may be assigned a set of detailed zoning district regulations. Such regulations may be designed to supplant or modify any element of existing zoning regulations, including but not limited to the following: use, floor area ratio, density, height, setbacks, parking, minimum lot size, and transfer of development rights, or create any additional regulations provided for in this section. The zoning amendment may identify individual properties, improvements, landscape features, or archaeological sites, or categories or properties, improvements, landscape features, or archaeological sites for which different regulations, standards and procedures may be required.
 4. Significance analysis. A report shall be submitted establishing and defining the historic significance and character of the proposed historic landmark or historic landmark

- district, setting forth the criteria upon which the designation of the historic landmark, or historic landmark district, and its boundaries are based, and describing the improvements and landscape features of public significance, present trends and conditions, and desirable public objectives for future conservation, development, or redevelopment. The report shall include a review guide which identifies the major exterior features of any improvements or landscape features which contribute significantly to the historic character of the historic landmark site or historic landmark district. A designation report for an historic landmark shall also contain a location map and photographs of all designated exterior surfaces (and interior if applicable).
5. Optional designation of interiors. Normally interior spaces shall not be subject to regulation under this section; however, in cases of existing structures having exceptional architectural, artistic, or historical importance, interior spaces which are customarily open to the public may be specifically designated. The designation report shall describe precisely those features subject to review and shall set forth standards and guidelines for such regulations.
- (c) Procedures for notification and hearings on proposed designation. The board shall hold a public hearing with notification as follows:
1. Notification of owners. For each proposed designation of an historic landmark or historic landmark district, the Historical Resources Department is responsible for mailing a copy of the designation report and a courtesy notice of public hearing to all property owners of record whose properties are located within the boundaries of the designation. This notice shall serve as notification of the intent of the board to consider designation of the property at least ten (10) days prior to a public hearing held pursuant to this section. However, failure to receive such courtesy-notice shall not invalidate the same. The property shall be posted at least ten (10) days prior to the hearing.
 2. Notification of public hearing. For each historic landmark and historic landmark district, proposed for designation, a public hearing shall be held within sixty (60) days from the date a designation report has been presented to the board. All property owners within a one thousand-foot radius of the historic landmark or historic landmark district proposed for designation shall be provided a courtesy notice of the public hearing by mail to the last known address of the party being served; however, failure to receive such notice shall not invalidate the same as such notice shall also be given by publishing a copy thereof in a newspaper of general circulation in the city and the county at least ten (10) days prior to the hearing. All interested persons shall be given an opportunity to be heard at the public hearing on the proposed designation. All property being considered by the Historic Preservation Board for historic designation shall be posted at least ten (10) days in advance of the public hearing. Such posting shall consist of a sign, the face surface of which shall be not be larger than forty (40) square inches and shall contain the following language: NOTICE, HISTORIC PRESERVATION BOARD, PUBLIC HEARING, PHONE:____, HEARING DATE:____, HEARING NO:____.
 3. Decision of the board. If after a public hearing the board finds that the proposed local historic landmark or proposed local historic landmark district meets the criteria set forth in Section 31-2.4, it shall designate the property as a local historic landmark or local historic landmark district. All decisions of the board shall be by Resolution.
 4. Notification of the board actions. The historic landmark officer shall provide a courtesy notice to the following of

its action with a copy of the Resolutions:

- a. Building and Zoning Department.
 - b. Planning Department.
 - c. City Clerk.
 - d. Public Works Department.
 - e. Owners of affected property and other parties having an interest in the property, if known.
 - f. Any other municipal agency, including agencies with demolition powers that may be affected by this action.
5. Moratorium.
- a. In addition to the provisions provided herein, upon the filing of a designation report by the staff, the owner(s) of the real property which is the subject matter of the designation report or any individual or private or public entity shall not:
 - i. Erect any structure on the subject property, or
 - ii. Alter, restore, renovate, move or demolish any structure on the subject property until such time as a final administrative action, as provided by this article, is completed.
 - b. Said moratorium shall expire when:
 - i. The Historic Preservation Board determines that the property is not significant and an appeal to the City Commission is denied; or
 - ii. An appeal to the City Commission for the designation of the property is upheld; or
 - iii. A Certificate of Appropriateness is issued subject to the conditions herein.
6. Historical landmark or historic landmark district designation. Where consideration of an historic landmark or historic landmark district designation is required by Section 31-2.4, actions and procedures shall be in conformance with the

standards as provided in the "Zoning Code" of Coral Gables.

7. Adoption of historical landmarks and historic landmark district designation. The Historic Preservation Board may by resolution designate historic landmarks and historic landmark districts.
8. Recording of designation. The City Clerk shall provide the circuit court clerk with all designations for the purpose of recording such designations in the public record.
9. Appeal of designation. All decisions of the Historic Preservation Board shall be by Resolution. Within fourteen (14) days from the date of such decision, any resolution of the Historic Preservation Board may be appealed to the City Commission, as provided for under Section 26-2 of the Coral Gables Zoning Code, otherwise the Resolution will be final.

Sec. 31-2-6 - Procedures for review of national register properties.

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

- (a) The historic landmark officer will, within thirty (30) days after receipt of a national register nomination, determine whether the nomination is technically complete and notify the nomination's sponsor of such determination.
- (b) If the nomination is technically complete, the historic landmark officer shall, at least thirty (30) days but not more than seventy-five (75) days prior to the Historic Preservation Board meeting at which the proposal is to be considered, notify the following:
 1. Owner(s) of record; and
 2. Appropriate local official(s).
- (c) Nomination proposals to be considered by the Historic Preservation Board shall be on file in the office of historic preservation for at least thirty (30) days but not more than seventy-five (75) days prior to the board meeting at which they will be considered. A copy shall be made available by mail when requested by the public and shall be made available at a location of reasonable

local public access so that written comments regarding a nomination proposal can be prepared.

- (d) Nomination proposals shall be considered by the Historic Preservation Board at a public hearing, and all votes shall be recorded and made part of the permanent record of that meeting. All nomination proposals shall be forwarded, with a record of official action taken by the board and the recommendation of the appropriate local officials, to the state historic preservation officer within thirty (30) days of the board meeting at which they were considered. If either the Historic Preservation Board or appropriate local officials or both support the nomination, the state historic preservation officer shall schedule the nomination for consideration by the Florida Review Board of the National Register as part of the normal course of business at the next regular meeting.
- (e) If both the Historic Preservation Board and appropriate local officials recommend that a property not be nominated to the national register, the state historic preservation officer shall take no further action on the nomination unless an appeal is filed with the state historic preservation officer. Any reports and recommendations that result from such a situation shall be included with any nomination submitted by the state historic preservation officer to the U.S. Secretary of the Interior.
- (f) Any person or organization which supports or opposes the nomination of a property to the national register shall be afforded the opportunity to make its views known in writing. An owner or owners of a private property who wish to object to the nomination shall provide the Historic Preservation Board with a notarized statement certifying that the party is the sole or partial owner of the property as appropriate. All correspondence regarding a nomination proposal shall become part of the permanent record concerning that proposal and shall be forwarded with approved proposals to the state historic preservation officer.
- (g) Appeals. Any person may appeal the decision of the Historic Preservation Board in its review of national register nominations. Appeals should be directed to the state historic preservation officer in

writing within thirty (30) days of the decision of the Historic Preservation Board. Nominations or proposals which have been appealed shall be considered by the Florida Review Board for the National Register as part of the normal course of business at its next regular meeting. If the opinion is that the property or properties is or are significant and merit nomination to the national register, the state historic preservation officer shall notify the City's Historic Preservation Board within thirty (30) days of the national register review board meeting of its intent to forward the nomination to the national register with a recommendation that the property or properties be listed.

Sec. 31-3 - Historic Preservation Board.

Sec. 31-3-1 - Established.

A Historic Preservation Board is hereby created and established in and for the City.

Sec. 31-3-2 - Composition, qualification of members.

- (a) The Historic Preservation Board shall consist of nine (9) members, to be confirmed by the City Commission; One (1) member shall be appointed by each member of the City Commission; two (2) citizen at large members shall be appointed by the commission-as-a-whole; one (1) member shall be appointed by the City Manager; and one (1) member shall be a citizen-at-large appointed by the board as a whole.
- (b) The six appointments made to the board by the City Commission and the City Manager shall include one (1) each of the following professions:
 - 1. One (1) architect or preservation architect registered in the state.
 - 2. One (1) historian or architectural historian.
 - 3. One (1) certified planner or registered landscape architect.
 - 4. One (1) professional in the field of real estate, development, or licensed general contractor.
 - 5. One (1) attorney-at-law.
- (c) It is intended that the members of the Historic Preservation Board established by this section shall be persons of knowledge,

experience, mature judgment, and background, having ability and desire to act in the public interest and representing insofar as may be possible the various special professional training, experience, and interests required to make informed and equitable decisions concerning conservation and protection of the physical environment.

- (d) Each member of the board shall be a resident of the City during the term of his appointment, and also for at least five (5) years prior to appointment unless waived by a four fifths (4/5) vote of the City Commission.
- (e) Special advisors may be appointed by the City Commission upon recommendation by the Historic Preservation Board.

Sec. 31-3-3 - Terms.

- (a) The initial terms of the three (3) citizen-at-large members of the board first appointed shall expire on May 31, 1986. The initial term of the six (6) professional members first appointed shall expire on May 31, 1985. The terms of all members, thereafter, shall be two (2) years.
- (b) Any member may be removed for cause by a majority vote of the City Commission. Appointments for replacement of any member due to death, resignation, or removal shall be made by the City Commission and shall be for the unexpired term.

Sec. 31-3-4 - Organization.

The members of the Historic Preservation Board shall elect one (1) of its members to serve as chairperson for a period of one (1) year, but not later than May 31st of the year following the date of appointment. Nothing shall prevent the board from naming a chairperson for a successive term. The historic landmark officer or his/her representative shall serve as secretary to the board with no voting capability.

Sec. 31-3-5 - Meetings, records.

The Historic Preservation Board shall be required to hold regular meetings but may also hold special meetings as the board may determine, or at the call of the chairperson or the secretary thereof, for consideration of business before the board. All meetings of the board shall

be open to the public. The time and place of the meetings, and the order of business and procedure to be followed at the meetings, shall be as prescribed by the board. Five (5) members of the board shall constitute a quorum and an affirmative vote equal to the majority of the full board shall be necessary for the adoption of any motion thereof. The board shall keep minutes and records of all meetings and proceedings including voting records, attendance, resolutions, findings, determinations, and decisions. Such records shall be filed in Historical Resources Department and shall be open for public inspection.

Sec. 31-3-6 - Compensation.

The members of the Historic Preservation Board shall serve without compensation but shall be reimbursed for expenses necessarily incurred in the performance of their duties subject to the prior approval of the City Commission.

Sec. 31-3-7 - Funding.

The City Commission shall appropriate funds in the budget to the Historic Preservation Board for expenses necessary in the conduct of its functions and responsibilities. The Historic Preservation Board may, in order to accomplish the purposes and activities required by this article, recommend to the City Manager to expend all sums so appropriated and other sums made available for use from fees, gifts, state or federal grants and other sources, provided acceptance of loans or grants shall be approved by the City Commission.

Sec. 31-3-8 - Rules and regulations.

The Historic Preservation Board shall make and prescribe such rules and regulations reasonably necessary and appropriate for the proper administration and enforcement of the provisions of this article and shall not conflict with the constitution and general laws of the state, nor the City Charter, and shall govern and control procedures, hearings and actions of the board. No rules and regulations shall become effective and until a public hearing has been held before the board upon the proposed rules and regulations, and any amendments or modifications thereto, and the same have been approved by the City Commission and filed with the City Clerk. Upon approval by the City Commission, such rules and regulations shall

have the force and effect of law within the City. The Historical Resources Department shall prescribe forms for use by applicants in compliance with the provisions of this article.

Sec. 31-3-9 - Functions, powers, and duties generally.

The Historic Preservation Board, in addition to such other powers, duties and authority as may be set forth elsewhere in this Code or in any other ordinance of the City shall have the following powers and duties:

- (a) Maintain and update files from any previously accomplished historic survey within the City for the purpose of identifying and conserving those sites, districts and zones of special historic, aesthetic, architectural, archaeological, cultural, social, or political value or interest. It shall endeavor to improve and expand the survey with additional sites, documentary information, oral histories, and other such materials as may become available; and to periodically reevaluate the survey to determine whether changing times and values warrant recognition of new or different areas of significance.
- (b) Approve regulate and administer properties for designation as historic landmarks and historic landmark districts.
- (c) As a Certified Local Government, participate in the national register program for properties within its jurisdiction as directed by the Code of Federal Regulations, Title 36, Part 61, and Section 31-2.6 of this Article.
- (d) Serve as a quasi-judicial instrument to approve or deny certificates of appropriateness pursuant to Section 31-4. The Historic Preservation Board shall also determine the types of applications, which shall be reviewed as standard certificates of appropriateness by the historic landmark officer.
- (e) Recommend zoning and building code amendments to the City Commission for referral, if they deem feasible to the Planning and Zoning Board.
- (f) Vary, waive, or supersede provisions of the Zoning Code when appropriate as a means of encouraging significant historic preservation.
- (g) Determine whether an historic landmark destroyed by fire or other natural disaster should be reconstructed. If so, the board

may recommend to the City Commission that an exception to the Zoning Code or City Code be granted, and/or make recommendations to the Local Planning Agency (LPA) with regard to a Change in Land Use, pursuant to Section 31-4.18.

- (h) Exercise the authority to grant certificates of transfer of development rights in accordance to procedures set forth.
- (i) Make recommendations to the City Commission concerning the transfer of development rights, façade easements and the imposition of other restrictions, and the negotiations of historical property contracts for the purposes of historic preservation.
- (j) Maintain a record of unique historically or archaeologically significant sites, districts or zones within the City.
- (k) Increase public awareness of the value of historic conservation by developing and participating in public information programs.
- (l) Make recommendations to the City Commission concerning the utilization of grants from federal and state agencies or private groups and individuals, and utilization of City funds to promote the preservation of archaeologically, historically and aesthetically significant sites, districts and zones.
- (m) Evaluate and comment upon decisions of other public agencies affecting the physical development and appearance of archaeologically, historically and aesthetically significant sites, districts and zones.
- (n) Contact public and private organizations and individuals and endeavor to arrange intervening agreements to ensure preservation of archaeologically, historically or aesthetically significant sites, districts and zones for which demolition or destruction is proposed.
- (o) In the name of the City and with the approval of the City Commission, apply for, solicit, receive, or expend any federal, state, or private grant, gift, or bequest of any funding, property, or interest in property in furtherance of the purposes of historical, archaeological, and heritage conservation.
- (p) Approve historic markers and plaques and issue recognition to designated historic landmarks and historic landmarks districts within the City.

- (q) Advise the City Commission on all matters related to the use, administration and maintenance of City-owned designated historic landmarks and historic landmark districts.
- (r) Any other function, which may be designated by resolution of the City Commission.

Sec. 31-4 - Certificate of appropriateness.

Sec. 31-4-1 - Required.

No building, structure, improvement, landscape feature, or archaeological site within the City, which has been designated an historic landmark or historic landmark district, shall be erected, altered, restored rehabilitated, excavated, moved, or demolished until an application for a Certificate of Appropriateness regarding any architectural features, landscape features, or site improvements has been submitted and approved pursuant to the procedures in this article. For reconstructed buildings which have been permitted pursuant to Section 31-4.18, the provisions of this section shall still apply. Architectural features shall include, but shall not be limited to the following: architectural style, scale, massing, siting, general design and general arrangement of the exterior of the building or structure, including the type, style and color of roofs, windows, doors, and appurtenances. Architectural features shall include, when applicable, interior spaces where interior designation has been given pursuant to Section 31-2.4. Landscape features and site improvements shall include, but shall not be limited to the following: site regrading, subsurface alterations, fill deposition, paving, landscaping, walls, fences, courtyards, signs, and exterior lighting. No Certificate of Appropriateness shall be approved unless the architectural plans for such construction alteration, excavation, restoration, rehabilitation, relocation, or demolition are approved by the board. Unless otherwise specified, exterior alterations to non-contributing structures or properties within historic landmark districts shall be reviewed and approved by the Historic Preservation Board and/or Historical Resources Department.

Sec. 31-4-2 - Guidelines for review.

The Historic Preservation Board shall adopt the U.S. Secretary of the Interior's standards for rehabilitation as the standards by which applications for any Certificate of Appropriateness are to be measured and evaluated. In adopting these guidelines, it shall be the intent of the board to promote maintenance, restoration, adaptive reuses appropriate to the property, and compatible contemporary designs which are harmonious with the exterior architectural and landscape features of neighboring buildings, sites and streetscapes. These guidelines shall also serve as criteria for staff to make decisions regarding applications for standard certificates of appropriateness. From time to time, the board may adopt additional standards to preserve and protect special features unique to the City. Unless otherwise provided in the Certificate of Appropriateness, both Standard and Special Certificates of Appropriateness shall expire after two years if no building permit is issued. Staff may grant an extension of up to an additional 180 days for restoration or rehabilitation work subject to the following:

- (a) Request for the extension is submitted in writing to the Historical Resources Department.
- (b) The work completed is consistent with the approved scope of work.

Sec. 31-4-3 - Forms.

Applications for Certificates of Appropriateness must be made on forms approved and provided by the Historical Resources Department.

Sec. 31-4-4 - Delegation of review authority.

The Historic Preservation Board may delegate to the historic preservation officer the authority to review and grant Standard Certificates of Appropriateness with referral to the board and without a public hearing in the cases of certain applications which the board shall determine in advance.

Sec. 31-4-5 - Preapplication conference.

Before submitting an application for a Certificate of Appropriateness, an applicant shall confer with the historic landmark officer to obtain information and guidance before entering into

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

Sec. 31-4-6 - Standard certificate.

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

Sec. 31-4-7 - Special certificates.

- (a) An applicant for a Special Certificate of Appropriateness, whether for alteration, addition, restoration, renovation, excavation, moving or demolition, shall submit his application to the Historic Preservation Board accompanied by full plans and specifications, site plan, and samples of materials as deemed appropriate by the board to fully describe the proposed appearance, color, texture or materials, and architectural design of the building and any outbuilding, wall, courtyard, fence, landscape feature, paving signage, and exterior lighting. The applicant shall provide adequate

information to enable the board to visualize the effect of the proposed action on the applicant's building and its adjacent buildings and streetscapes. If such application involves a designated archaeological zone, the applicant shall provide full plans and specifications of work that may affect the surface and subsurface of the archaeological site. An applicant may apply for an accelerated Certificate of Appropriateness that is reviewed by the Historic Preservation Board at the same meeting as the public hearing for designation of the subject property.

- (b) The Building and Zoning Department shall review all plans for alterations, additions, restoration or renovation of Historic Landmarks prior to the applicant's submission for a Special Certificate of Appropriateness and shall report any variance items in connection with the proposed construction to the Historical Resources Department.
- (c) In the event the applicant is requesting a special certificate for demolition, the board shall be provided with the details for the proposed disposition of the site. The board may require architectural drawings of any proposed new construction.
- (d) An applicant requesting a Special Certificate of Appropriateness for a reconstructed building, whether for alteration, addition, restoration, renovation, excavation, moving or demolition shall follow the same process to receive the board's approval. A reconstructed building will be clearly identified for the public.
- (e) A public notice of a request for a Special Certificate of Appropriateness shall be published one (1) time in a newspaper of general circulation published in the City of Coral Gables, or in Miami-Dade County, Florida, at least ten (10) days prior to the date of such hearing. All such notices published in a newspaper shall state in substance the request and shall give the date, time, and place of the public hearing. All properties being considered by the Historic Preservation Board for a request for a Special Certificate of Appropriateness shall be posted at least ten (10) days in advance of the public hearing. Such posting shall consist of a sign, the face surface of which shall be not be larger than forty (40) square inches and shall

contain the following language: NOTICE,
HISTORIC PRESERVATION BOARD,
PUBLIC HEARING, PHONE:____,
HEARING DATE:____, HEARING
NO:_____.

- (f) The posting of the property shall comply with Sections 24-6(2)(b) through 24-6(2)(e) as amended of the Zoning Code inclusive.

Sec. 31-4-8 - Decision of the board.

The decision of the Historic Preservation Board shall be based upon the guidelines set forth in Section 31-4.13 as well as the general purpose and intent of this section and any specific planning objectives and design guidelines officially adopted for the particular historic landmark or historic landmark district. No decision of the board shall result in an undue economic hardship for the owner, provided, however, that the board has determined the existence of such hardship in accordance with the provisions of Section 31-5.9. The decision of the board shall include a complete description of the reasons for such findings, and which details the public interest which is sought to be preserved, and shall direct one (1) or more of the following actions:

- (a) Approval of a Special Certificate of Appropriateness for the work proposed by the applicant; or
- (b) Approval of a Special Certificate of Appropriateness with specified modifications and conditions; or
- (c) Denial of the application and refusal to grant a Special Certificate of Appropriateness for modification or demolition; or
- (d) Approval of a Special Certificate of Appropriateness with a deferred effective date in cases of demolition or moving a significant improvement or landscape feature, pursuant to the provisions of Sections 31-4.14 and 31-4.15 as amended.

Sec. 31-4-9 - Time limit.

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

Sec. 31-4-10 - Records.

Evidence of approval of the application shall be by the recording in the minutes of the Certificate of Appropriateness granted by the board. When an application is denied, the board's notice shall provide an explanation of the basis of the decision. A written record of the proceedings of the board shall be kept and produced, showing its action on each Special Certificate of Appropriateness considered. When a Special Certificate of Appropriateness is granted, the proceedings of the Historic Preservation Board shall state the basis for granting the Special Certificate of Appropriateness. Such record shall be filed in the office of the Historical Resources Department, and shall be open for public inspection.

The record when pertaining to the record of the board or official from which appeal is taken shall include any application, exhibits, appeal papers, written objections, waivers or consents, considered by the board as well as transcripts or stenographic notes taken for the department at a hearing held before the Historic Preservation Board, the board minutes, and resolution indicating its decision.

Sec. 31-4-11 - Appeals.

An appeal from any decision of the Historic Preservation Board upon any matter initiated before the Board may be taken to the City Commission by any aggrieved party.

Except as to the appeals of tentative plats, which are governed by Chapter 23 of the City Code, "Subdivisions," the following procedure shall govern the filing of appeals: (3284).

- (a) Any aggrieved party desiring to appeal a decision of the Historic Preservation Board shall, not less than five (5) days and within fourteen (14) days from the date of such decision, file a written Notice of Appeal with the City Clerk, whose duty it shall then become to send a written notice of such appeal to all persons previously notified by the Board. The matter shall then be heard by the City Commission at its next meeting, provided at least ten (10) days has intervened between the time of the filing of the notice of appeal and the date of such meeting; if ten (10) days shall not intervene between the time of the filing of the notice and the date of the next

meeting, then the appeal shall be heard at the next following regular meeting of the City Commission and the City Commission shall render a decision, without any unnecessary or undue delay, unless application for deferral has been made as permitted in Section 26-4 of the Zoning Code as amended.

- (b) Any individual or their agent or representative filing an appeal from a decision of Historic Preservation board upon any matter which they have initiated as an "applicant" before said Board shall pay a fee of two-hundred (\$200.00) dollars to the City Clerk upon filing such appeal. In cases where multiple parties have filed an "aggrieved party" appeal, said appeal shall be heard as one appeal and said appeal fee shall be equally divided among the parties. An appeal shall stay all proceedings in the matter appealed from until the final disposition of the appeal by the City Commission.
- (c) Upon the taking of an appeal, the City Commission shall conduct a de novo review of the decision of the Historic Preservation Board. The property owners, objectors or interested parties may offer or submit additional evidence and testimony at the hearing before the City Commission. The City Commission is authorized to affirm, affirm with conditions, or override the decision of the Historic Preservation Board. Any decision by the Historic Preservation Board can only be reversed by a majority vote of the City Commission. The granting of any appeal by the City Commission shall be by resolution.

Sec. 31-4-12 - Changes in approved work.

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

Sec. 31-4-13 - Guidelines for issuance-- alteration of existing improvements, and new construction.

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

Sec. 31-4-14 - Demolition.

- (a) No permit for voluntary demolition of a designated building, structure, improvement or site shall be issued to the owner thereof until an application for a Special Certificate of Appropriateness has been submitted and approved pursuant to the procedures in this Article. Denial of such application indefinitely and refusal by the board to grant a Special Certificate of Appropriateness to demolish shall be evidenced by written order detailing the public interest which is sought to be served. The Historic Preservation Board shall be guided by the criteria contained in subsection (d) below.
- (b) The board may grant a Special Certificate of Appropriateness to demolish with a deferred effective date. The effective date shall be determined by the board based upon the significance of the structure and the probable time required to arrange a possible alternative to demolition. During the demolition deferral period, the board may take such steps as it deems

necessary to preserve the structure concerned, in accordance with the purposes of this article. Such steps may include, but shall not be limited to, consultation with civic groups, public agencies and interested citizens, recommendations for acquisition of property by public or private bodies or agencies, and exploration of the possibility of moving one (1) or more structures or other features. After the specified expiration of the deferred Special Certificate of Appropriateness, a demolition permit shall be issued if requested forthwith by the appropriate administrative officials.

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

(d) In addition to all other provisions of this article, the board shall consider the following criteria in evaluating applications for a Special Certificate of Appropriateness for demolition of designated properties:

1. The degree to which the building, structure, improvement or site contributes to the historic and/or architectural significance of the historic site or district;
2. Whether the building, structure, improvement or site is one of the last remaining examples of its kind in the neighborhood, the county or the region;
3. Whether the loss of the building, structure, improvement or site would adversely affect the historic and/or architectural integrity of the historic site or district;
4. Whether the retention of the building, structure, improvement or site would promote the general welfare of the

City by providing an opportunity for study of local history, architecture, and design or by developing an understanding of the importance and value of a particular culture and heritage;

5. Whether architectural plans have been presented to the board for the reuse of the property if the proposed demolition were to be carried out, and the appropriateness of said plans to the character of the historic site or district, if applicable; and demonstration as well as the posting of a bond requirement that there are sufficient funds in place to carry out such plans;
6. Whether the building, structure, improvement or site poses an imminent threat to the public health or safety;
7. Whether the applicant has demonstrated that retention of the building, structure, improvement or site would create an unreasonable or undue economic hardship as described in Section 31-5-9.
8. Whether there is a compelling public interest requiring the demolition.

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

(f) The owner of the property shall permit access to the subject property for the purpose of inspections and/or appraisals required by the Historic Preservation Board or preservation officer.

(g) No permit for demolition of a non-designated building shall be issued to the owner thereof without prior notification by the building official to the Historical Resources Department. The Historical Resources staff may require review by the Historic Preservation Board if the building to be demolished is considered eligible for local designation. The public hearing shall be held at the next regularly scheduled meeting if the provided statutory notice is complied with at which time the provisions of this article shall apply.

Sec. 31-4-15 - Moving of existing improvements.

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

Sec. 31-4-16 - Removal or destruction of existing landscape features.

- (a) No Certificate of Appropriateness shall be granted for removal, relocation, concealment, or effective destruction by damage of any landscape features or archaeological sites especially designated as significant within the boundaries of an historic landmark or historic landmark district unless one (1) of the following conditions exists:
1. The designated landscape feature or archaeological site is located in the buildable area or yard area where a structure may be placed and unreasonably restricts the permitted use of the property; or,
 2. The designated vegetation is inappropriate in a historical context or otherwise detracts from the character of district; or,
 3. The designated vegetation is diseased, injured, or in danger of falling, unreasonably interferes with utility service, creates unsafe vision clearance or conflicts with other applicable laws and regulations.
- (b) As a condition contained in the Certificate of Appropriateness, the applicant may be required to relocate or replace designated vegetation.

Sec. 31-4-17 - Construction, excavation or other disturbance in archaeological zones.

In cases where new construction, excavation, tree removal, or any other activity may disturb or reveal an interred archaeological site, the Historic Preservation Board may issue a Certificate of Appropriateness, standard or special, with a delayed effective date up to forty-five (45) days. During the delay period, the

applicant shall permit the subject site to be examined under the supervision of an archaeologist approved by the board. A Certificate of Appropriateness may be denied if the site is of exceptional importance and such denial would not unreasonably restrict the primary use of the property.

Sec. 31-4-18 - Reconstruction of destroyed historic landmarks.

- (a) The loss of local historic landmarks within the City, destroyed by fire or other national disaster, may be ameliorated by efforts to reconstruct the resource. Reconstruction means the process of reproducing by new construction, the exact form and detail of a demolished building, structure or object, as it appeared at a certain point in time. Reconstruction shall be encouraged by the Historic Preservation Board when deemed appropriate. The Historic Preservation Board shall be guided by, but not limited to the following:
1. Is there sufficient evidence (e.g. photo documentation; measured drawings; physical evidence, etc.) to accurately depict the form and detail of the original resource?
 2. Are the original construction materials readily available, or are substitute materials sufficiently similar so as to convey the original qualities of construction?
 3. Were the interior spaces especially significant to the form and function of the building? If so, the board will define the parameters necessary to adequately convey those interior spatial characteristics as requirements in the reconstruction effort.
 4. Has the applicant demonstrated a commitment to the reconstruction effort by making every reasonable effort to preserve or salvage the remaining features of the property?
 5. Are there other unique factors or circumstances that would make reconstruction desirable?
- (b) The applicant for the reconstruction effort shall provide the board with details of the construction project, to include a description of the existing character of the site, and whether or not there is any salvage potential. Every reasonable effort

shall be made to incorporate salvaged elements within the reconstructed historic resource.

- (c) Should the board find that the reconstruction is desirable, and that the applicant has met the criteria enumerated herein, and has furnished sufficient evidence that the important exterior and interior form and detail can be reproduced then:

1. Where exceptions to the zoning code are appropriate, the Historic Preservation Board may recommend to the City Commission that an exception be granted in part or in whole, so that the goals of this article can be accomplished.
2. In cases where a change in land use is necessary to accomplish the goals of this article, the Historic Preservation Board may issue a recommendation in favor of that change, and shall issue a recommendation as to whether or not any administrative fees, either in whole or in part, are to be waived. Any recommendation as to the waiver of fees or any portion thereof shall be binding.
3. Following consideration by the Historic Preservation Board, the matter shall be referred to the Board of Adjustment. The Board of Adjustment shall make their recommendation. In making its recommendation the Board of Adjustment shall concentrate its review on any variances necessary for the reconstruction effort, and shall apply the same standards in their recommendation to the City Commission as for the granting of any other variance. The requirements of Sections 24-6 through 24-10 of the Zoning Code pertaining to notice of hearing, variances, applications for variance and other hearings – procedures, time limit for variances and limitation of subsequent applications shall be followed by the Board of Adjustment in making their recommendation to the City Commission. The Board of Adjustment shall make their recommendation based on the facts presented, and their

recommendation will accompany the Historic Preservation Board's recommendation for final consideration by the City Commission.

Sec. 31-5 - Administration and enforcement.

Sec. 31-5-1 - Variances.

The Historic Preservation Board shall have the authority to grant any variance from the terms of the Zoning Code of those properties designated as historic landmarks, either individual sites or buildings within districts, where it is deemed appropriate for the continued preservation of the historic landmark or historic landmark district. The board shall only authorize such variances in conjunction with an application for a Special Certificate of Appropriateness. In carrying out this responsibility, the Historic Preservation Board must follow the same procedures specified for the Board of Adjustment in the Zoning Code, Sections 24.06 through 24.10 inclusive as amended.

Sec. 31-5-2 - Transfer of Development Rights.

The Historic Preservation Board shall have the authority to grant certificates of transfer of development rights (TDR) to property owner(s) of designated historic landmarks, either individual sites or buildings within districts. The exercise of this authority shall be in accordance with the criteria and standards for transfer of development rights as recommended by the Planning and Zoning Board and adopted by the City Commission. Any historic landmark that has transferred development rights shall not be demolished.

Sec. 31-5-3 - Amendments.

Applications for amendments to existing designated historic landmarks or historic landmark districts shall be processed according to the provisions of Sections 31-2-4 and 31-2-5 of this Article, provided that no action resulting from such application shall have the effect of eliminating the requirement for certificates of appropriateness as otherwise provided in this article. Where the board has issued a Certificate of Appropriateness for demolition or moving of the improvement or feature of principal historic significance on an historic

landmark site, the historic designation may be changed through the amendment process.

Sec. 31-5-4 - Ordinary maintenance and repair.

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

Sec. 31-5-5 - Enforcement of maintenance and repair provisions.

Where the Historic Preservation Board or board's staff determines that any improvement within a designated historic landmark, or historic landmark district is endangered by lack of maintenance and repair, or that other improvements in visual proximity to an historic landmark or historic landmark district lack maintenance and repair to such an extent as to detract from the desirable character of the historic landmark or historic landmark district, it shall request appropriate officials or agencies of the City to require correction of such deficiencies under authority of applicable laws and regulations.

Sec. 31-5-6 - Unsafe structures.

In the event the building official determines that any structure within a designated historic landmark or historic landmark district is unsafe pursuant to the applicable building code adopted by the City, he/she shall immediately notify the Historic Preservation Board with copies of such findings. Where reasonably feasible within applicable laws and regulations the building official shall endeavor to have the structure repaired rather than demolished and shall take into consideration any comments and recommendations by the board. The board may take appropriate actions to effect and accomplish preservation of such structure including, but not limited to, negotiations with the owner and other interested parties, provided that such actions do not interfere with procedures in Section 202 of the South Florida Building Code.

Sec. 31-5-7 - Emergency conditions.

For the purpose of remedying emergency conditions determined to be imminently

dangerous to life, health or property, nothing contained herein shall prevent the making of any temporary construction, reconstruction, demolition or other repairs to an improvement, landscape feature, or site within a designated historic landmark district pursuant to an order of a government agency or a court of competent jurisdiction, provided that only such work as is reasonably necessary to correct the hazardous condition may be carried out. The owner of an improvement damaged by fire or natural calamity shall be permitted to stabilize the improvement immediately and to rehabilitate it later under the normal review procedures of this article.

Sec. 31-5-8 - Inspections.

The Historical Resources Department shall inspect and enforce the provisions of this Article. The Director of the Building and Zoning Department or his/her designee shall be responsible to promptly stop any work attempted to be done without or contrary to any Certificate of Appropriateness required under this division and shall further be responsible for ensuring that any work not in accordance with an issued Certificate of Appropriateness shall be voluntarily corrected to comply with the certificate, or that authorized civil and criminal prosecution is initiated promptly.

Sec. 31-5-9 - Undue economic hardship.

In any instance where there is a claim of under economic hardship, the property owner may submit, by affidavit, to the board at least fifteen (15) days prior to the public hearing, the following information:

(a) For all property:

1. The amount paid for the property, the date of purchase and the party from whom purchased.
2. The assessed value of the land and improvements thereon, according to the two (2) most recent assessments.
3. Real estate taxes for the previous two (2) years.
4. Annual debt service, if any, for the previous two (2) years.
5. All appraisals obtained within the previous two (2) years by the owner or applicant in connection with his purchase, financing or ownership of the property.

6. Any listing of the property for sale or rent, price asked and offers received, if any.
 7. Any consideration by the owner as to profitable adaptive uses for the property.
- (b) For income producing property:
1. Annual gross income from the property for the previous two (2) years.
 2. The assessed value of the land and improvements thereon, according to the two (2) most recent assessments.
 3. Annual cash flow, if any, for the previous two (2) years.
- (c) The board may require that an applicant furnish such additional information, as the board believes is relevant to its determination of undue economic hardship and may provide, in appropriate instances that such additional information be furnished under seal. In the event that any of the required information is not reasonably available to the applicant and cannot be obtained by the applicant, the applicant shall file with his affidavit a statement of the information which cannot be obtained and shall describe the reasons why such information cannot be obtained.

Sec. 31-5-10 - Violations.

The demolition of any building, structure, improvement or site protected by this article (a) for which a certificate of appropriateness for demolition has not been granted, or (b) which was carried out in violation of the provisions in Section 31-4.14, shall cause the City to reject an application for a building permit until the following criteria have been met:

- (a) A pre-application shall be submitted to the Historical Resources Department containing the following information:
1. A detailed sworn explanation outlining the facts surrounding the unlawful demolition.
 2. Evidence that any and all code enforcement fines have been paid.
 3. Evidence that all violations on the property have been corrected or a stipulation outlining the agreed upon steps to correct all outstanding violations.

4. Review and approval of the Historical Resources Department checklist by the following departments so that the application for issuance of a building permit may proceed
 - a. Building and Zoning.
 - b. Planning.
 - c. Public Works.
 - d. Public Service.
 - e. Historical Resources.
 - f. City Manager.
 - g. City Attorney.

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

Any person who carries out or causes to be carried out any work in violation of this article shall be required to restore the subject improvement, landscape feature, or site, either to its appearance prior to the violation or in accordance with a Certificate of Appropriateness approved by the Historic Preservation Board, subject to the conditions imposed in Section 31-4-14. All civil remedies shall be in addition to and not in lieu of any criminal prosecution and penalty otherwise provided in the City Code or Ordinance Number 1525, as amended, and known as the Zoning Code.

Sec. 31-5-11 - Enforcement.

The Historical Resources Director is authorized, where it is deemed necessary for enforcement of these regulations, to require the execution of an agreement for recording, together with appropriate documents.

Sec. 31-6 - Tax exemptions for historic properties.

Sec. 31-6-1- Scope of tax exemptions.

A method is hereby created for the City Commission to allow tax exemptions for the restoration, renovation or rehabilitation of historic properties. The exemption shall apply to one-hundred (100%) percent of the assessed value of all improvements to historic properties, which result from restoration, renovation or rehabilitation made on or after the effective date of this division. The exemption applies only to taxes levied by the City. The exemption does

not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to Section 9(b) or Section 12, Article VII of the Florida Constitution. The exemption does not apply to personal property.

Sec. 31-6-2 - Duration of tax exemptions.

Any exemption granted under this section to a particular property shall remain in effect for ten (10) years, as specified in the ordinance approving the exemption. The duration for ten (10) years shall continue regardless of any change in the authority of the City to grant such exemptions or any changes in ownership of the property. In order to retain an exemption, however, the historic character of the property, and improvements which qualified the property for an exemption, must be maintained over the period for which the exemption was granted.

Sec. 31-6-3 - Eligible properties and improvements.

- (a) Property is qualified for an exemption under this section if:
 - 1. At the time the exemption is granted, the property is:
 - a. Individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended; or
 - b. A contributing property within a National Register-listed district; or
 - c. Individually listed in the Coral Gables Register of Historic Places, or noted as a contributing structure within a designated local historic district as enacted by ordinance of the City Commission.
 - 2. The Historic Preservation Board has certified to the City Commission that the property for which an exemption is requested satisfied subsection (1) (a).
- (b) In order for an improvement to a historic property to qualify the property for an exemption, the improvement must be:
 - 1. Consistent with the United States Secretary of the Interior's Standards for Rehabilitation; and
 - 2. Determined by the Historic Preservation Board to meet criteria

established in rules adopted by the Department of State.

Sec. 31-6-4 - Applications.

Any person, firm or corporation that desires ad valorem tax exemption from the improvement of a historic property must, prior to construction, file with the Historical Resources Department a written application on an approved form. All applicable fees shall be paid at the time the application is submitted. The application must include the following information:

- (a) The name of the property owner and the location of the historic property.
- (b) A description of the improvements to real property for which an exemption is requested and the date of commencement of construction of such improvements.
- (c) Proof, to the satisfaction of the Historic Preservation Board, that the property that is to be rehabilitated or renovated is a historic property under this section.
- (d) Proof, to the satisfaction of the Historic Preservation Board that the improvements to the property will be consistent with the United States Secretary of Interior's Standards for Rehabilitation and will be made in accordance with guidelines developed by the Department of State.
- (e) Other information identified in appropriate Department of State regulations.

Sec. 31-6-5 - Required restrictive covenant.

To qualify for an exemption, the property owner must enter into a restrictive covenant or agreement with the City Commission for the term for which the exemption is granted. The form of the covenant or agreement must be established by the Department of State and must require that the character of the property, and the qualifying improvements to the property, be maintained during the period that the exemption is granted. The covenant or agreement shall be binding on the current property owner, transferees, and their heirs, successors, or assigns. Violation of the covenant or agreement results in the property owner being subject to the payment of the differences between the total amount of taxes which would have been due in March in each of the previous years in which the covenant or agreement was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest

on the difference calculated as provided in F.S. 212.12(3).

Sec. 31-6-6 - Review by Historic Preservation Board.

The Historic Preservation Board, or its successor, is designated to review applications for exemptions. The Historic Preservation Board may recommend that the City Commission grant or deny the exemption. Such reviews must be conducted in accordance with rules adopted by the Department of State. The recommendation and the reasons therefore must be provided to the applicant and to the City Commission before consideration of the application.

Sec. 31-6-7 - Approval by the City Commission.

A majority vote of the City Commission shall be required to approve a written application for exemption. The City Commission shall include the following in the resolution or ordinance approving the written application for exemption:

- (a) The name of the owner and the address of the historic property for which the exemption is granted.
- (b) The period of time for which the exemption will remain in effect and the expiration date of the exemption.
- (c) A finding that the historic property meets the requirements of this section.