

Article 5, Division 1
AUXILIARY OR ACCESSORY USES

Section 5-101. General.

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 of permissible accessory uses shall not be deemed to prevent other proper accessory uses not so enumerated. All accessory uses shall comply with the following general standards:

- A. No accessory building or structure 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.
- B. Except as may be otherwise required, no accessory building or structure may be located in the area between the street and the main residential building or any part thereof.
- C. In no case shall an accessory building or structure be located closer to the front or side street of a lot or building site than the main or principal building.

Section 5-102. Accessory Dwelling.

An accessory dwelling shall be permitted in a Multi-family-2 District as an accessory use located above a garage. An accessory dwelling shall be permitted as an accessory use in a single family or Multi-Family-1 District provided that the living quarters:

- A. Are located above a garage;
- B. Are for the use of members of the family living in the main residence or persons employed on the premises;
- C. Do not contain a kitchen. (3242)

Section 5-103. Boat House and/or Boat Slip.

A boat house and/or a boat slip shall be permitted as an accessory use in a single family district provided that the boat house and/or the boat slip:

This Division is based on Article 5 in the existing Code. The portions of sec. 5-1 that are really definitions have been moved to Article 8. The term "auxiliary" is proposed to be dropped. It appears to be redundant when you read the definition of "accessory use." Subsections A and B in 5-101 are moved from existing section 5-25. All accessory uses are arranged alphabetically.

Section 5-2 (garage, private or garage apartment) has been moved to the single family districts (applies to single family and duplexes).

Section 5-8 (boat house and boat slip) has been moved to the SF district.

Boathouse added to MF District without the limitation on occupancy (to be consistent with sec. 5-8). Section 5-3 (apartment garage) has been moved to the MF District (called accessory living quarters). Existing Sections 5-4 and 5-5 (apartments and hotels and public dining room or restaurant) have been omitted. See definition of "overnight accommodation." Both sections are antiquated and unnecessary. Section 5-6 (CA or CB uses) seems contrary to other provisions of the Code which promote retail on the first floor. Not sure if you want to continue to allow package liquor stores in a hotel (sec. 5-7), even with the limitation that they are only accessible from the interior of the building. The following has been added to the C Districts, as a conditional use: "Overnight accommodations exceeding 100 rooms, including retail sales and services."

Existing sections 5-2 & 5-3.

- A. Is occupied by members of the family residing in the main residence or persons employed on the premises;
- B. Does not contain a kitchen;
- C. Eave line does not exceed in height the eave line of the main residence;
- D. Maintains the same minimum setbacks from the platted canal line or bay front and the same minimum setback from the side lot line as established for the main structure.

Existing Section 5-8.

Section 5-104. Cabana.

A cabana shall be permitted as an accessory use in a single-family residential district 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~~ in accordance with the underlying zoning district.
- 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.

Existing section 5-17 (cabanas) slightly edited.

Section 5-105. Drive throughs and walk-ups

Drive throughs, walk-up windows, and ATMs accessory to banks, restaurants, and retail sales and service shall be permitted provided that such uses are designed so as to not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets, alleys or sidewalks.

Section 5-103 is an edited version of Section 6-3.

~~Section 5-106. Bomb shelter and/or fallout shelter. Emergency preparedness shelter.~~

A building designed to be used as emergency preparedness ~~a bomb shelter and/or fallout shelter~~ shall be permitted as an

accessory use in any district subject to the following conditions and restrictions:

- A. Such shelters shall be designed and constructed in accordance with minimum 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.
- D. No setback shall be required for 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.
- E. Setbacks shall be in accordance with ~~the applicable sections of this Ordinance~~ the requirements of the underlying zoning district.

Section 5-107. Greenhouse.

A greenhouse shall be permitted as ~~an auxiliary use to R, D, or A Uses~~ an accessory use in any residential district, subject to the following conditions and restrictions:

- A. Such greenhouse shall be restricted to the sole purpose of raising plants and flowers ~~vegetation~~.
- B. Such greenhouse shall be constructed of:
 - 1. A pipe frame covered with a green or black chain link fencing material and/or dark green plastic screen.
 - 2. A pipe frame covered with a green or black 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

Existing section 5-14 (bomb shelter) slightly edited with D added from 5-25(b). Use term changed to emergency shelters. All accessory uses are subject to approval by the City Architect or Board of Architects. It does not need to be repeated. Should the allowed height of shelters be increased?

Existing section 5-15 (greenhouse) slightly edited

height of four (4) feet .

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 .
 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 .
- F. The greenhouse shall not exceed an over-all height of eight and one-half (8½) feet .
- 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. 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 vegetation. ~~orchids or other plants and flowers.~~

- L. The structural design of the greenhouse shall be subject to approval by the Structural Engineer.

Section 5-108. Guesthouse.

A guest house will be permitted as accessory to a Residential Estate subject to the following conditions and restrictions: (3232)

- A. The guesthouse 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 guesthouse may contain kitchen facilities.
- C. Only non-paying and personal guests of the occupant of the principal residence shall occupy a guesthouse.
- 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 guesthouse shall be permitted only as an auxiliary use to a Residential Estate.~~
- F. The guesthouse shall be located in the rear yard setback area.

Existing section 5-20 (guest house) slightly edited.

Section 5-109. Massage Establishment.

A massage establishment shall be permitted as accessory to a beauty salon, medical clinic, or health club.

Section 5-110. 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. A walkway ~~is~~ is 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.

This massage establishment does not include "adult use massage uses" because of the state licensing provisions preclude such uses by a licensed massage therapist. See definitions.

Section 5-111. Playhouse.

A playhouse shall be permitted as an accessory use to any residential user, 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.

Existing section 5-23 (moveable pavers) slightly edited

Section 5-112. Private swimming pool.

A private swimming pool shall be permitted as an accessory use in any district 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

Existing section 5-9 (playhouse) slightly edited.

Existing section 5-12 (swimming pools) slightly edited. Apparently there are frequent variances granted in order for pools to be installed in accordance with these provisions

front street line of a lot or building site than the main or principal building is located.

2. Minimum side setback. Five (5) feet on each side, except on certain properties provided for under [Article 4 Site Specific Regulations. (See Section 4-25(e) and Section 4-26(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 these LDRs 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 5-118) 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)

Section 5-113. 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)

Section 5-114. Restaurant, open air.

A. Open air dining on private property, as accessory to a restaurant, provided that:

1. the operation of such business shall not interfere with the circulation of pedestrian or vehicular traffic on the adjoining streets, alleys or sidewalks.
2. 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)
3. 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.
4. 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.
5. 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.

Subsection D2 cross reference will need to be modified regarding site specific regulations. Also, see 5-110 D for conflicting setbacks (swimming pool).

Add a graphic describing pools/setbacks.

Existing subsection (k) has been incorporated in Article 7.

Existing subsection 5-12 has been incorporated into Article 7.

- | | |
|--|---|
| <ol style="list-style-type: none"> 6. That all kitchen equipment used to service the open-air dining area shall be located within the kitchen of the primary restaurant or business. 7. That the open-air dining area shall be kept in a neat and orderly appearance and shall be kept free from refuse and debris. <p>B. Open-air dining on public property, as accessory to a restaurant, provided that:</p> <ol style="list-style-type: none"> 1. All requirements regarding subsection A above are met. 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. 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. 4. 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. 5. 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. 6. No perimeter structures such as fences, railings, planters or other such barriers shall surround the open-air dining area | <p><i>Existing section 5-24 (recreational equipment).</i></p> |
|--|---|

which would restrict the free and unobstructed pedestrian flow or discouraging the free use of the tables or chairs by the general public.

7. No signage shall be permitted on the public portion of the property.
8. All open-air dining areas shall be at the same elevation as the adjoining sidewalk or public right-of-way.
9. 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.
10. 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.
11. 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.
12. 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.

Section 5-115. Screened enclosures.

A structure whose openings are composed of screening shall be permitted as an accessory use in connection with a residential or special district, provided a major portion of one wall of the screened enclosure shall be a part of the main building or of a permitted accessory auxiliary building located on the premises, subject to the

following conditions and limitations:

- A. 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 and shall be in architectural harmony with the main building.
- B. 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 such additional height may be approved.
 - 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, such additional height may be approved.
- C. 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.
- D. 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.
- E. Location:

Existing section 5-13 (screened enclosure) slightly edited. Application requirements deleted. Height measurement deleted (in the definition). Reference to Board of Architects is unnecessary.

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.

Board of Architects approval deleted.

Board of Architects approval deleted.

Section 5-116. Storage building and/or utility room.

A. 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 accessory use in a single family district or as accessory to a duplex. 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 these LDRs.

Board of Architects approval deleted.

B. 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~~ accessory use a Multi-Family District, and in connection with any overnight accommodation. 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 overnight accommodations, shall be located at the rear of the building site.

C. A separate building for the storage of residential goods ~~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 R, D, A, C or S-Use~~ an accessory use in the CL, CH, I Districts. Such building ~~may~~ shall 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.

Section 5-117. Tennis courts.

A private tennis court shall be permitted as an accessory use in a residential or special district 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 district in which the tennis court is located~~ of the underlying zoning district.
- 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 .
- E. Any lighting on the tennis courts shall comply with the (insert cross reference) [applicable regulations of the City of Coral Gables].

Section 5-118. Wood decks.

Wood decks shall be permitted as an accessory use in a single family residential district or a duplex subject to the following conditions and restrictions: (2524)

- ~~A. .~~
- A. The foundation for wood decks shall be constructed of concrete.
- B. 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.

This section 5-116 is a combination of existing sections 5-10, 5-11, and 5-19, slightly edited, all about storage buildings.

- 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 City Architect. All other wood members may be constructed of all the above including creosote pressure treated wood. (2625, 2696)

Existing section 5-18 (tennis courts) slightly edited.

- 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 d) 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 5-118). (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

Existing section 5-21 (wood decks) slightly edited.

Section 5-119. Wood trellis.

Wood trellises shall be permitted as an auxiliary use to any R or D Use

accessory use in a single family district or as an accessory to a duplex
subject to the following conditions and restrictions: (2521, 3191)

- A. .
 - A. 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.
 - B. 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.
 - C. Fastening clips, hurricane clips, etc., used in the construction of the trellis shall be concealed from view with moldings, cover boards, etc.
 - D. No materials such as, but not limited to, fiberglass screening, plastic panels or aluminum panels shall be placed upon or attached to the trellis.
 - E. The height of the trellis shall be subject to approval by the ~~Board of Architects~~ City Architect
 - F. The setbacks for trellises shall be governed by the same minimum setbacks as required for the main or principal building
 - G. All trellises may be stained or painted to be harmonious with the color of the main or principal building
 - J. All wood trellises shall be maintained and kept in good order and repair.
- . . (3242)

Existing section 5-22 (wood trellis) slightly edited.

Incorporated into "Accessory dwelling" – not a substantive change.

Not necessary – comes within definition of accessory and definition of overnight accommodation.



Sec. 5-103.

Existing section 5-16 regarding davits, boat lifts etc. has been moved to Article 5 Division 10 to consolidate consideration of such water related activities.

Existing section 5-25: Subsection a is duplicative. Subsection b is included in 5-107 and c and d have been transferred to 5-101

**Article 5, Division 2
AUTOMOBILE SERVICE STATIONS**

Section. 5-201 - Minimum requirements.

The construction and/or reconstruction of automobile service stations shall comply with the following minimum requirements: (3237)

- A. Except as provided in subsection B, an automobile service station shall not be constructed and/or reconstructed anywhere except upon property which is located in a Commercial District or Industrial ~~CC or M-Use~~ District;
- B. ~~providing, however, that~~ An automobile service station located in a CB-Use Commercial Limited District may be reconstructed provided that the plans comply in all respects with the provisions ~~set forth herein and in this Division and~~ provided ~~further~~ that the number of pump islands shall not exceed two (2) and the number of service bays shall not be increased.
- C. Automobile service station 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. Automobile service stations ~~which presently exist~~ established prior to the adoption of these LDRs on sites less than required by this subsection may be reconstructed ~~with the provision provided~~ that the capacity of the new station does not exceed the capacity of the existing station.
- D. All automobile 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.

This Division is based on existing Article 19. See new definitions in Article 8, automobile service stations and vehicle service.

- E. The automobile 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 automobile service station site.
- F. The roof over an automobile service station and auxiliary buildings shall be of tile, pitched and shall extend from the station over the gasoline pumps.
- G. 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.
- H. All pump islands shall be delineated by curbs.
- I. Pump islands shall not be located closer than fifteen (15) feet to a street right-of-way line.
- J. The automobile service station building shall have the following minimum setbacks:
 - 1. Front -- 40 feet minimum.
 - 2. Side -- 10 feet minimum.
 - 3. Side Street -- 30 feet minimum.
 - 4. Rear -- 10 feet minimum.
- K. The canopies over the driveway and pump islands shall have the following minimum setbacks:
 - 1. Front -- 5 feet minimum.
 - 2. Side -- 10 feet minimum.
 - 3. Side Street -- 5 feet minimum.
 - 4. Rear -- 10 feet minimum.
- L. Where such automobile service station sites abut a residential district ~~an R, D or A-Use District~~, a solid four (4) foot high wall shall be constructed along the property lines abutting the residential district R, D or A-Use District.

~~M. All automobile service station sites shall comply with the following minimum landscaping requirements:~~

- ~~1. Not less than ten (10%) percent of the automobile 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 automobile service station.

M 1-6 was moved to Article 5 Division 13 entitled Landscaping.

Application requirements omitted.

- 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 in a residential district zoned for R, D or A Use, not more than one driveway shall be permitted from a side street to the automobile 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 automobile service station building and pump islands shall be paved with poured concrete.
- U. All paving shall be graded to provide for drainage on the automobile 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.~~
- V. All lubrication and greasing equipment, washing equipment, hydraulic lifts and service pits shall be located within the automobile service station building.
- W. Automobile service stations shall not be permitted to engage in the selling or rental of cars, trucks and utility trailers.
- X. Parking, loading or servicing of vehicles shall not be permitted on

the public rights-of-way abutting the automobile service station site.

Y. 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.

Z. No automobile service stations shall be permitted to store vehicles or to be used as an off-street parking lot.

~~(bb) No automobile 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 automobile service station building excluding the attendant control area. Automobile 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)~~

AA. Each automobile 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.

BB. The illumination upon any automobile 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 automobile service station and the issuance of building permits shall be in accordance with Articles 24 and 25 of~~

See new definition – permits retail but these uses are limited to the Commercial and Industrial Districts and only with approval of Planning and Zoning.

~~this code.~~

~~Sec. 19-2 – Distance requirements.~~

~~No automobile service station shall be erected or located within five-hundred (500) feet of any other automobile service station, or within five-hundred (500) feet of any church, school or hospital. Such distance shall be measured, in the case of another automobile 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 automobile 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 automobile service station, a church, school, hospital or another automobile service station, the applicant for such a automobile service station shall furnish a certified survey from a registered land surveyor in the State of Florida indicating the distance between the proposed automobile service station and any church, school, hospital or any other automobile service station within five-hundred (500) feet. In case of a church, hospital or another automobile 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 automobile 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 automobile 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 automobile service stations within five-hundred (500) feet of the place of business, the survey shall so certify.~~

Section 5-202. Sanitary Facilities.

The following minimum sanitary facilities shall be provided for automobile service stations.

1. Male Water Closets: 1.
Urinals: 1.
Lavatories: 1.
2. Female Water Closets: 1.
Lavatories: 1.

Section 5-203. Miscellaneous Requirements.

At least one basket-type floor drain and trap connected to a gas and oil interceptor shall be required for an automobile service station.

**ARTICLE 5, Division 3.
AWNINGS AND CANOPIES**

Section 5-301. General.

Awnings, shelter canopies, entrance canopies and carport canopies placed upon, attached to or forming any part of a building shall conform to the following conditions and restrictions set out in this Division.

~~(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.~~

Section 5-302. Standards.

A. Material.

1. Awnings placed upon, attached to, or forming any part of any building in any residential district ~~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 carport canopies placed upon, attached to, or forming any part of any building in any residential district ~~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 carport

This Division is existing Article 20.

Application requirements and procedures omitted.

canopies placed upon, attached to, or forming any part of any building in any ~~area zoned for~~ commercial or industrial ~~district 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 carport canopies be made of wood or wood products or of masonite or similar materials; in all cases such awnings, shelter canopies, entrance canopies or carport canopies shall generally simulate the appearance of canvas awnings, and must not be corrugated or slatted or with holes or other interstices.

- B. Slope. In ~~any areas zoned for~~ residential ~~district duplex or apartment~~ use, no shelter canopy or carport 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.
- C. Size and number permitted. In a ~~single-family or duplex~~ multi-family zoning district, no shelter canopy or carport canopy shall be erected which ~~each~~ covers an area greater than four hundred forty (440) square feet. Only one shelter canopy and one carport canopy shall be permitted per single-family or duplex unit, provided however, that the carport canopy and shelter canopy shall not abut or be attached to one another. (2945)
- D. 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.
- E. Construction.
 - 1. All canvas awnings, shelter canopies, entrance canopies, or

carport 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 carport 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.

F. Location.

1. All carport 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, carport canopy or entrance canopy shall be erected without a variance having been approved by the Board of Adjustment.
4. Awnings erected over garage openings or porte-cochere vehicle openings shall not extend out from the outside wall of the building more than six (6) feet.
5. Entrance canopies, permitted on commercial buildings only, shall be attached to the building and may be supported from the ground up. The overall width of entrance canopies shall be

F4 is from the existing definition of "awning."

F5 is from the existing definition of "entrance canopy."

a maximum of the entrance opening and framing width, plus twelve (12) inches and shall extend out perpendicular from the building.

G. Maintenance, repair, replacement, and/or removal. 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.

~~4. 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.~~

Enforcement covered by Article 7.

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**

- H. Manufacturer's identification. All awnings, shelter canopies, entrance canopies and carport canopies constructed or erected pursuant to the provisions of this ordinance shall have the manufacturer's identification shown thereon.
- I. 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 5 Division 4
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 Article 3 Division 10 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 City 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)~~

This Division is an edited version of Section 21-10. Consider combining this with another Division.

**Article 5, Division 5
CORAL GABLES COTTAGE REGULATIONS**

Section 5-501. Purpose and Applicability.

- A. The purpose of ~~these regulations~~ this Division is to maintain and preserve 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)
- B. The provisions of this Division may only be applied to the following: (3219)
1. ~~Any property identified on the Coral Gables Cottage Qualified Properties Map.~~
 2. Any existing development which meets the eligibility standards contained in Section 5-502 ~~29-5~~, herein (as determined by the Historic Resources Department).
 3. 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 provided ~~outlined~~ in Section 5-502.
- C. ~~The Historic Resources Department shall maintain the Coral Gables Cottage Qualified Properties Map and shall determine whether additional properties qualify for the designation.~~
- D. ~~To achieve the above stated purpose,~~ Selected incentives are established in this Division which supersede the standard regulations for single-family residential development contained in other sections of these LDRs. If not specifically addressed in this Division, 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~~

This Division is an edited version of existing Article 29.

Existing Section 29-1.

Existing Section 29-4

~~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)~~
- ~~1. No variances from this section, or the parking regulations, height regulations, or floor area factor requirements shall be permitted.~~

Section 5-502. Criteria for Designation as a Coral Gables Cottage.

- A. Coral Gables Cottage is a 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 which are original with the cottage:
- ~~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 criteria for eligibility as set forth in Section 5-502A.
- C. A Cottage Property must:
1. ~~Be located north of Sunset Road.~~
 2. Be no more than one (1) story in height.
 3. Be zoned R, single-family residential.
 4. Have a frontage no greater than sixty-five (65) feet.
 5. Include a single-family dwelling built prior to 1940.
 6. Include a single-family dwelling having at least twelve (12) of the features identified in the Coral Gables Cottage definition. (Section 29-3)

Section 5-503. Incentives for existing development.

The following setback 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.

- A. Setbacks:
1. Notwithstanding the setback provisions in the underlying zoning district, 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 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.)

**ARTICLE 5, Division 7
Design Review Standards**

Section 5-701. Purpose and Applicability.

- A. The purpose of these design review standards is to ~~as follows~~:
1. Provide standards and criteria for review of applications for development approval within the City;
 2. Promote innovative design with regard to the aesthetics, architectural design, appearances, safety, and function of the built environment in relation to the site, adjacent structure and surrounding community;
 3. Promote orderly and harmonious development of the City
 4. Enhance the desirability of residences or investment in the City;
 5. Encourage the attainment of the most desirable use of land and improvements;
 6. Enhance the desirability of living conditions upon the immediate site or in adjacent areas;
 7. Promote visual environments which are of high aesthetic quality and variety and which, at the same time, are considerate of each other;
 8. Establish identity, diversity and focus to promote a pedestrian friendly environment; and
 9. Encourage the utilization of a variety of architectural attributes and street level amenities to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional areas.
- B. The standards in this Division shall be applicable to all applications for development approval within the Multi-family Districts, the Commercial Districts, the Mixed Use District, the Industrial District and the Special Use District. Except as expressly provided in this Division, these standards shall not apply to single-family districts or to the Multi-family-1 District.

Section 5-702. Design Review Standards

- A. The Board of Architects shall determine if an application satisfies the following design review standards:
1. Whether the color, design, finishes, fenestration, texture, selection of architectural elements of exterior surfaces of the structure are compatible and the relationships of these items in comparison to building

This Division incorporates design standards throughout the code including Article 28, Article 15, Article 21-29, 21-1, 2; 21-15, 16, 17.

Sections 5-701-702 are edited versions of new sections provided by staff.

base, middle and top with the hierarchy of importance being the base, top and middle;

2. Whether the planning and siting of the various function and structures onsite provides the following:

a. Creates an intrinsic sense of order between buildings, streets and pedestrian movements and activities;

b. Provides an efficient arrangement of land uses; and

c. Provides a desirable environment for occupants, visitors and the general community;

3. Whether adjacent existing historic features, natural features and street level pedestrian view corridors are appropriately integrated or otherwise protected.

4. Whether the amount and arrangement of open/green space [including urban open space (i.e. plazas) or unimproved areas (i.e. open lawns, etc.)] are appropriate to the design, function and location in relationship to the function of the structures and surrounding properties;

5. Whether sufficient buffering (including hard and softscape) is provided when non compatible uses abut or adjoin one another;

6. Whether the proposed lighting provides for the safe movement of persons and vehicles; provides security and minimizes glare and reflection on adjacent properties;

7. Whether access to the property and circulation is safe and convenient for pedestrians, cyclists and vehicles; and is designed to interfere as little as possible with traffic flow on these roads and to permit vehicles a prompt and safe ingress/egress to the site.

8. Whether waste disposal facilities adversely affect adjacent properties;

9. Whether the application provides improvements, public open space, pedestrian amenities which benefit the public;

10. Whether the proposed application is in conformity with provisions of this Division.

B. In applying the standards set forth in subsection (A) of this Section, the Board may review each of the following items of an application:

1. Aesthetics;

2. Architectural compatibility with neighboring properties and uses;
3. Architecture;
4. Building and building components including, but not limited to:
 - a. Accessory structures including garages, sheds, utility facilities and waste receptacles
 - b. Arcades, loggias, porte cocheres, passages and similar covered areas;
 - c. Building appendages including but not limited to the following: balconies, penthouses, loading docks, awnings, louvers, or any visible devices for deflecting, filtering or shielding the structure or interior from the elements, flues, chimneys, exhaust fans, air-conditioning equipment, elevator equipment, fans, cooling towers, antennae or similar structures placed upon the roof or the exterior of the building;
 - d. Building entrances/exits for pedestrians and vehicles;
 - e. Building height;
 - f. Building materials, texture, fenestration and surfaces;
 - g. Building openings;
 - h. Building scale and mass;
 - i. Building façade step-backs;
 - j. Building rooflines;
 - k. Lighting;
 - l. Design;
 - m. Parking and paved surfaces;
 - n. Signage;
 - o. Stairs, ramps, escalators, moving sidewalks, elevators or downspouts on the exterior buildings; and
 - p. Window coverage, casings/depth and proportion.

5. Colors.

C. If the Board finds that an application is not consistent with the above standards, the Board may require changes of an application and its specifications to promote and maintain the purpose of these standards.

Section 5-703. Architectural Style.

Existing Section 15-1

A. Architectural type--General. (2003-10) Except as provided for in subsection C of this section, 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)

1. Trim.

2. Shutters.

3. Awnings and canopies.

3. Windows (Fenestration).

5. Doors.

6. Texture of surface.

7. Colors.

8. Roofs.

a. Materials.

b. Color.

c. Slope.

d. Overhang.

9. Planters.

10. Window boxes.

10. Walls, height, location, materials, design.

12. Height of building.

13. Location of structure on site.

14. Site circulation in regard to pedestrian travel, parking, services, grades and landscaping.

15. Location of exposed piping, conduits and rainwater leaders.

16. 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 of Article 3 Division 11 as a Historic Landmark shall conform to the architecture of the existing building.

B. Specific 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:

1. 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.
2. Where particular treatment such as scoring, slump brick or other architectural motifs are employed, these shall return on the abutting elevation.
3. Excessive use of slump or other brick shall not be permitted. (3235)
4. Where wood or metal columns are used, the same shall be well proportioned.
5. Shutters shall be architecturally designed to enhance the structure and all tracts and housings shall be

Existing Section 15-2

concealed from view to the maximum extent practicable when not in use. (3041)

- a. Plans for all new construction shall incorporate or make provisions for hurricane shutters.
 - b. Storm panels with removable horizontal tracts shall be permitted on all structures without Board of Architects review and approval.
 - c. 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.
 - d. No shutter shall be placed on a structure so that it will alter or conceal architectural features or details of a structure.
 - e. Shutters shall not be installed in such a way as to prevent the intended or normal operation of any window or door.
 - f. In every area of a structure required by the 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.
6. 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 Article 5, Division 17.
 7. 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.
 8. 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.
 9. If metal garage doors are used, they shall be painted in accordance with the palette of colors approved by the Board of Architects and on file with the Building and Zoning Department.
 10. No exposed air-conditioning ductwork or exposed solar tanks shall be permitted.
 11. The approval, materials, slope, construction, location and design of awnings and canopies shall be as set forth under Article 5, Division 3.

C. Architectural type, specific locations.

The type of architecture for specific locations in the City of Coral Gables shall be as follows:

1. In the Industrial Section, MacFarlane Homestead, and Golden Gate Subdivision, any architectural style shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.
2. Where otherwise required by the terms of existing restrictions in deeds conveying lots or lands, or as specifically provided for therein.
3. In Commercial and Industrial Districts, such types of architecture shall be permitted as shall be approved by the Board of Architects as being harmonious with the immediate neighborhood.

Section 5-704. Coral Gables Mediterranean Style Design Standards

- A. Required Standards. The following table contains the standards applicable to all development subject to the regulations in this Division.

Existing Section 15-3.

*Existing Article 28 (5-704).
Sec, 28-2 deleted as
duplicative of 5-701B. 28-5
moved to Articles 2 & 3.*

*28-6 deleted and replaced
with locational restrictions in
Multi-family districts and site
plan review standards in
Article 3 Division 4.*

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;

Tables 1 & 2
"Med.Attributes" apply city wide.

See new definition of height in Article 8.

					<p>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.</p>
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.	<p>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.</p> <p>Parking facilities shall strive to accommodate pedestrian access to all adjacent street(s) and alleys.</p>
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.	<p>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 of the property frontage of the adjacent rights-of-way for all rights-of-way abutting the proposed uses.</p> <p>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.</p>
13.	✓	✓	✓	Rights-of-way planting requirements.	<p>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:</p> <p>a. Shade or ornamental shade street trees shall be provided subject to the following requirements:</p> <p>(1) One tree per 35 linear feet or fraction thereof of rights-of-way frontage.</p> <p>(2) Minimum height of 16 feet at time of planting; or,</p> <p>b. Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements:</p> <p>(1) One tree per 35 feet linear feet or fraction thereof of rights-of-way frontage.</p> <p>(2) Minimum height of 14 feet at time of planting.</p> <p>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.</p> <p>Median planting requirements. If a median can be established or exists on larger rights-of-</p>

				<p>way, the median shall include the below listed vegetation:</p> <p>a. Shade or ornamental shade street trees shall be provided subject to the following requirements:</p> <p style="text-align: right;">(1) One tree per 35 linear feet or fraction thereof of median length.</p> <p style="text-align: right;">(2) Minimum height of 16 feet at time of planting; or,</p> <p>b. Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements:</p> <p style="text-align: right;">(1) One tree per 35 linear feet of median length.</p> <p style="text-align: right;">(2) Minimum height of 14 feet at time of planting.</p> <p>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.</p> <p>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.</p> <p>a. Shade or ornamental shade street trees shall be provided subject to the following requirements:</p> <p style="text-align: right;">(1) One tree per 35 linear feet or fraction thereof of rights-of-way frontage.</p> <p style="text-align: right;">(2) Minimum height of 16 feet at time of planting; or,</p> <p>b. Palm tree. Maximum of 25 percent of the required total may be this variety subject to the following requirements:</p> <p style="text-align: right;">(1) One tree per 35 linear feet or fraction thereof of rights-of-way frontage.</p> <p style="text-align: right;">(2) Minimum height of 14 feet.</p> <p>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.</p> <p>All landscape areas shall be irrigated with a fully operational underground irrigation system providing 100% plant material coverage.</p> <p>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.</p>
12.		✓	✓	<p>Sanitation areas.</p> <p>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.</p>
13.		✓	✓	<p>Sidewalks/ pedestrian</p> <p>All buildings, except accessory buildings, shall have their main pedestrian entrances oriented towards adjoining streets.</p>

Not needed – see Article 5, Division 19.

				access.	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.
14.	✓	✓	✓	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.
15.	✓	✓	✓	Windows on Mediterranean buildings.	Mediterranean buildings shall provide a minimum window casing depth of 4 inches as measured from the face of the building.

B. Required Architectural and Public Realm Standards. All applications shall meet the minimum requirements of Table 2

1. Residential uses (Multi-family Districts) shall satisfy a minimum of 6 of the 10 qualifications in Table 2.
2. Nonresidential uses (Commercial Limited, Commercial, and Industrial Districts) shall satisfy a minimum of 8 of the 12 qualifications in Table 2.
3. 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 contiguous to alleys and/or streets.	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: 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. Bonus for Transferable Development Rights. If Transferable Development Rights are used, the following height bonuses may be approved by the Board of Architects, or the Planning and Zoning Board if a conditional use approval is required.

CLUP Map Designations	Allowable Feet	Additional feet available-pursuant to Section 5-704	Additional feet available/maximum feet for Coral Gables Mediterranean Architectural Style
Residential Use (Multi Family)			
Low Density	50 feet	63.5 feet	63.5 feet + 13.5 feet = 77 feet
Medium Density	70 feet	83.5 feet	83.5 feet + 13.5 feet = 97 feet
High Density	150 feet	163.5 feet	163.5 feet + 27 feet = 190.5 feet
Commercial Use			
Low-rise Intensity	50 feet	63.5 feet	63.5 feet + 13.5 feet = 77 feet
Mid-Rise Intensity	70 feet	83.5 feet	83.5 feet + 13.5 feet = 97 feet
High-Rise Intensity	150 feet	163.5 feet	163.5 feet + 27 feet = 190.5 feet
Industrial Uses	72 feet	85.5 feet	85.5 feet + 13.5 feet = 99 feet
Mixed use	The number of stories are dependent upon underlying CLUP Map designation as provided above.		

D. Other Development Options. If an applicant is entitled to a bonus under the provisions of this Division, the following development options in Table 3 may be used:

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: a. 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. b. The minimum square footage of allowable ground stories open space (i.e. plazas) shall be 400 square feet. c. 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. d. 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: a. 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. b. 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: <ul style="list-style-type: none"> • Types of open space. Types of open space shall be in the form of open arcades/loggia, courtyards, plazas, pedestrian pass-throughs or open atriums adjacent/contiguous to the adjacent rights-of-way. • Minimum area. Minimum square footage of allowable open space shall be 500 square feet. • 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

					<p>is greater. Additional height may be recommended.</p> <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 45 feet on 60 foot rights-of-way. • 18 feet on rights-of-way less than 30 feet. • The encroachment shall be structurally supported entirely from the adjoining private property. <p>c. All applicable costs for improvements and/or relocation to utilities, sanitary sewer, storm water, and other associated infrastructure improvements as a result of the request shall be the responsibility of the property owner.</p> <p>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.</p> <p>e. Any encroachments, construction and penetration into the right-of-ways shall be subject to the following: <ul style="list-style-type: none"> • The property owner's shall be responsible for all maintenance of all encroachments and/or property of all surrounding public 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, these LDRs, City Code or other applicable local, state and federal requirements, the City shall implement appropriate measures pursuant to applicable City provisions. </p> <p>f. Encroachments and the total amount of encroachment shall require review and approval pursuant to applicable City provisions.</p>	
3.		✓	✓	<p>Parking requirement exemption for Mediterranean Architectural Design buildings of 1.45 FAR or less (Central Business District</p>	<p>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 5-706 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.</p> <p>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</p>	Existing section 28-9

				only).	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 5-706 and satisfies all other provisions of this Division.

Section 5-705. Coral Gables Mediterranean Architecture Design.

- A. Coral Gables Mediterranean Architecture Design. All applications shall be required to satisfy all of the following:
1. Includes design elements and architectural styles of the following buildings as provided in Appendix A:
 - 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 B.

Section 5-706. Exterior walls--Material and color.

All exterior walls of all buildings shall be constructed of concrete, glass block, poured concrete, stone, hollow tile, coral rock or clay brick provided, however, that in the Commercial and Industrial Districts porcelain enamel panels, metal panels, pebble-faced block, pebble-faced panels, pre-cast panels and architectural concrete may also be used for exterior walls of buildings designed and used for commercial purposes with the express condition that

Existing section 21-2 (5-706).

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, pre-cast 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, if different from the Board of Architects approved palette of colors.

Section 5-707. Exterior walls--Facing materials.

Existing section 21-15 (5-707)

- 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 comply with the palette of colors approved by 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.

Section 5-708. Railings on exterior balconies.

The use of redwood, cedar or cypress wood on single-family and duplex-residence buildings 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)

Section 5-709. 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~~ City Architect and the Structural Engineer.

~~For the purpose of this section, A dormer window is defined as a window set upright in a sloping roof.~~

Section 5-710. Wind break panels.

Existing section 21.16 (5-709)

Existing section 21-17 (5-

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 in accordance with a palette approved by the Board of Architects.

Section 5-711. - 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~~ City Architect 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)

710)

Existing section 21-29 (5-711).

**Article 5, Division 8.
Distance Requirements**

Section 5-801. Purpose and Applicability.

It is the purpose of this Division to provide for appropriate distances between particular uses in order to mitigate any adverse impacts between particular uses.

Section 5-802. Sale of alcoholic beverages and liquors. (3406, 3577)

- A. No ~~alcoholic beverage sales (package) retail package liquor store, retail package beverage store or club vendor~~ shall be ~~established or operated~~ permitted upon premises closer than five-hundred (500) feet from any ~~church~~ religious institution or school without approval by the Board of Adjustment.
- B. In reviewing an application for alcoholic beverage sales (package) ~~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
 6. shall determine that the location is not detrimental to the public health, safety and welfare.
- C. The five hundred foot lateral distance shall be measured and computed by following a straight line from the nearest point of the

Sec 21-6 – terminology slightly changed. Apparently this section has not been followed uniformly.

Application requirement deleted.

~~school grounds and/or church grounds~~ religious institution in use as part of the school grounds and/or ~~church facilities~~ religious institution 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.~~

Section 5-803. Adult book store, adult ~~motion picture~~ theater and massage salon.

- A. No adult book store or ~~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, or ~~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, or ~~adult motion picture~~ theater or massage salon shall be located or established within a distance of five-hundred (500) feet from a residential ~~zoned~~ district and/or from a ~~church~~ religious institution or school. Such distance shall be measured and computed, in the case of a ~~church~~ religious institution or school, by following a straight line from the nearest point of the school and/or ~~church institution~~ grounds in use as part of the school grounds and/or ~~church facilities~~ religious institution 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 a residential ~~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.~~

~~Section 5-804. Automobile service stations.~~

~~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.~~

**ARTICLE 5, Division 9.
DOCKS, WHARVES, MOORING PILES AND WATERCRAFT
MOORINGS**

Section 5-901. Purpose and applicability.

It is the purpose of this Division to set forth all regulations applicable to docks, wharves and moorings in the City to ensure that such facilities are constructed in a manner that protects neighboring properties and the property on which they are located.

Section 5-902. Docks, wharves and mooring piles--canals, lakes, or waterways.

The construction, erection or installation of mooring piles and/or watercraft docks or similar landing facilities for watercraft, in anywaterbody, 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 waterbodies 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

This Division contains existing article 17 and sections 5-16 and 21-3 all related to docks. Minor edits are included. Please note that boathouses are permitted as accessory uses in single-family and multi-family districts and are not covered here.

from watercrafts.

- 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 5-901 (c) above, the mooring of watercraft in waterbodies shall be forbidden unless such moorings, and similar mooring on the opposite bank, shall leave unobstructed passageway in the waterbody of at least seventy-five (75) feet in width.
- G. Where the width of the waterbody permits mooring of watercraft 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.

Add graphics of "Venetian type".

Section 5-903. Docks and mooring piles--Biscayne Bay.

The construction, erection or installation of watercraft 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 the United States Government.

- D. Mooring piles and dolphins shall not be set more than twenty (20) feet into the bay from the dock line.

Section 5-904. Mooring of watercraft.

In single-family residential districts, where watercraft are permitted to be moored in waterbodies, all watercraft shall be moored parallel to the property line abutting the waterbody.

Section 5-905. Davits, watercraft lifts and floating watercraft lifts.

Davits, watercraft lifts and floating watercraft lifts shall be permitted as an accessory use to property in a residential district, subject to the following conditions and restrictions, except as further provided for specific properties and the Mahi Canal in Appendix A: (2807, 3206)

- A. That the appropriateness of the proposed location shall be reviewed and approved by an administrative site plan approval as provided in Article 3 Division 4.
- B. That certified engineering drawings be submitted with details of the proposed method of attachment.
- C. That the minimum side setback for such davits, watercraft lifts or floating watercraft lifts shall be the same as the minimum side setbacks, extended, for the main structure.
- D. That only one set of davits, watercraft lift, or floating watercraft lift shall be permitted for each single family dwelling and duplex. Multi-family buildings may have at least one set of davits or floating watercraft lift, but may not have more than one set of davits, watercraft lift or floating watercraft lift per ten (10) dwelling units.
- E. That watercraft lifts or floating watercraft 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 watercraft lifts or floating watercraft lifts shall maintain safety

light reflectors visible at night, and guide poles to show the submerged portion of the lift.

Section 5-906. Bulkheads and retaining walls.

No bulkhead, retaining wall or similar installation along a waterbody 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 waterbodies 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.

**Article 5 Division 10.
DRIVEWAYS**

Section 5-1001. Purpose and Applicability.

It is the purpose of this Division to provide regulations governing the design of new driveways in the City to enhance their safety and aesthetics.

Section 5-1002. Required Driveways.

- A. All buildings in the City shall have driveways that connect the building(s) to the street in accordance with specifications of the Public Works Department and in accordance with the ~~sight distance~~ triangle of visibility described in Section 5-1003 of these LDRs.
- B. In the event a required driveway will cross the parkway between the property line and the street pavement line, prior to the issuance of a building permit for the construction of a building on a parcel of land, the owner of the parcel shall construct such pavement or provide a bond to the City in the amount of 110% of the estimated cost of such pavement.
- C. Where the normal use and occupancy of an existing premise or building requires vehicular traffic ~~across~~ to cross 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.

Section 5-1003. Visibility of Driveway Entrances and Street Intersections.

- A. All driveway entrances and roadway intersections in or abutting residential or special use districts shall be constructed so that:
 - 1. Vehicles can enter and exit from the property without posing substantial danger to themselves, pedestrians, or vehicles traveling in abutting streets; and

This Division is derived from existing Sections 21-4 and 21-5 and Article 16 entitled walls, fences and hedges. The violation provisions have been incorporated into Article 7.

5-1001 is entirely new – approving driveways is both a safety issue and an aesthetic issue.

Section 5-1002 is an edited version of 21-4 but adds the reference to the triangle of visibility in Section 5-1003 below, and explicitly requires that driveways be installed according to Public Works specifications. All references to “triangle of visibility” elsewhere in existing code have been consolidated in this section.

Section 5-1003 is an edited version of Article 13, Section 13-4(c).

Definition moved to article 8. Concern has been expressed over the stringent nature of this provision as it relates to residential property, given the desirability of maintaining vegetation etc.

2. Interference with the free and convenient flow of traffic from adjacent streets is minimized.

B. A triangle of visibility, as described in Figures 1, 2, & 3 as defined in ~~Section 16-2 (a) 3 herein~~, shall be provided and maintained at all driveway entrances and street intersections in or abutting residential or special use districts, 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).

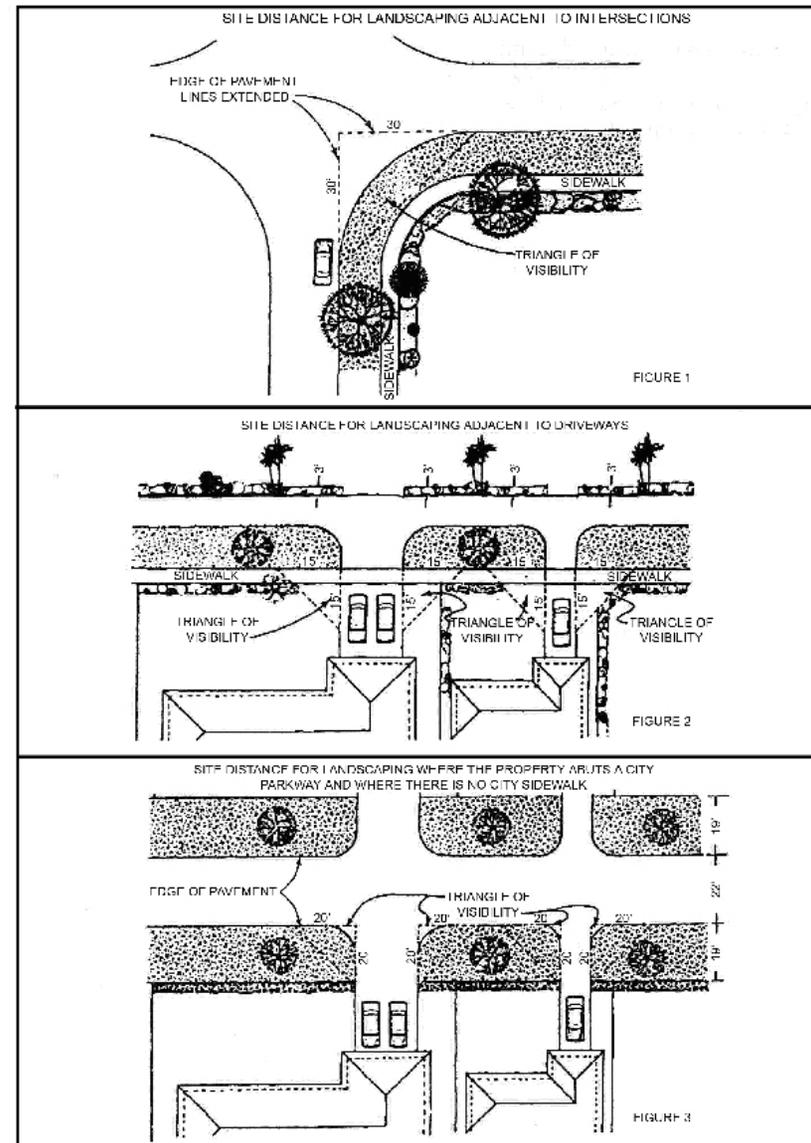
~~C. Triangle of visibility shall refer to a triangular area of land occurring at the intersection of a driveway and street or at the intersection of two streets which is maintained free of visual obstructions so as to provide adequate visibility of on-coming pedestrians and vehicles.~~

C. 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.

D. Deviation from the requirements and standards set forth by this Section may be allowed by variance only Applicants shall provide such professional studies and supporting materials necessary to demonstrate that the level of safety achieved will be comparable to the provisions contained in this section.

E. 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 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.

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~~

Existing section 21-4 is recommended to be deleted as appears to duplicate 5-1002.C.

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.

**Article 5. Division 11.
Group Homes; Assisted Living Facilities (ALF)**

This Division contains an edited version of Section 3-12.

Section 5-1101. General. Each group home or assisted living facility shall be in conformance with all applicable provisions of the Florida Building Code, Dade County Health Code, appropriate state agencies, and standards and regulations of any other agency or department which has authority over facilities of this type.

Section 5-1102. Assisted Living Facilities. All Assisted Living Facilities (A.L.F.) in Multi-family or Commercial Districts shall not exceed a F.A.R. of 3.0. Mediterranean bonuses may apply as permitted in these LDRs. 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

- A. Separately licensed facilities shall be spaced at least one thousand two hundred (1,200) feet apart, measured from front door to front door.
- B. 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.

- C. 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 Article 5 Division 16 of these LDRs.
- D. 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.
- E. Facilities shall be aesthetically compatible with the surrounding neighborhood and adjacent properties.
- F. 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.

--	--

**Article 5, Division 12.
HELIPORT AND HELISTOPS**

Section 5-1201. Purpose and applicability.

The purpose of this Division is to set out standards for the provision of heliports and helistops in the City. A heliport may be approved as a conditional use in a Special Use District. A helistop may be approved as a conditional use in a Special Use District, CL District, CD District or the Industrial Use District.

Section 5-1202. Heliport and helistop standards.

~~3.~~

- A. The Planning and Zoning Board shall consider the following standards, in addition to the general standards for conditional uses in Article 3 Division 4 in deciding whether to approve, approve with conditions or deny an application for a conditional use for a heliport or helistop:
1. Proximity to residential and noise sensitive areas.
 2. Height and location of surrounding buildings, utility lines/towers and vegetation.
 3. Projected average decibel readings.
 4. Volume of vehicular traffic and hours of operation.
 5. 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.
- B. The applicant shall provide proof of compliance with Federal Aviation Administration (FAA) requirements established in the Federal Aviation Regulations (FAR) for helicopter and heliport development.

This division is existing section 6-5 with minor edits to conform to organization and terminology of the new LDRs. Definitions have been moved to Article 8. Since this is such a short division, we could insert this "as is" in the conditional use sections of all the districts enumerated in 5-1201. However, it would be repeated four times.

C. 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.

**Article 5, Division 13.
Landscaping.**

Section 5-1301. Purpose.

The purpose of this Division is to preserve the existing natural environment whenever practicable and to provide landscape amenities and screening which promote a positive urban image by promoting quality development, enhancing property values, providing landscape improvements in all parts of the City, and promoting orderly growth and aesthetic quality in the City.

Section 5-1302. Applicability.

Except as provided in Section 5-1303, this Division applies to all new development, redevelopment, and changes in use.

Section 5-1303. Exemptions.

This Division shall not apply to Single Family Districts, except that a new single family dwelling shall have a minimum landscaped open space of thirty-five (35) percent and a minimum number of three (3) trees.

Section 5-1304. Minimum requirements and conflicts.

Minimum landscaping requirements for the City of Coral Gables are controlled by Chapter 18A of the Miami-Dade County Code of Ordinances. This Division supplements the Miami-Dade County Landscape Ordinance. Should a conflict arise between these provisions and Chapter 18A of the Miami-Dade County Code, the requirement which provides for the most extensive landscaping and best quality materials shall apply.

Section 5-1305. Installation.

All landscaping shall be installed in a sound manner and according to accepted good planting procedures with the quality of plant materials

This Division, as titled, is new. However, it incorporates those sections of the existing code which referenced landscaping requirements. Those sections included Article 13 "off-street parking and loading," Article 16 – "walls, fences, shrubbery and hedges," and Article 21 – "miscellaneous standards, requirements and restrictions."

Section 5-1301 is new.

Section 5-1302 is new.

Section 5-1303 is new.

Section 5-1304 is new.

Section 5-1305 has been moved from Article 13, Section 13-4(a).

as described in this Division. All elements of landscaping shall be installed so as to meet all other applicable ordinances and code requirements.

Section 5-1306. Maintenance.

- A. All landscaped areas shall be maintained in good condition so as to present a healthy, neat and orderly appearance and such areas shall be kept free from refuse and debris.
- B. If any tree or plant dies which is being used to satisfy requirements under this Division, such tree or plant shall be replaced with the same landscape material or an approved substitute.
- C. Trees shall be pruned in the following manner:
 - 1. All cuts shall be clean, flush and at junctions, laterals or crotches. All cuts shall be made as close as possible to the trunk or parent limb, without cutting into the branch collar or leaving a protruding stub.
 - 2. Removal of dead wood, crossing branches, weak or insignificant branches, and sucker shall be accomplished simultaneously with any reduction in crown.
 - 3. Cutting of lateral branches that results in the removal of more than one-third (1/3) of all branches on one (1) side of a tree shall only be allowed if required for hazard reduction or clearance pruning.
 - 4. Lifting of branches or tree thinning shall be designed to distribute over half of the tree mass in the lower two-thirds (2/3) of the tree.
 - 5. No more than one-third (1/3) of a tree's living canopy shall be removed within a one (1) year period.
 - 6. Trees shall be pruned according to the current ANSI A300 Standards and the Landscape Manual.
- D. All landscaped areas shall be provided with an in-ground irrigation system or a readily available water supply with at least one outlet located within one hundred and fifty (150) feet of all plant material to be maintained.

Section 5-1306 has been moved from Article 13, Section 13-4(b).

E. Irrigation shall be provided in the following manner:

1. All newly-planted and relocated plant material shall be watered by temporary or permanent irrigation systems that produces one hundred (100) percent plant material coverage.
2. Irrigation shall be prohibited within native plant communities and natural forest communities, except for temporary systems needed to establish newly planted material. Temporary irrigation systems shall be disconnected immediately after establishment of plant communities.
3. Irrigation systems shall be designed to conserve water by allowing differential operation schedules based on hydrozone.
4. Irrigation systems shall be designed, operated, and maintained to not overthrow or overflow on to impervious surfaces.
5. Low trajectory spray heads, and/or low volume water distributing or application devices, shall be used. Overhead irrigation systems shall only be permitted in bonafide agricultural activity areas.
6. Gray water shall be used where approved systems are available.
7. During dry periods, irrigation application rates of between one (1) and one and one-half (1 1/2) inches per week are recommended for turf areas.
8. A moisture or rain sensor device shall be required on all irrigation systems equipped with automatic controls.
9. Irrigation systems shall be timed to operate only during hours and on days permitted under Miami Dade County Code.

Section 5-1307. Plant material.

- A. Quality. Plant materials that are used to satisfy the requirements of this Division ~~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 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.~~

Section 5-1307 has been moved from Article 13, Section 13-4(c) and is slightly edited.

Moved grass seed to Lawn Grass – Section 5-1305(F).

B. Shade Trees. Shade trees that are used to satisfy the requirements of this Division shall be species having have:

1. an average mature spread of crown of greater than fifteen (15) feet in ~~Dade County~~ provided however, that 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;
2. trunk(s) which can be maintained in a clean condition over at least five (5) feet of clear wood;
3. Palms shall be considered shade trees when clustered in groups of three or more. ~~in accord with standards promulgated by the Building and Zoning Department and approved by the City Commission.~~
4. a minimum of seven (7) feet of overall height at height ~~immediately after~~ planting;

C. Shrubs. Shrubs shall be a minimum of two (2) feet in height when measured immediately after planting.

D. Hedges. Hedges, where required, shall be planted and maintained so as to form a continuous, unbroken, solid, visual screen within a maximum of one (1) year after time of planting.

E. Vines. Vines that are used in conjunction with fences, screens, or walls to meet ~~physical barrier~~ landscaping requirements of these LDRs, shall be a minimum of thirty (30) inches in height immediately after planting.

F. 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.

G. Lawn grass.

1. Grass areas shall be planted in species normally grown as

Overall height immediately after planting may need to be reduced. Seven feet may be a little too high.

permanent lawns in Miami-Dade County.

2. 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.
3. Grass sod shall be clean and reasonably free of weeds and noxious pests or diseases.
4. 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.

Section 5-1308. Shade tree setbacks.

- A. All shade trees shall be planted at least eight (8) feet from public roadways or other impermeable surfaces.
- B. Shade tree species that are known to cause damage to public roadways or other impermeable surfaces shall be planted at least twelve (12) feet from the public roadways or other impermeable surfaces. ~~Tree 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 impermeable surfaces, 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 (galvanized 6 X 6; 10/10 welded wire fabric or equivalent.~~ A list of such shade tree species shall be maintained by the City for the guidance of the public.

Section 5-1309. Rights-of-way improvements.

- A. Landscape islands, bulbouts, curbing, pedestrian crosswalk bulbouts and other associated traffic calming improvements shall

Section 5-1308 creates a unified eight foot setback for all shade trees, and twelve feet for

Section 5-1309, 5-1310, 5-1311 were taken from Article 3, Use District and Regulations.

be:

1. required to accommodate landscaping, pedestrian circulation and other pedestrian amenities;
2. 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.

B. In lieu of the requirements set forth in Section 5-1309 A. above and Section 5-1308 below, 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.

Section 5-1310. Rights-of-way planting requirements.

- A. Street planting requirements. ~~The below listed~~ Vegetation shall be installed ~~between~~ ~~within~~ the sidewalk and/or rights-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:
1. Shade or ornamental shade street trees shall be provided subject to the following requirements:
 - a. One (1) tree per 35 feet linear feet or fraction thereof of right-of-way frontage.
 - b. Minimum height of 16 feet at time of planting; or,
 2. Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements:

Planting requirements are required for all new development, redevelopment, and changes in use, in accordance with 5-1302.

- a. One (1) tree per 35 linear feet or fraction thereof of right-of-way frontage.
 - b. Minimum height of 14 feet at time of planting.
- 1. Shrub or ground cover 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) plants per one (1) foot or fraction thereof of of the median length.
- B. Median planting requirements. If a median can be established or exists on larger rights-of-way, the median shall include the below listed vegetation:
 - 2. Shade or ornamental shade street trees shall be provided subject to the following requirements:
 - c. One (1) tree per 35 linear feet or fraction thereof of median length.
 - d. Minimum height of 16 feet at time of planting; or,
 - 3. Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements:
 - a. One (1) tree per 35 linear feet of median length.
 - b. Minimum height of 14 feet at time of planting.
 - 4. 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 of the median length.
- C. Alley planting requirements. If vegetation can be installed within an alley, the below listed vegetation shall be installed along alleyways within right-of-ways whenever practicable.
 - 1. Shade or ornamental shade street trees shall be provided subject to the following requirements:

- a. One (1) tree per 35 linear feet or fraction thereof of right-of-way frontage.
 - b. Minimum height of 16 feet at time of planting; or,
2. Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements:
- a. One (1) tree per 35 linear feet or fraction thereof of right-of-way frontage.
 - b. Minimum height of 14 feet.
3. Shrub or ground cover 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) plants per one (1) lineal foot or fraction thereof of the median length.
- D. The above materials can be located within the private and public realm areas as determined by the City.
- E. All installed plant materials shall be Florida Number One grade or better.
- F. All street tree plantings shall satisfy the State Department of Transportation "tree clearance planting zone requirements."
- G. Vegetation shall be arranged and maintained at intersections to maintain the following:
- 1. Street and driveway intersection visibility requirements.
 - 2. Installed traffic signage, signals, etc., are not obstructed or will be obstructed when plant material reaches maturity.
- H. All vegetation and other associated improvements shall be subject to City encroachment review and approval.

Section 5-1311. Structural soil.

Structural soil shall be utilized in all planting areas with appropriate root barriers.

Sections 5-1312, 1313 and 1314 have been moved from existing Article 13, Section 13-4, and have been substantially changed.

"Off-street parking area" and "other vehicular use area" have been combined into "vehicular use area." A definition of vehicular use area was created to include off-street parking areas. All references to off-street parking which were used interchangeably with vehicular use area have been deleted for consistency. (See Article 8).

These landscaping requirements for vehicular use areas are in addition

Section 5-1312. Landscaping of 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.

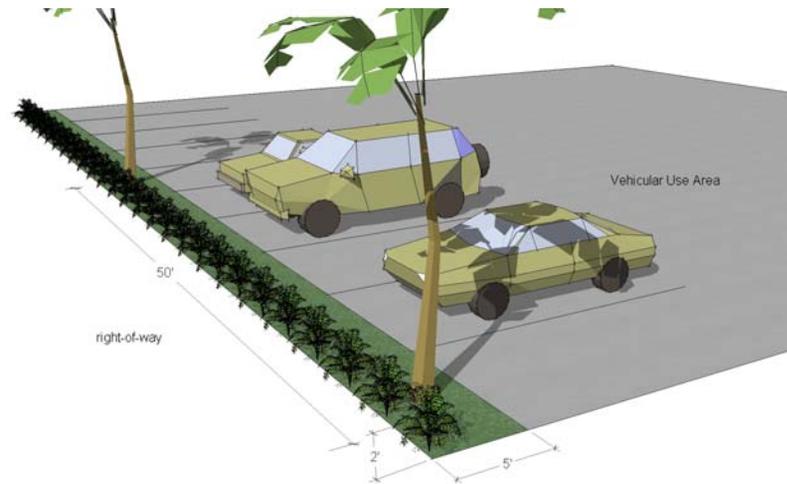
Vehicular use areas, except parking areas serving single-family and duplex uses, shall conform to the minimum landscaping requirements in this Division Sections 5-1310 and 5-1311.

Section 5-1313. Vehicular use areas – additional required landscaping adjacent to public right-of-way.

A. Vehicular use areas, other than a dedicated alley, shall be screened from public rights-of-way by buildings or by landscape buffers. Landscaping buffers shall be provided as follows:

1. at least five (5) feet wide;
2. penetrated only by paved vehicular and pedestrian points of ingress/egress;
3. planted with one (1) shade tree for each fifty (50) linear feet of frontage, excluding paved vehicular and pedestrian points of ingress/egress;
4. trees shall be planted in a planting area of at least twenty-five (25) square feet with a minimum dimension of at least five (5) feet;
5. a hedge, wall, or other durable landscape barrier of at least two (2) feet in height shall be placed only along the perimeter of

to those listed in 5-1310.



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;

6. 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;

7. The remainder of the required landscaped areas shall be landscaped with grass, ground cover, or other landscape treatment excluding paving.

B. All property other than the required landscaped strip lying between the right-of-way and vehicular use area shall be landscaped with at least grass or other ground cover.

C. Necessary accessways from the public right-of-way through all required landscaping shall be permitted to service the parking or vehicular use areas and such accessways may be subtracted from the lineal dimension used to determine the number of trees required.

~~On the site of a building or structure or open lot use providing a 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:~~

Section 5-1314. Vehicular use areas – perimeter landscaping relating to abutting properties.

A. Except as provided in Section 5-1314B, vehicular use areas shall be screened from any abutting property ~~let~~ by buildings or by landscape buffers. Perimeter landscaping buffers shall be provided as follows:

~~On the site of a building or structure or open lot use providing a vehicular use area, where such areas will not be entirely screened visually by an intervening building or structure from abutting~~

property,

1. That portion of such vehicular use area not screened from abutting property 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 vehicular use area and such abutting property.
 2. Such landscape ~~barrier~~ buffer shall be located between the common lot line and vehicular use areas exposed to the abutting property ~~provided the purpose of screening vehicular use areas is accomplished.~~
 3. If such ~~barrier~~ buffer consists of all or in part plant material, such materials shall be planted in a planting strip of not less than two and one-half (2½) feet in width.
 4. One (1) tree shall be provided for each seventy-five (75) lineal feet of such landscape ~~barrier~~ buffer or fractional part thereof.
 - a. Such trees shall be located between the common lot line and the vehicular use areas.
 - b. 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.
 - c. Each such planting area shall be landscaped with grass, ground cover or other landscape material, excluding paving, in addition to the required tree(s).
- B. The provisions of this Section shall not be applicable in the following situations:

1. Those portions of the property that are opposite a building or other structure located on the abutting property constructed ~~with so as to have~~ no setback from the common property line.

A greater minimum dimension may be needed around the root ball of a shade tree. Consider allowing the root ball to extend into the swale of the public right-of-way to meet additional dimensional requirement, provided it does not interfere with utilities.

2. Where a proposed parking area or 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 Section provided that said existing barrier meets all applicable standards of ~~this ordinance~~ these LDRs and protection against vehicular encroachment is provided for hedges.

3. Where the abutting property is ~~zoned or~~ used for non-residential uses, only the tree provision with its planting area as prescribed in subsection C of this Section shall be required; however, the number of trees may be reduced to one (1) tree for every one-hundred-twenty-five (125) lineal feet or fraction thereof, but all perimeter requirements shall apply within the front setback area.

C. Vehicular use areas for commercial uses located adjacent to property ~~zoned for R, D, or A-Uses in residential districts~~ shall provide a minimum of five (5) foot landscaped area adjacent to said ~~R, D, or A-Use zoned~~ property; provided however, that a commercial use which is separated by a dedicated alley from an R, D, or A-Use a residential district is exempted from providing such five (5) foot landscaped area along the lot line abutting the alley.

D. Vehicular use area interior landscaping.

1. Vehicular use areas shall provide:

a. 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; plus

b. one square foot of landscape area for each one-hundred (100) square feet or fraction thereof of paved area, for the first fifty-thousand (50,000) square feet of paved area, excluding the first five-thousand (5,000) square feet of

Does this reduction apply only to b or does it apply to a and b?

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 areas over fifty thousand (50,000) square feet; provided, however, in an Industrial District areas ~~zoned for industrial use~~ these requirements shall be reduced by fifty (50%) percent.

2. Where the property contains both parking spaces 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.
3. 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 (1) 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.
4. The total number of trees shall not be less than one (1) 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.
5. In 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.
6. 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 is 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.

Taken from Article 13, Off-Street Parking and Loading.

Added a definition of "accessway" to Article 8.

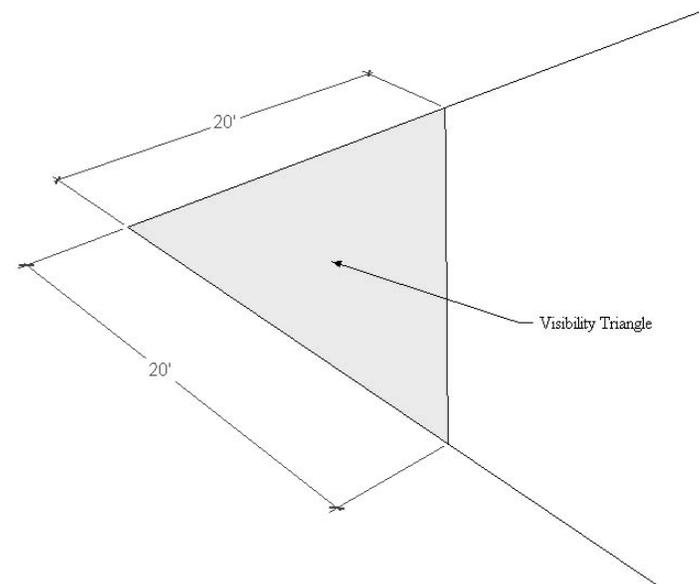
This subsection eliminates all other triangle sections found in the existing code, with the exception of the proposed Article 5, Division 12, Driveway.

E. Sight distance for landscaping adjacent to public right-of-way and accessways.

1. 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 visibility areas described in Subsection E 3 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.
2. Landscaping, except required grass or ground cover, shall not be located closer than three (3) feet from the edge of any accessway pavement.
3. The triangular visibility areas ~~above referred to~~ are:
 - a. 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.
 - b. 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.

Section 5-1315. Automobile service stations.

All automobile service station sites shall comply with the following minimum landscaping requirements:



1. Not less than ten (10%) percent of the automobile 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.

Section 5-1316. Installation of rock yards.

Prior to installation of rock yards, plans shall be submitted and approved by the Board of Architects.

Section 5-1317. Movable planters.

A. 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~~ Commercial or Industrial district provided that such planters:

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.

Section 5-1316 is existing Article 21, Section 21-14. This needs to be revised to reflect a real standard for approval.

Section 5-1317 is existing Article 21, Section 21-27.

3. Can be relocated 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 forty-eight (48) 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 fixtures for the abutting business establishment.
 9. Shall not display lettering, signage or advertising.
- B. That a Restrictive Covenant shall be executed by the property 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.
- C. Any movable planters which do not meet the requirements ~~herein~~ of this Section shall be removed immediately at the owner's expense.

Section 5-1318. Credit for 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 vehicular use areas, ~~the Building and Zoning Department City staff~~ may adjust the application of the ~~above-mentioned~~ standards in this Division to allow a credit for such plant material if ~~in its opinion~~, such an adjustment is in

Consider extra credit for preservation of mature, healthy, native vegetation.

keeping with and will preserve the intent of this ~~section~~ Division.

Section 5-1319. Preservation of existing landscaping.

Desirable landscaping shall be preserved in its natural state to the maximum extent possible. General landscaping requirements and standards established by ~~code~~ these LDRs for off-street parking, yards and open space shall be considered supplemental to retention of desirable natural features. Placement of structures and vehicular use areas shall be designed so such as to retain, to the extent reasonably practical, desirable existing landscaping, open space and natural features, and to promote provisions of compatible new landscaping. Desirable native plant materials, and well adapted exotic plant materials shall be preferred in plant selection.

Taken from Article 9, Section 9-28, Planned Area Development.

**Article 5 Division 14
LIGHTING**

Section 5-1401. Purpose and applicability. It is the purpose of this Division to establish minimum standards for the provision and use of outdoor lighting in order to provide for the safe and secure night time use of public and private property while at the same time protecting adjacent land uses from intrusive light conditions.

Section 5-1402. Outdoor lighting permitted with standards. Outdoor 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.~~
- A. ~~The Building and Zoning Department may issue~~ A permit for outdoor such lighting may be issued 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.
- B. ~~In addition, Such~~ Outdoor lighting shall be designed so that any overspill of lighting onto adjacent properties shall not exceed one-half (½) foot-candle (vertical) and one-half (½) 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.~~

This Division is a slightly edited version of existing section 21-25. Application requirements have been removed.

ARTICLE 5, Division 15
Miscellaneous Construction Requirements.

This division contains existing provisions in Section 21-20.

Section 5-1501. Minimum standards.

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

Appendix C 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 the 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.

**ARTICLE 5, Division 16.
Parking and Loading Requirements**

Section 5-1601. Purpose and Applicability.

- A. The purpose of this Division is to ensure that:
1. Adequate off-street parking is provided for uses that are permitted by these LDRs.
 2. Vehicular use areas are designed and illuminated to protect the safety of those who use them.
 3. Vehicular use areas are landscaped in a manner that enhances the community character of the City of Coral Gables.
 4. Adequate loading areas are provided that do not interfere with the function of vehicular use areas.
- B. Parking and loading areas that are required by this Division shall be maintained for as long as the use to which they relate is continued.
- C. The requirements of this Division apply to:
1. All new buildings, uses or structures, in their entirety.
 2. All individual dwelling units that are either:
 - a. pre-existing and expanded in terms of gross floor area, compared to the gross floor area that existed on March 11, 1964, by at least the following amounts:
 - i. Single-family units: more than 50%;
 - ii. Duplex units: more than 25%
 - iii. Multifamily units: more than 5%, unless the threshold provided in Section 5-1601.C.3 is reached, in which case Section 5-1302(C) applies; or
 - b. new units that are added to an existing multifamily building.
 3. All existing multifamily and nonresidential buildings, uses or structures, in their entirety, that are expanded in terms of gross floor area by more than fifty percent (50%) of the gross floor area that

This Division is based on existing Article 13. New parking requirements are provided that relate to the revised use table.

Section 5-1601.A. is new. Section 5-1601B. is the existing Sections 13-1(b) and 13-2(g).

Section 5-1601.C. incorporates the existing Sections 13-1(a), (d), (e), and (f). [alternative location for these provisions is Article 6 Nonconformities]

existed on March 11, 1964.

4. Only the expanded portion of a nonresidential building, use or structure, if:
 - a. the nonresidential building is expanded in terms of gross floor area by more than five percent (5%), but less than fifty percent (50%), of the gross floor area that existed on March 11, 1964; and
 - b. the building site is not the subject of a district boundary change that imposes additional parking requirements.
5. Any existing building or structure that was in existence prior to March 11, 1965, if the zoning of the building site is changed to a district that requires a greater amount of off-street parking than was required of the building or structure.

Section 5-1602. General Standards for Parking and Loading and Vehicular Use Areas.

The following general standards apply to all parking and loading and vehicular use areas:

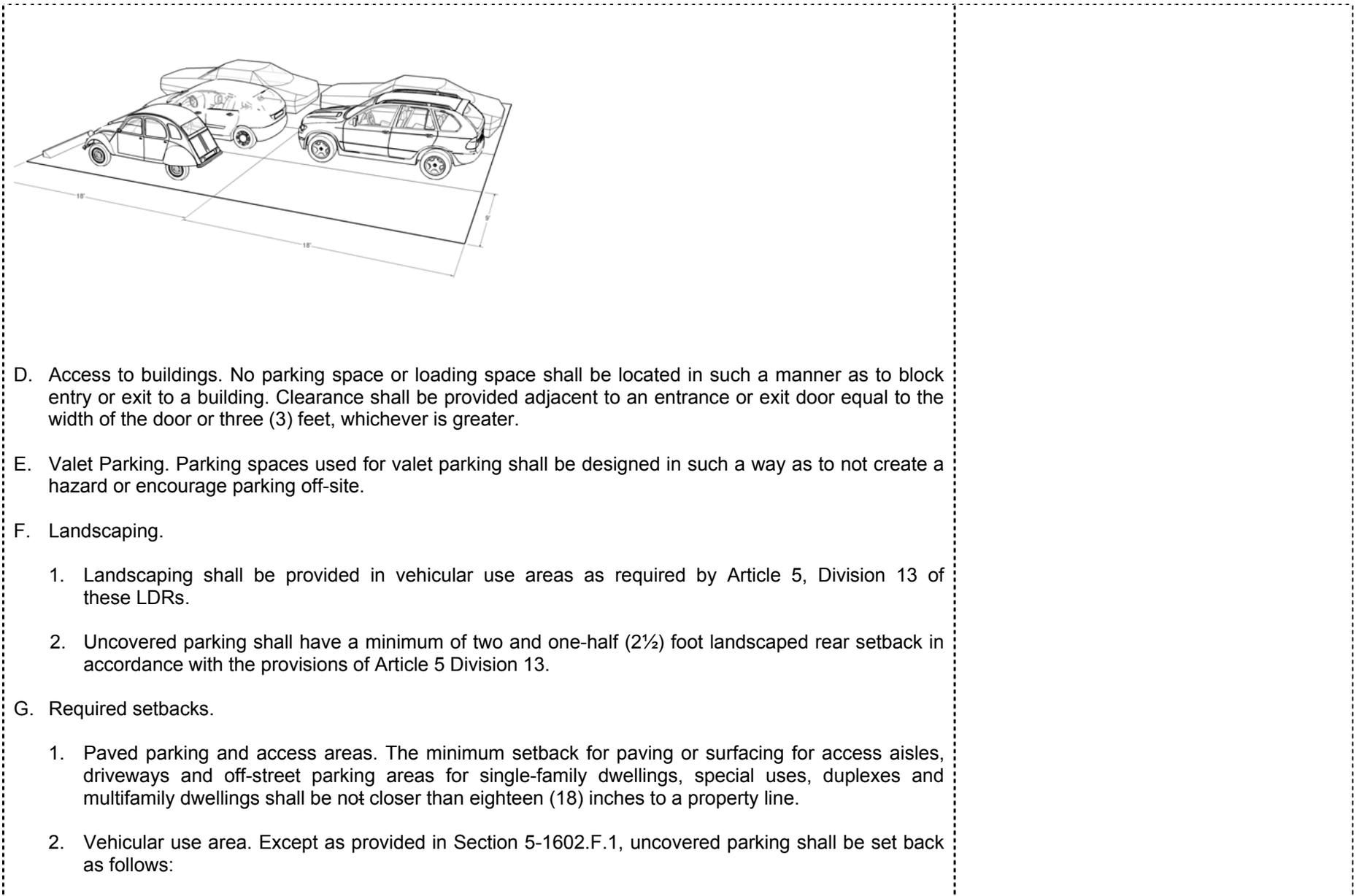
- A. Technical design requirements. The design of all parking spaces, access aisles, driveways, points of ingress and egress, and turnarounds shall comply with the most current version of the Off-Street Parking Standards, prepared by the City of Coral Gables Public Works Department. Each off-street parking space shall be designed in accordance with the provisions of Section 5-1602K.
- B. Access to parking spaces. Each parking space shall be directly accessible from a street or alley, or an aisle or driveway that connects to a street or alley.
- C. Tandem Spaces. Tandem spaces are permitted as required parking for townhouses.

Section 5-1602 incorporates the existing Sections 13-2(b), (c), (l), (m), (n); 13-3(a), and 13-13.

Section 5-1602.A. is an expansion of existing requirements with regard to the Public Works Department's standards. An engineering standards manual that contains additional technical requirements is recommended.

The procedural and application requirements of the existing Section 13-2 are deleted. All procedures are in Article 3, Division 2 applications requirements are not in the new LDRs.

The existing Sections 13-2(d) and (e), which set out detailed construction standards, are deleted, as is Section 13-1(g). Consider putting such standards in an engineering standards manual, provided by the City Engineer.



- D. Access to buildings. No parking space or loading space shall be located in such a manner as to block entry or exit to a building. 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.
- E. Valet Parking. Parking spaces used for valet parking shall be designed in such a way as to not create a hazard or encourage parking off-site.
- F. Landscaping.
 - 1. Landscaping shall be provided in vehicular use areas as required by Article 5, Division 13 of these LDRs.
 - 2. Uncovered parking shall have a minimum of two and one-half (2½) foot landscaped rear setback in accordance with the provisions of Article 5 Division 13.
- G. Required setbacks.
 - 1. Paved parking and access areas. The minimum setback for paving or surfacing for access aisles, driveways and off-street parking areas for single-family dwellings, special uses, duplexes and multifamily dwellings shall be not closer than eighteen (18) inches to a property line.
 - 2. Vehicular use area. Except as provided in Section 5-1602.F.1, uncovered parking shall be set back as follows:

a. Front: 20 feet, except directly in front of the structure entrance.

b. Side: 15 feet.

c. Side street: 20 feet.

d. Rear: 2½ feet.

3. Parking structures and accessory decks.

a. No setbacks are 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 be set back as follows:

i. Front: 20 feet.

ii. Side: 10 feet.

iii. Side street: 10 feet.

iv. Rear: 20 feet.

c. Parking structures and accessory decks which have a height of more than three (3) feet six (6) inches above established grade shall be subject to the setback requirements of the underlying district regulations as they apply to principal buildings.

4. Parking garages shall be required to provide the same minimum setbacks as required for the main building provided however, that no setbacks shall be required for that portion of a parking garage which is located completely below grade.

H. Flexibility in Setbacks. 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 the time of planting.

Added from Article 03. Use District and Regulations

The existing regulations refer to "rear yard." The proposed regulations allow parking areas to be located within the building envelope as well.



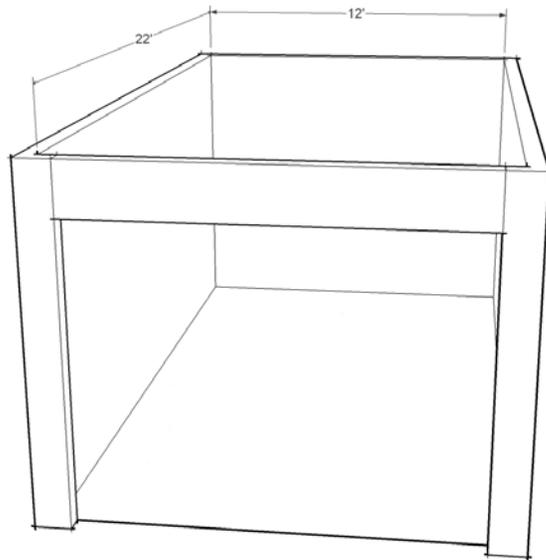
- I. Parking in a Special Use District or a Residential District shall be located and configured as follows:
 1. All required parking spaces shall be located:
 - a. behind buildings but not in the side street setback; and/or
 - b. between the building and the side interior property line.
 2. Additional parking spaces are permitted in the front setback area if all required parking spaces are already provided in one or both locations permitted by Section 5-1602.G.1.

City may wish to consider illustrating aisle

3. All parking shall be located and configured so that vehicles do not back into street traffic.

J. Minimum dimensions of garages and carports. The minimum inside dimensions for garages and carports shall be:

1. Carports (attached and freestanding): twelve (12) feet wide by twenty-two (22) feet long.
2. Garage, one-car: twelve (12) feet wide by twenty-two (22) feet long.



Individual Garage

3. Garage, two-car: twenty-two (22) feet wide by twenty-two (22) feet long.

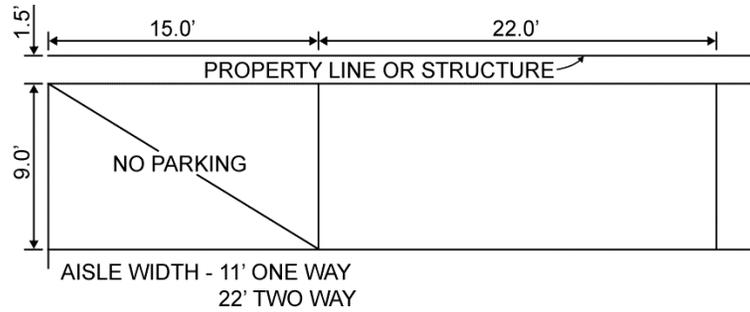
K. Off-Street Parking Standards.

1. Standard stall dimensions shall be as follows:

a. Parallel parking spaces shall be nine (9) feet wide by twenty two (22) feet long and configured

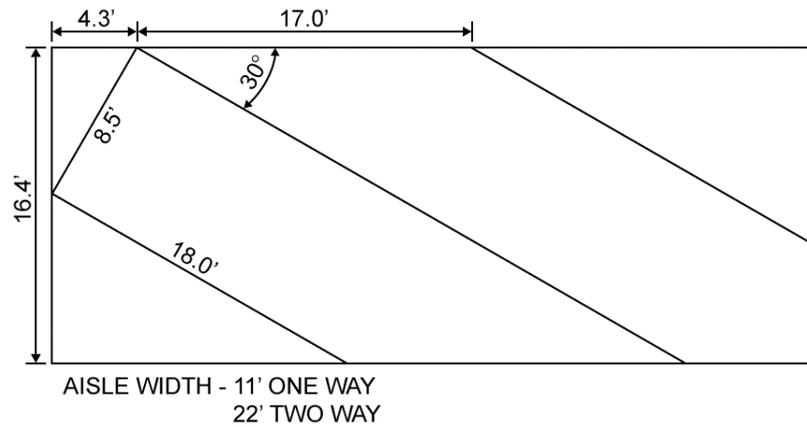
width due to different recommended aisle width for different angles. See generally Urban Land Institute, THE DIMENSIONS OF PARKING (4th Ed. 2001).

as illustrated below:

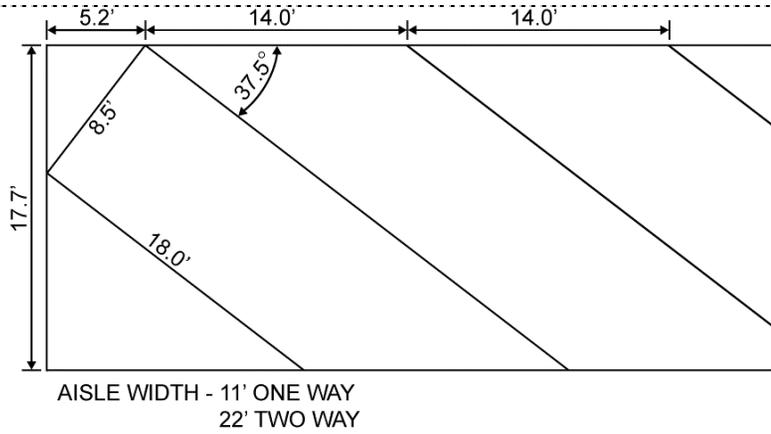


b. Angled parking spaces shall be eight and a half (8.5) feet wide by eighteen (18) feet long and configured as illustrated below:

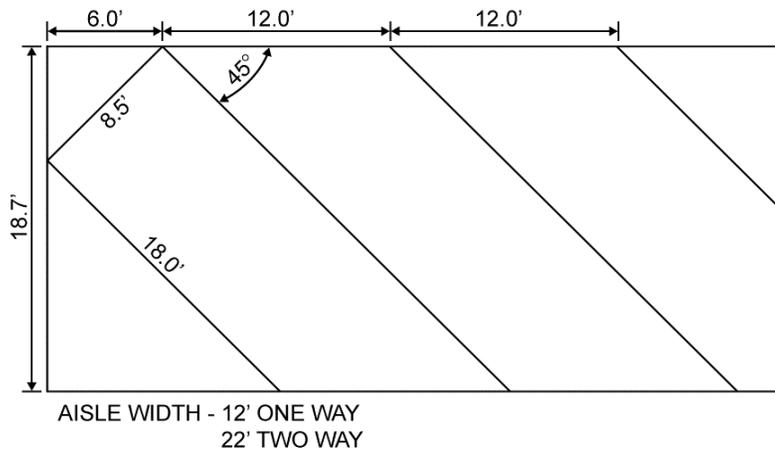
30° Angle Parking



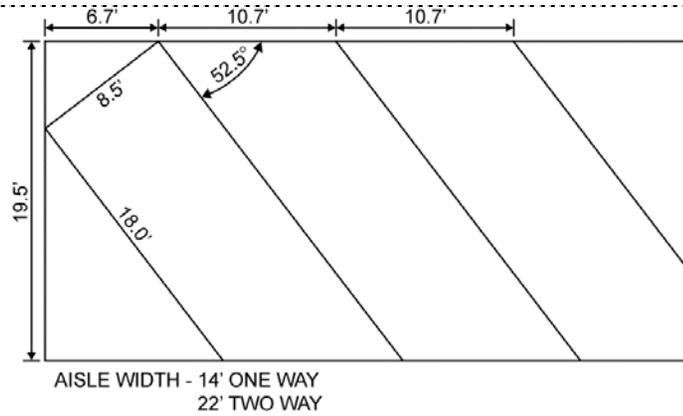
37.5° Angle Parking



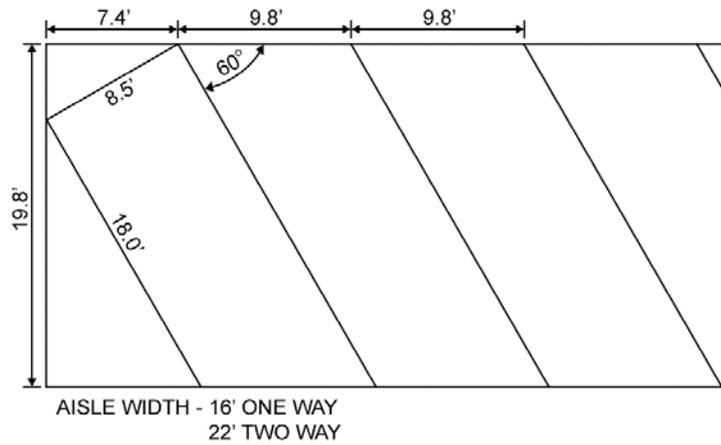
45° Angle Parking



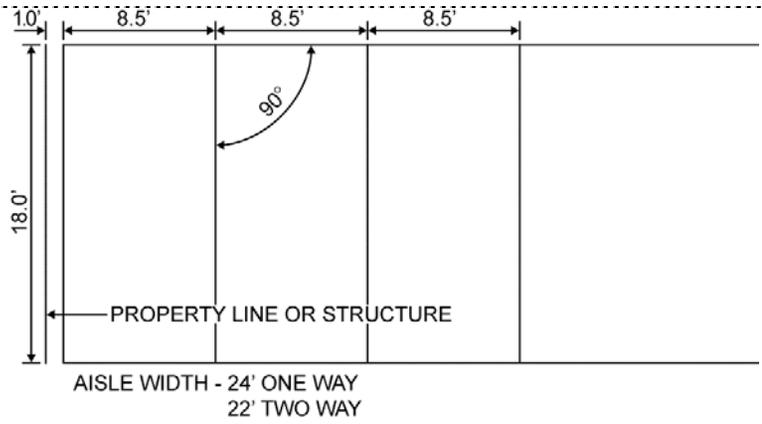
52.5° Angle Parking



60° Angle Parking

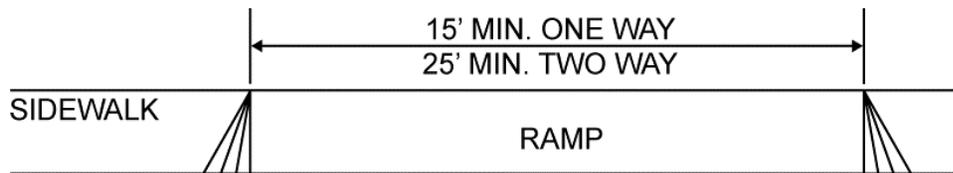


90° Angle Parking



Section 5-1603 incorporates the existing Sections 13-2(h), (i), and (j). References to the South Florida Building Code are updated to the Florida Building Code.

c. Ingress and egress drives shall be at least twenty five feet (25') for two way and at least fifteen feet (15') for one way, and shall be configured as illustrated below:



“Luminance ratio” is defined in Article 8.

Consider moving this section to Article 5, Division 13 – Lighting.

2. Precast concrete wheel 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.
3. The minimum turning radius shall be eighteen (18) feet inside, twenty nine (29) outside.
4. A 6" x 12" concrete curb shall be placed around the property perimeter unless otherwise directed by Public Works Director.
5. 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.
6. Parking spaces for the handicapped shall be a minimum of 13' x 19' unless directed otherwise by the Public Works Director.

7. 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.

Section 5-1604 incorporates the existing Sections 13-2(k), 13-3(b) and (c), and 13-14.

L. Architectural and Design Treatment for Structured Parking.

1. 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.

2. Parking garages shall reflect the architectural character and exterior finishes of building which is to be served by the garage.

M. 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 (18½) feet wide by nineteen (19) feet long for two cars, may be enclosed for use as a garage.

Section 5-1603. Illumination of Parking Areas.

Parking areas shall be illuminated as follows:

A. Illumination of vehicular use areas for Group E, F, and G occupancies as defined under the Florida Building Code shall be provided from dusk until thirty (30) minutes after the end of business each operating day, as follows:

1. Uncovered parking, driveways, and aisles shall be illuminated at an average intensity of at least one-third (⅓) foot-candle on the parking, driveway, and aisle surfaces.

2. Parking and other non-enclosed areas that are under or within buildings at-grade shall be illuminated at an average intensity of at least one (1) foot-candle of light on the parking and walking surfaces.

3. No luminance ratio shall exceed twelve-to-one (12:1).

B. Illumination of vehicular use area facilities for Group H occupancies as defined under the Florida Building Code shall be provided from dusk until dawn as follows:

1. Uncovered parking, driveways, and aisles shall be illuminated at an average intensity of at least one-third (⅓) foot-candle of light on the parking, driveway, and aisle surfaces.

2. Parking and other non-enclosed areas that are accessible to pedestrians and vehicles, that are located under, over, or within buildings shall be illuminated at an average intensity of at least one (1)

The existing language "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

foot-candle of light on the walking and parking surfaces.

3. No luminance ratio shall exceed twelve-to-one (12:1).

C. 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 use of adjacent properties.

Section 5-1604. Common Driveways and Remote Off-Street Parking.

A. Common driveways. The common use of driveways to provide access to parking areas on adjoining parcels of land is permitted, provided that the property owner or owners submit an appropriate restrictive covenant or access easement in recordable form acceptable to the City Attorney that provides for the continued existence of the shared driveway until such time as the City Manager releases the obligation of the restrictive covenant or easement.

B. Remote parking for residential uses. Fifty percent (50%) of the required off-street parking for residential uses in Multi-Family 1, Multi-Family 2, or any dwelling units in Commercial or Industrial Districts may be provided in remote off-street parking facilities, provided:

1. A boundary of the remote off-street parking facilities must be located within three hundred (300) feet of a boundary of the building site.

2. The property owner or owners submit an appropriate restrictive covenant or parking easement in recordable form acceptable to the City Attorney that provides for the continued use of the remote off-street parking facilities until such time as the City Manager releases the obligation of the restrictive covenant or easement.

C. Remote parking for nonresidential uses. Parking for commercial or industrial uses may be provided in remote off-street parking facilities, provided:

1. A boundary of the remote off-street parking facilities must be located within five hundred (500) feet of a boundary of the building site.

2. The property owner or owners submit an appropriate restrictive covenant or parking easement in recordable form acceptable to the City Attorney that provides for the continued use of the remote off-street parking facilities until such time as the City Manager releases the obligation of the restrictive covenant or easement.

D. Remote parking in municipal off-street parking facilities. In addition or in the alternative to Sections 5-

accordance with the requirements of this Code” is difficult to understand. However, it appears to be addressed in the proposed Section 5-1604D.1.

1605.B. and C., remote off-street parking at municipally owned or operated parking facilities may be provided for uses that are located in the Commercial, Industrial or Special Use Districts and operate principally during off-peak, nighttime, Sunday, and/or holiday hours, provided:

1. The City Manager determines that parking spaces are available in the municipally owned or operated parking facilities during the time periods in which they are most likely to be used by the remote use, and that they are not likely to be needed:
 - a. for municipal purposes; and
 - b. to serve other remote uses that are approved pursuant to this Section 5-1604 to use the municipally owned or operated parking facilities.
2. If the remote off-street parking is used to satisfy parking requirements of Section 5-1606:
 - a. No more than fifty percent (50%) of the required parking spaces for a building site are provided in municipally owned or operated parking facilities; and
 - b. A boundary of the municipally owned or operated parking facilities is located within one thousand three hundred-twenty (1,320) feet of a boundary of the building site.
3. A shared-use parking agreement or reciprocal easement, in a recordable form approved by the City Attorney, is executed. The agreement or easement shall include, at a minimum:
 - a. The number of parking spaces that will be provided in the municipally owned or operated parking facility.
 - b. A requirement that an insurance policy be obtained and furnished to the City that:
 - i. is approved by the City Manager and the City Attorney; and
 - ii. effectively holds 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.
 - c. Certain minimum maintenance requirements that are the sole responsibility of applicant.
 - d. A prohibition on transferring or assigning rights under the agreement or easement.
 - e. A right of enforcement for the City.

Section 5-1605 incorporates the existing Sections 13-5(a), (b), (c), (d)(2) and (3), 13-7(b), (c), (d), (f), and (g), 13-6, 13-8, and 13-12, except that the CBD exemption is eliminated based upon the recommendation of the Parking Advisory Board.

Existing code exempts some buildings in the CBD from the "off-street parking requirements of Article XV of this code." Article XV does not provide parking requirements. The proposed language in Table 2 does not exempt those buildings from the parking requirements of Art. 5 Div. 16, based upon a recommendation of the Parking Advisory Board.

Define "commercial parking lot" to exclude "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

f. Provisions for terminating the agreement upon:

- i. breach of the agreement or violation of the easement provisions;
- ii. discontinuance of the use for which the parking is provided;
- iii. discontinuance of the municipally owned or operated parking facility; and
- iv. a change in the pattern of use of the building or building site to which the municipally owned or operated parking facility relates, such that the parking in the facilities is needed to support the municipal use.

commercial parking.” (See Article 8).

Section 5-1605. Required Parking.

A. Parking requirements. Parking shall be provided for all uses as set forth in Tables 1, 2, 3 and 4 of this Section (collectively, "Off-Street Parking Requirements"), ~~except that nonresidential buildings in the Central Business District that have a floor area ratio of less than or equal to 1.25 are exempt from off-street parking requirements.~~

B. Alternative parking requirements. If a use is not specifically listed in Tables 1, 2, 3 and 4 of this Section, or if no specific use has been determined for a proposed development, then the Department of Building and Zoning shall calculate the parking requirements as follows:

1. If the intended use is known but not listed in Tables 1, 2, 3 and 4 of this Section, the off-street parking requirement shall be the same as required for a functionally similar use which is referred to herein; or
2. If no specific use is anticipated at the time of development approval, one parking space for each three-hundred (300) square feet of gross floor area, subject to further review and additional parking requirements if:
 - a. the actual use or uses of the building, structure, or building site is listed in Table 1, of this Section; and
 - b. the parking spaces actually provided are fewer in number than Table 1 of this Section requires for the actual use or uses.

C. Calculation of parking requirements. The following rules apply to the calculation of required parking:

1. Excluded parking spaces. Parking spaces that meet any of the following criteria do not count toward

the parking requirements of Section 5-1605A. or B.:

- a. Off-street parking spaces that are operated as a commercial parking lot.
- b. Off-street parking spaces that:
 - i. are provided for residential, hotel, apartment-hotel, and motel uses; and
 - ii. are available for use only upon payment of a fee.
2. Valet parking. Valet parking may be used to satisfy up to twenty-five percent (25%) of the parking requirements for certain uses, provided:
 - a. The use for which the valet parking is provided is one of the following: motel, hotel, restaurant, auto/sales/rental/leasing (when storage of vehicles permitted on site), or commercial parking lot.
 - b. An adequate number of valet attendants are present at all times during hours of operation of the use for which the valet parking is provided.
3. Loading spaces. Loading spaces are counted as parking spaces for the purposes of calculating the amount of required parking that is provided on a building site.
4. Mixed uses. Required parking for mixed-use development shall be calculated as the sum of all required parking for each individual use in the development.
5. Fractional spaces. Calculations of required parking shall be rounded to a whole number as follows:
 - a. When the calculation results in a fraction that is greater than or equal to one-half ($\frac{1}{2}$), the results of the calculation shall be rounded up.
 - b. When the calculation results in a fraction that is less than one-half ($\frac{1}{2}$), the results of the calculation shall be rounded down.

~~D. Exemptions of parking requirements. Buildings located within the Central Business District are not required to provide off-street parking if the building:~~

- ~~1. does not exceed an F.A.R. of 1.25; and~~
- ~~2. is used for other than residential purposes.~~

Coral Gables Minimum Off-Street Parking Requirements—By Use Table 1

<u>USE</u>	<u>PARKING</u>
RESIDENTIAL	
ATTACHED DWELLINGS	2 spaces per unit
DETACHED DWELLINGS	1 space per unit (must be covered or enclosed)
LIVE - WORK	1 space per unit, plus 1 space per 350 sq. ft. of "work" area
NON-RESIDENTIAL	
ADULT USES	1 space per 350 sq. ft. of floor area
ALCOHOLIC BEVERAGE SALES	1 space per 350 sq. ft. of floor area
ANIMAL GROOMING & BOARDING	1 space per 250 sq. ft. of floor area
ASSISTED LIVING FACILITIES	1 space per full-time employee, plus 1 space per 3 residents at maximum capacity
AUTOMOBILE SERVICE STATIONS	2 spaces per fuel pump
BED AND BREAKFAST	1 space, plus 1 1/8 spaces per sleeping room
CEMETERIES	If services provided in a building, 1 space per 4 fixed seats plus 1 space for each 40 sq. ft. of floor area used for movable seats.
COMMUNITY CENTER	1 space per 250 sq. ft. of floor area
CONGREGATE CARE	1 space per full-time employee, plus 1 space per 3 residents at maximum capacity
DAY CARE	1 space per 800 sq. ft. of floor area
EDUCATIONAL FACILITIES	The greater of 1 space per 100 sq. ft. of floor area or 1 space per 10 seats

existing code ("townhouses")
existing code ("single-family residence")
New, but based on "single-family residence" plus "retail shops" in existing code
existing code ("retail shops")
existing code (based on "retail shops")
existing code ("cat beauty shop" and "dog beauty shop") {Consider using 1 per 350 sq. ft. of floor area, like retail sales and services}
existing code ("Convalescent Homes, Group Home, Homes for the Aged, Nursing Homes, Rest Homes")
Recommended. No standard is provided in existing code.
existing code ("motel or motor court")
existing code ("Funeral Chapels, Funeral Homes, Mortuaries"), except that minimum parking field area of 10,000 sq. ft. is deleted.
existing code ("community center")
existing code ("Convalescent Homes, Group Home, Homes for the Aged, Nursing Homes, Rest Homes")
existing code ("kindergarten, nurseries")
existing code ("Business Schools, Trade Schools, Vocational Schools" and "University Class Room")

FUNERAL HOMES	1 space per 4 fixed seats plus 1 space for each 40 sq. ft. of floor area used for temporary seating.	existing code ("Funeral Chapels, Funeral Homes, Mortuaries"), except that minimum parking field area of 10,000 sq. ft. is deleted. Standard is within range used by other local governments.
GOLF OR TENNIS GROUNDS	5 spaces per hole (golf) 3 spaces per court (tennis) 1 space per 18 linear feet of bleachers	Recommendation. No standard currently provided.
GOVERNMENTAL USES Offices Libraries Post Office Police Station Fire Station	1 space per 300 sq. ft. of floor area 1 space per 250 sq. ft. of floor area 1 space per 200 sq. ft. of floor area 2 spaces per 3 employees on maximum shift, plus 1 space per vehicle stored on-site 3 spaces, plus 1 space per 2 employees on maximum shift.	From existing code. From existing code. From existing code. Recommendation. No standard currently provided for police. Recommendation. No standard currently provided for fire.
GROUP HOMES	1 space per full-time employee, plus 1 space per 3 residents at maximum capacity	existing code ("Convalescent Homes, Group Home, Homes for the Aged, Nursing Homes, Rest Homes")
HELIPORT	1 space per 2 employees on maximum shift, plus 1 space per tie-down, but not less than 5 spaces	Recommendation. No standard currently provided
HELISTOP	1 space per tie-down, but not less than 5 spaces	Recommendation. No standard currently provided
HOSPITALS	2 spaces per bed	existing code ("Hospitals")
INDOOR RECREATION / ENTERTAINMENT	The greater of 1 space per 5 fixed seats or 1 space per 300 sq. ft. of floor area	existing code ("Convention Halls, Exhibition Halls, Gymnasiums, Skating Rinks, Stadiums, Sports Arenas")
MANUFACTURING	1 space per 300 sq. ft. office floor area, plus 1 space per 1,000 sq. ft. all other floor area	existing code ("Assembly Plants" and "Manufacturing Plants")
MARINAS AND MARINA FACILITIES	1 per marina slip, plus 1 per 350 sq. ft. of floor area of marina facilities	Recommended. No standard currently provided
MEDICAL CLINIC	1 space per 200 sq. ft. of floor area	existing code.
MIXED USE		Based on individual uses
MUNICIPAL FACILITIES	1 space per 4 visitors during estimated peak use periods	Recommended. No standard currently provided
NURSING HOMES	1 space per full-time employee, plus 1 space per 3 residents at maximum capacity	existing code ("Convalescent Homes, Group Home, Homes for the Aged, Nursing Homes, Rest Homes")

OFFICES	1 space per 300 sq. ft. of floor area	Existing code
OUTDOOR RECREATION / ENTERTAINMENT	1 space per 4 visitors during estimated peak use periods	Recommended. No standard currently provided
OUTDOOR RETAIL SALES, DISPLAY AND/OR STORAGE	1 space per 350 sq. ft. of land area delineated or put to such use	existing code (based on "retail shops")
OVERNIGHT ACCOMMODATIONS	1 space, plus 1 1/8 spaces per sleeping room	Based on "motel or motor court" in existing code
PRIVATE CLUB	1 space per 250 sq. ft. of floor area	Based on existing code
PRIVATE YACHT BASIN	3 spaces per 4 yacht slips	Recommended. No standard currently provided
PUBLIC TRANSPORTATION FACILITY	1 space per 100 sq. ft. of terminal and station area	Recommended. No standard currently provided
RELIGIOUS INSTITUTIONS	1 space per 5 fixed seats plus 1 space per 50 sq. ft. of assembly room area without fixed seats (not including classrooms).	existing code ("churches").
RESEARCH AND TECHNOLOGY USES	1 space per 300 sq. ft. office floor area, plus 1 space per 1,000 sq. ft. all other floor area	Based on existing code
RESTAURANTS	1 space per 67 sq. ft. of floor area	existing code ("lunch counters")
RESTAURANTS, FAST FOOD	1 space per 67 sq. ft. of floor area	existing code ("lunch counters")
RETAIL SALES AND SERVICES	1 space per 350 sq. ft. of floor area	existing code ("Retail Shops") (all retail is consolidated at this ratio).
SCHOOLS	1 space per full-time employee, plus 1 space per 4 students aged 16 years or older based on maximum capacity.	Recommended change from 1 space per 100 sq. ft. of floor area.
SELF-STORAGE WAREHOUSES	1 space per 300 sq. ft. office floor area, plus 1 space per 1,000 sq. ft. all other floor area	existing code ("storage establishments")
TELECOMMUNICATIONS TOWERS	2 spaces per tower	Recommended. No standard currently provided
TV / RADIO STUDIOS	1 space per 300 sq. ft. of floor area, plus 1 space per 3 studio audience members at maximum capacity	Recommended. No standard currently provided
UTILITY / INFRASTRUCTURE FACILITIES	1 space per 2,000 sq. ft. of floor area	Recommended. No standard currently provided
UTILITY SUBSTATIONS	4 spaces	Recommended. No standard currently provided
VEHICLE SALES / DISPLAYS	1 space per 300 sq. ft. office floor area, plus 1 space per 600 sq. ft. showroom floor area, plus 1 space per 500 sq. ft. all other floor area	existing code ("Car, Sales and Service")
VEHICLE SALES/DISPLAYS, MAJOR	1 space per 300 sq. ft. office floor area, plus 1 space per 1,000 sq. ft. all other floor area	existing code ("Boats, Display and Sales")
VEHICLE SERVICE, MAJOR	1 space per 300 sq. ft. office floor area, plus 1 space per 500 sq. ft. all other floor area	existing code ("Automobile Repair Shop" and "Paint and Body Shop")

VETERINARY OFFICES	1 space per 250 sq. ft. of floor area	existing code ("Animal Hospitals" and "Veterinary Clinics")
WHOLESALE / DISTRIBUTION / WAREHOUSE FACILITY	1 space per 300 sq. ft. office floor area, plus 1 space per 1,000 sq. ft. all other floor area	existing code ("Distributorship with Warehousing," "Storage Establishments," "Warehouses and Welding Shops," and "Wholesale Distributor with Warehousing")
Section 5-1606. Off-street loading.		Section 5-1606 incorporates the existing Section 13-9. Consider more specific off-street loading space requirements.
A.	Adequate off-street loading spaces shall be provided for all commercial, educational and industrial buildings.	
B.	Loading spaces shall be at least ten (10) feet by twenty-five (25) feet in horizontal dimension, and shall provide at least fourteen (14) feet of height clearance.	

**ARTICLE 5, DIVISION 17.
Platting Standards.**

Section 5-1701. Purpose and Applicability.

The purpose of this Division is to provide standards of subdivision design that provide for and encourage:

- A. Development of sound and economically viable communities, and the creation of healthy living environments.
- B. Efficient, adequate, and economic supply of utilities and services to land developments.
- C. Prevention of traffic hazards and the provisions of safe and convenient vehicular and pedestrian traffic circulation in land developments.
- D. Provision of public open spaces in land developments for recreational and educational purposes.

This Division shall apply to any application for the subdivision of land pursuant to Article 3, Division 9 of these LDRs.

Section 5-1702. Bulkhead line.

Whenever land adjacent to Biscayne Bay or other open bodies of water is subdivided, the final plat shall show the bulkhead line established by Miami-Dade County, as recorded on sheet numbers 6, 7, 8 and 9, of plat book 74, page 3 of the Public Records of Miami-Dade County and approved by the City Commission under Ordinance Number 1403 which is on file in the office of the City Clerk.

Section 5-1703. Street Design.

- A. Conformity. The arrangement, character, extent, width, grade and location of all streets shall be considered in their relation to:
 - 1. Existing and planned streets.
 - 2. Topographical conditions.

ARTICLE 5, DIVISION 17. *This Division is taken primarily from Chapter 23, Articles 3 and 4 of the present Code.*

Sec. 5-1701. This text replaces Sections 23-1 and 2 of the existing Code and is primarily taken from Section 28-2 of the Miami-Dade County Code.

Sec. 5-1702. This Section is taken from Section 23-91(b) of the present Code. Staff to confirm origin of Ordinance No. 1403.

Sec. 5-1703. This Section is taken from Section 23-93 of the City Code and updated with text from Section 28-14 of the Miami-Dade County Code. Edits to the graphic table in Subsection H are also taken from Section 28-14 of the Miami-Dade County Code. Substantive updates are shown as underlined. Note, pursuant to Section 28-14(H) of the Miami-Dade County Code, the City's staff may administratively waive street, alley, and lot design standards. The County Code permits a waiver by the City's "plat division." The

- 3. Public convenience.
- 4. Safety.
- 5. Appropriate relation to the proposed use of the land to be served by such street.
- B. Relation to Adjoining Street System. The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas.
- C. Street Projection. Where adjoining areas are not subdivided, the arrangement of streets in new subdivisions shall make provision for the proper projection of streets.
- D. Street Carried to Property Line. When a new subdivision adjoins unsubdivided land susceptible of being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be subdivided.
- E. Dead-end Street or Cul-De-Sac. Dead-end streets or cul-de-sacs, designed to be so permanently, shall not be longer than six hundred (600) feet, unless approved by the City Commission, and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least eighty-four (84) feet, and a street property line diameter of at least one hundred (100) feet. If a dead-end street is of a temporary nature, a similar turn-around shall be provided and provision made for future extension of the street into adjoining properties.
- F. Marginal Access Streets. Where a subdivision abuts or contains an existing arterial street, marginal access streets may be required, or other such treatment as may be necessary for adequate protection of residential properties, and to afford separation of through and local traffic.
- G. Minor Streets. Minor streets shall be so laid out that their use by through traffic will be discouraged.

term "plat division is defined as the competent staff, including a professional land surveyor, of the governing body created to review plats or an independent land surveying firm under contract by the governing body to review plats." As such, the County's requirements for street and lot design are required to be in the Code. However, the City's staff may administratively waive them. Alternatively, the City can be more restrictive and permit a waiver only upon a waiver by staff that is affirmed by the City Commission or (as written now) require a variance.

H. Minimum Street Widths. Street widths shall not be less than as follows:

Street Type	Width
Arterial	100'
Collector	75'
Minor	60' <u>however, the width shall be 70' for all industrial areas.</u>
Marginal Access	50', <u>however the width shall be 70' in industrial areas.</u>
Alleys	20'

I. Railroads or Limited Access Highways Abutting Subdivision. Where a subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, a street approximately parallel to and on each side of such right-of-way may be required, at a distance suitable for the appropriate use of the intervening land for park purposes in residential districts or for commercial or for industrial purposes in appropriate districts. Such distances shall be determined with due regard for the requirements of approach grade and future grade separation in accordance with uniform standards prescribed by the manual of public works construction.

J. Street Width in Commercial Areas. Where a proposed commercial use abuts a right-of-way, the width of the right-of-way shall be increased on each side to ensure the free flow of through traffic without interference by parked or parking vehicles, and to provide safe parking spaces for such use.

K. Intersections. Street intersections shall be rounded with a radius of twenty-five (25) feet measured at the property line when the said intersection occurs at right angles. If an intersection occurs at an angle other than a right angle, it shall be rounded with a curve of a radius acceptable to the public works director. In business districts, the City may permit comparable cut-offs or chords.

L. Subdivision Into Tracts Larger than Ordinary Building Lots. Where a

H. Section 28-14(B)(14) of the Miami-Dade County Code has more stringent requirements than the City Code. Accordingly, the table has been adjusted to reflect the Miami-Dade County minimum street widths for minor streets in industrial areas and industrial areas.

I. This text is taken from Section 28-14(B)(9) of the Miami-Dade County Code.

J. Text taken from Section 23-93(I) of the existing Code. Text updated to clarify meaning.

tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the opening of future streets and logical further re-subdivision.

M. Street Grades. No street grade shall be less than twenty-five-hundredths percent.

N. Half Streets. Half streets shall be prohibited except where essential to the reasonable development of the subdivision in conformity with other requirements of these Land Development Regulations, and where the City finds it will be practical to require the dedication of the other half when adjoining property is subdivided. Whenever a half street is adjacent to a tract to be subdivided, the other half of the street shall be platted within such tracts.

O. Street Names and Numbers. Names of new streets shall not duplicate existing or platted street names unless they are extensions. ~~All names shall be Spanish.~~ House numbers shall be assigned in accordance with the house numbering system now in effect in the City.

P. Street Jogs Prohibited. Street jogs with centerline offsets of less than one hundred twenty-five (125) feet shall be prohibited unless because of unusual conditions the plat division determines that a lesser center line offset is justified.

Q. Reverse Curves. A tangent of at least one hundred (100) feet long shall be introduced between reversed curves on arterial and collector streets.

R. Street Intersections. Streets shall be laid out so as to intersect as nearly as possible at right angles.

S. Property Lines at Straight Intersections. Property lines at street intersections shall be rounded with a radius of twenty-five (25) feet. A greater radius may be prescribed by the City in special cases in accordance with uniform standards prescribed by the City's manual of public works construction. The City may permit comparable cutoffs or chords in place of rounded corners.

T. Sight Distance and Safe Turning Movement. When connecting street

N. This update is taken from Section 28-14(B)(15) of the Miami-Dade County Code. This update permits the dedication of half streets where it is anticipated that the other half of the road will be dedicated at a later date. However, this update is optional because the City's requirement is more restrictive than the County's requirement.

O. Text removed pursuant to staff request.

P. This update is taken from Section 28-14(B)(5) of the Miami-Dade County Code. This update is optional as the City's requirement is more restrictive than the County's requirement.

R. This update is taken from Section 28-14(B)(12) of the Miami-Dade County Code.

T. This update is taken from Section 28-14(B)(11) of the Miami-

lines deflect from each other at any one (1) point by more than ten (10) degrees, they shall be connected by a curve with a radius adequate to insure a sight distance and safe turning movement in accordance with the Uniform Standards set forth in the City's Manual of Public Works Construction.

Section. 5-1704. Alleys.

- A. Where Required. Alleys shall be required in all commercial and industrial districts. Alleys are not required in residential districts.
- B. Waiver of Requirement. The Public Works Director may waive the requirement for alleys in commercial and industrial districts where other definite and assured provisions are made for service access. Examples of such provisions for service access include areas designated for off-street loading and unloading and the continued availability of adequate parking and access for the uses proposed.
- C. Width of Alley. The right-of-way width of an alley shall be not less than twenty (20) feet, and shall provide adequate turning areas at changes in angles.
- D. Dead-end Alleys. Dead-end alleys ~~shall not be permitted~~ are prohibited.

Section. 5-1705. Easement Dimensions.

- A. Utility Easements. Easements with a minimum right-of-way width of six (6) feet shall be provided on each side of all rear lot lines and along certain side lot lines where necessary for utilities.
- B. Drainage Easements. Where a subdivision is bordered by or traversed by a watercourse, drainage way, channel, or stream, there shall be provided a minimum twelve-foot storm water easement at intervals to provide storm drainage to the waterway in accordance with the storm drainage plan proposed for the subdivision.

Section 5-1706. Blocks.

Block length and width or acreage within bounding roads shall

Dade County Code.

Sec. 5-104. Text taken from Section 23-94 of the existing Code.

B. Text from Section 23-94(b) edited for clarity.

Sec. 5-1705. Text taken from Section 23-95 of the existing Code. The word "minimum" has been inserted before "right-of-way" to give the City added flexibility.

Sec. 5-1706. Section 23-96 of the existing Code contains general criteria for formulating block length and width. Section 23-96 is replaced with updated text taken from Section 28-14(E) of the

accommodate the size of lot required in the area by these LDRs and to provide for convenient access, circulation control and safety of street traffic. Block length shall not exceed one thousand five hundred (1,500) feet, or be less than four hundred (400) feet, unless a lesser or greater length is requested by the subdivider and is deemed advisable because of unusual conditions by the City. In blocks nine hundred (900) feet in length or over, pedestrian crosswalks not less than ten (10) feet wide may be required to provide circulation or access to school, playground, shopping center, transportation, and other community facilities.

Section 5-1707. Lots.

- A. Dimensions. Lot dimensions and area shall not be less than the requirements of these LDRs.
- B. Location. All lots shall abut by their full frontage on a publicly dedicated street or a street that has received the legal status as such.
- C. Lot Lines. Side lot lines shall be substantially at right angles to straight street lines or radial to curved street lines.
- D. Corner Lots. Corner lots for residential use, unless otherwise approved by the board, shall have extra width to permit appropriate building setback from both streets.
- E. Uninhabitable Lots. Lots subject to flooding and lots deemed to be uninhabitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life or property or aggravate the flood hazard, but such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.
- F. Lot Remnants. All remnants of lots below the minimum size left over after subdividing a larger tract must be added to the adjacent lots, rather than allowed to remain as unusable parcels.
- G. Means of Access. Each lot shall be provided access, by means of a public street, with satisfactory access to an existing public street or in the case of units within a townhouse site, or planned developments,

Miami-Dade County Code.

Sec. 5-1707. Text taken from Section 23-97 of the existing Code. Updates taken from Section 28-14(F) of the Miami-Dade County Code.

each lot shall be provided perpetual right of access by a private street or roadway to an existing public street.

H. Double Frontage Lots. Double frontage or through lots shall be avoided except where essential to provide separation from residential development from traffic arteries or to overcome specific disadvantages of topography or orientation. A decorative masonry wall, or in the discretion of the City, a combination of a fence and landscaping that provides a satisfactory buffer may be required along the rear property line, across which there shall be no right of vehicular access. This portion of the block line shall be shown as a limited access line on the final plat.

Section 5-1708. Public Sites and Open Spaces.

Where a proposed park, playground, school or other public use shown in a master plan is located in whole or in part within a subdivision, the subdivision shall dedicate or reserve adequate space for such purpose in such area within the subdivision.

Section 5-1709. Standards for Subdivision Improvements.

The following design and construction standards shall apply:

- A. Monuments. Monuments shall be placed at all block corners, angle points, points of curves in streets, and at intermediate points as shall be required by the director of public works. The monuments shall be of such material, size and length as may be approved by the Public Works Director.
- B. Streets. Streets, alleys and appurtenances thereto shall conform to the following:
 - 1. All streets and alleys shall be constructed and surfaced in accordance with the standard specifications of the public works department. Such construction shall be subject to inspection and approval by the Public Works Director.
 - 2. Drainage and drainage structures shall be provided on all streets and alleys in accordance with the standard specifications of the

Sec. 5-1708 taken from Section 23-98 of the existing Code.

Sec. 5-1709 taken from Section 23-116 of the existing Code.

Public Works Department. In addition, curbs and gutters shall be provided in all commercial, apartment, hotel, industrial and similar districts. Such construction shall be subject to the inspection and approval by the Public Works Director.

- C. Sidewalks. In all commercial, multi-family, industrial and similar districts concrete sidewalks shall be constructed along each side of every street shown on the plat in accordance with the standard specifications of the Public Works Department.
- D. Street Name Signs. Street name signs shall be placed at all street intersections within or abutting the subdivision. Such signs shall be of a type approved by the city, and shall be placed in accordance with the standard specifications of the Public Works Department.
- E. Street Lighting. Street-lighting facilities shall be provided and installed in all subdivisions. The minimum requirement for such lighting facilities shall be one (1) foot candle average maintained. However, no luminance ratio shall exceed twelve-to-one (12:1). ~~one (1) four thousand five hundred (4,500) lumen light, or equal, at each street intersection, and at intervals of not greater than two hundred fifty (250) feet, within or abutting the subdivision.~~ A detailed plan showing the light standards, the locations of the light, wiring diagram and construction details, for the system shall be submitted to the Public Works Director for approval.
- F. Water Supply. The subdivider shall furnish the public works director a plan showing all proposed and existing water mains, and give sufficient proof that arrangements have been completed to insure installation of such water system. The water main plan shall be subject to approval by the Public Works Director.
- G. Fire Hydrants. Fire hydrants shall be installed in all subdivisions. Evidence shall be submitted to give proof that arrangements have been made to complete installation of such hydrants. The plan for hydrant locations shall be subject to approval by the Public Works Director.
- H. Sanitary Sewer. Where a public sanitary sewer is reasonably accessible, each lot within the subdivided area shall be provided with a

E. Replacement with 1 foot candle average suggested by Public Works Department. We have added a maximum luminance ratio of 12:1. This luminance ratio is the same as set forth in the parking regulations. The term "luminance ratio" is also defined in Article 8.

connection thereto. All connections shall be subject to the approval of the Public Works Director.

- I. Parkway Landscaping. All parkways shall be properly treated with topsoil, sprigged, landscaped, and maintained until growth is relatively permanent. The plan for such landscaping shall be equal to the established standards of the City, and subject to the approval of the Public Service Director.
- J. Land Filling. All land within subdivisions shall be filled to minimum average settled elevation of plus six (6) feet above the national geodetic vertical datum (N.G.V.D.) or mean sea level (M.S.L.), and no elevation shall be less than plus five and five-tenths (5.5) feet above the national geodetic vertical datum (N.G.V.D.) or mean sea level (M.S.L.); provided, however, that where bulkheads are provided on waterfront property, the land within a distance of ten (10) feet from the bulkheads may gradually slope to the minimum required elevation of such bulkheads. The plan and additional documents showing proposed elevations, test borings, sources and types of fill, methods of filling, and method of disposal of vegetation and undesirable materials shall be subject to approval by the Public Works Director. After completion of land filling, the subdivider shall submit to the city a topographical survey prepared by a registered land surveyor or engineer to assure compliance with the minimum standards of this Subsection.
- K. Bulkheads. When contour of the land is changed, bulkheads shall be required on all waterfront property. The minimum elevation of such bulkheads shall be plus four and five-tenths (4.5) feet national geodetic vertical datum (N.G.V.D.) or mean sea level (M.S.L.), and the type and design shall conform to the public works department standards and shall be subject to the approval by the Public Works Director and the City's Structural Engineer.
- L. Bridges. Bridges shall be provided by the subdivider across all canals and waterways to provide adequate ingress and egress to all areas. The design of such bridges shall be in accordance with the Public Works Department standards and shall be subject to approval by the Public Works Director.

M. Underground Utilities. All utility lines shall be installed in conformance with the requirements of Article 5, Division 25.

Section 5-1710. Utility Easements.

Easements shall be provided for the installation of underground utilities or relocating existing facilities in conformance with the respective utility company's rules and regulations. In subdivisions of less than twenty-one (21) lots the directors of the Public Works and Planning ~~and Zoning~~ Departments may waive the requirements for underground installations if the service to the adjacent area is overhead and it does not appear that further development will occur.

Section 5-1711. Construction Standards.

Properly qualified and licensed contractors shall pay for and obtain proper permits from the Public Works Department for all construction and improvement work within the subdivision. Should any work within the subdivision be performed not in conformity with any provisions of this Division or any other Ordinances of the City, the City Manager shall immediately give notice by certified mail to the subdivider and any contractors performing work in that area that all permits are suspended, and that all improvements, construction, development and other work within the subdivision shall cease within twenty-four (24) hours of receipt of notice. The subdivider and contractor shall in such case further be subject to penalties as set forth in Article 7 of these LDRs.

Section 5-1712. Improvements or Bond Required.

Before consideration of a final plat of a subdivision, the City Commission must be satisfied that all improvements required by Section 5-1709 are to be constructed. The Director of Public Works shall prepare an estimated cost of all required improvements. The estimated costs shall be based on the actual computed cost of improvements plus ten (10) percent. In lieu of the completion of the improvements, a bond executed by a surety company qualified to transact business in the state, shall be furnished by the subdivider in an amount equal to the estimated cost of the construction plus ten (10) percent of such improvements, including engineering supervision, testing and miscellaneous charges. The surety will be subject to the condition that the improvements will be completed within twelve (12)

M. This text and the proposed Article 5, Division 25 replace Section 23-116(g)(10) of the existing Code.

Sec. 5-1710. Text taken from Section 23-116(10)(a) of the existing Code.

Sec. 5-1711. Text taken from Sections 23-116(11) and (12) of the existing Code. New cross reference to Article 7 of the proposed LDRs.

Sec. 5-1712. Text taken from Section 23-118 of the existing Code.

months after approval of the final plat, and in the event they are not completed, the City shall proceed with the work and hold the owner and the bonding company jointly responsible for the costs thereof. If the bond proves insufficient to complete the improvements covered, the City shall have the right to finish all work by creating a special assessment district, and assess the amount of the additional funds required equally against all divisions of land within the subdivision. As an alternative, the subdivider may deposit a certified or cashier's check with the City Clerk payable to the City in lieu of the surety bond.

Section 5-1713. Certificate of Insurance and Indemnification of City.

The subdivider shall hold the City harmless against any liability or damage which may occur during construction of any improvements in, about or upon any land or water dedicated for public use as shown upon the final plat. In addition to saving the City harmless as herein provided, the subdivider shall provide the city with a certificate of insurance naming the city as an additional insured in an amount specified by the City in the following amounts: ~~Three hundred thousand dollars (\$300,000.00) each person and three hundred thousand dollars (\$300,000.00) each occurrence, for bodily injury liability, and limits of fifty thousand dollars (\$50,000.00) for each occurrence, for property damage liability, or three hundred thousand dollars (\$300,000.00) single limit, for bodily injury liability and/or property damage liability, to be paid for by the subdivider and to be furnished to the City until final acceptance has been given for such improvements by the city commission as provided for under Section 5-1740.~~ Nothing herein contained shall be construed to relieve the subdivider from any negligence on its part on account of any such improvements or damage to other persons or property of others.

Section 5-1714. Supplemental Subdivision Building Site and Design Standards.

- A. Single-Family and Multi-Family Districts. 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 Single-Family or Multi-Family 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.

Sec. 5-1713 taken from Section 23-119 of the Code. We had recommended that the City's risk management officer review the insurance amounts. Staff has proposed eliminating the specific amount of insurance required from the Code. We recommend that the City Commission establish a schedule for insurance to be reviewed and approved each year by resolution.

Sec. 5-1714. Supplemental standards taken from Article 12 of the existing Code.

B. 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.

~~C. Replats and Subdivisions for Single Family or Multi-Family 1 and Multi-Family 2 Districts.~~

~~1. No replat or subdivision in Single Family or Multi-Family 1 and Multi-Family 2 Districts 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.~~

~~2. 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.~~

C. **Replats and Subdivisions South of the Coral Gables Deep Waterway and East of Old Cutler Road.** The following minimum size building sites 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

C. Note, that these requirements conflict with the standards set forth in proposed Section 5-1707. We suggest these requirements be omitted.

C. Term "deep" removed pursuant to staff suggestion.

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.

D. Commercial and Industrial Districts.

No replat or subdivision in Commercial or Industrial Districts 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 5 Division 18
ROOFS**

This Division is existing Article 14.

Section 5-1801. - Roofs--General.

Except as provided for in this ~~article~~ Division, all roofs for single-family residences, duplexes, overnight accommodations ~~motels and uses in a Special Use District~~ ~~special uses~~ shall be constructed of tile, coral rock slabs, slate or copper. ~~as specifically set forth herein.~~

Section 5-1802. 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 the following restrictions noted hereinafter.

- A. ~~Over porch or room additions within the L, T or U of a residential 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 Industrial 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 Commercial 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.

Section 5-1803. 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 a residential 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 uses permitted in the Multi-family Districts~~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.

Section 5-1804. - 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.

Section 5-1805. - 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 admix. 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, 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.

- 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.

Section 5-1806 - 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.

Section 5-1807. - 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)

Section 5-1808. - 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.

Section 5-1809. - 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 (2½) 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 (3½) 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 (4½) 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.

Section 5-1810. - Trussed rafters.

The minimum size for upper and lower truss cords in all buildings shall be two (2) inches by six (6) inches.

Section 5-1811. - Tile roof pitch.

Roof tile shall not be laid on a deck with a pitch of less than two and one-half (2½) inches in twelve (12) inches.

**Article 5 Division 19.
SANITATION REQUIREMENTS**

Section 5-1901. Air conditioning.

New commercial construction or 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 the installation of an air conditioning system for commercial trash containers.

This is an entirely new provision.

Section 5-1902. Commercial trash containers.

New commercial construction or 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)

Existing Section 21-23

- A. All new commercial construction projects and 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 proposed development 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; and
 - 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.~~

- C. 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

<p>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)</p>	
--	--

ARTICLE 5.
Division 20. Screening

Section 5-2001. 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 (1¼) inch by one-eighth (⅛) 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

This Division is existing Sections 21-11, 21-12, 21-13, 21-18.

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.~~

Section 5-2002. 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)

Section 5-2003. Screening or storage areas.

All storage areas permitted under these LDRs shall be enclosed on all sides with a solid or louvered masonry wall, not less than six (6) feet in height, with necessary openings.

Section 5-2004. Air-conditioning units and equipment, and other types of mechanical equipment or apparatus installed on or attached to premises.

Exception to 2002.

- A. In a ~~residence, duplex or apartment~~ residential 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 in 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 Article 5, Division 15.
- ~~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.~~

If this reference to Ord. No. 1553 has been codified, the cross reference should be to that part of the city code.

**Article 5, Division 21.
SIGNS**

Section 5-2101. Purpose and applicability.

- A. The purpose of this division is to:
1. Prevent the construction, installation, or continuation of signs that:
 - a. Endanger the public safety;
 - b. Create distractions that may jeopardize pedestrian or vehicle traffic safety;
 - 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.
 2. Provide business and property owners with an opportunity to provide information, identification, and direction to a permitted use.
 3. Regulate the number, size, scale, character, proportions and balance of signs in order to preserve the character and quality of the City's appearance, protect property values, and promote public safety by:
 - a. preventing visual clutter,
 - b. reducing conflict among signs,
 - c. promoting proper sign maintenance,
 - d. requiring removal of abandoned signs, and
 - e. conducting design review of signs.
 4. Promote a sound economic and business climate in the City of Coral Gables by reinforcing and encouraging excellence in graphic design.
 5. Provide incentives to encourage pedestrian-scale signs in order to enhance the character of the City of Coral Gables as a destination.

IMPORTANT NOTE: *The City of Coral Gables has begun a two-part process of updating its sign regulations. As of the submittal of this draft, only the first part of that process has been completed. However, in the interest of providing a complete draft, this division addresses regulations that will be discussed in the second part of the sign regulations discussion. The substance of this division represents the consultants' recommendations and is intended to be advisory in nature. The structure of this division is intended to help structure the second part of the sign regulations discussion.*

The substantive changes made to the ordinance that reflected the first part of the sign regulations discussion are intended to harmonize the intent of the ordinance with the developing state and federal case law on sign codes.

In general: *The structure and procedures for this Division are reorganized to conform to the other divisions of Article 5. Procedures are removed (existing section 18-2, 18-3, 18-4, 18-8, 18-23, 18-24, and 18-25). Provisions that relate to the content of signs are removed and replaced with "content-neutral" regulations that address design and location, including the dimensions, colors, materials, illumination, fonts, architectural styles, and setbacks. Regulation of temporary signs is restructured so that the purpose of the sign is no longer the subject of the regulation. For example, existing regulations regarding temporary construction signs are transformed into regulations regarding the physical characteristics of signs that may be displayed for up to 120 days, and the existing regulations regarding real estate signs are transformed into regulations regarding the physical characteristics of signs that may be displayed for up to 45 days. In addition, in residential areas, more signage is permitted for noncommercial speech (such as campaign signs in yards or on homes) than for commercial speech (advertising). This is consistent with case law.*

Existing Section 18-25 (variances) is addressed in Article 3, Division 9. However, 18-25 did not include a "legal hardship" standard and Art. 3, Div. 9 does. Existing Sections 18-19 and 18-26 (nonconforming signs) are addressed in the proposed Article 6.

Section 5-2101.A. is adapted from purpose provisions in the existing Sections 18-1 and 18-8. The language is simplified and presented in

B. All signs are subject to approval by the City according to the standards set out in this division, pursuant to the procedures in Article 3, Division 2, except:

1. Temporary signs, which shall comply with the requirements of this division, but which may be installed without prior approval by the City.
2. Detached signs in SF1, SF2, SF3, MF - 1, and MF - 2 districts that comply with the requirements of Section 5-2107.D.
3. Signs that are installed by the City on public property, including but not limited to signs identifying a designated historic district or site, signs as appropriate for participation in the Florida Historical Markers Program, administered by the Florida Department of State, Office of Cultural and Historical Programs. Such signs may include the name of the sponsor of the sign.
4. Official traffic signs and sign structures, provisional warning signs, and sign structures that are erected, or required to be erected, by a unit of government.
5. Decorative flags and bunting installed by the City on public property for city-wide celebrations, conventions and commemorations on a temporary basis.
6. Signs that are incorporated into machines or equipment by the manufacturer or distributor that relate to the use of the machine or equipment (e.g., signs that are customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps).
7. Flags that meet the following criteria:
 - a. in general:
 - i. no individual flag exceeds fifteen (15) square feet in area; and
 - ii. flags that are displayed on a ground mounted flagpole do not exceed a lateral dimension (length) greater than twenty-five (25%) percent of the height of the flagpole.
 - b. in addition to the criteria in Section 5-2101B.6.a., in mixed-

outline format.

Section 5-2101.B. is adapted from the existing Sections 18-12(c) and 18-15. The purpose is to make the sign code applicable to all signs in the City, except those that are specifically listed, which are not subject to approval by the City.

use, MF - 2 District, and all nonresidential districts:

- i. the total area of all flags displayed on a building site does not exceed forty-five (45) square feet;
 - ii. no building site has more than three (3) flagpoles (which may be either vertical or mast-arm) installed; and
 - iii. no more than two (2) flags are displayed per flagpole.
- c. in addition to the criteria in Section 5-2101B.6.a., in SF1, SF2, SF3, and MF - 1 districts:
- i. the total area of all flags displayed on a building site does not exceed fifteen (15) square feet;
 - ii. no building site has more than one (1) flagpole (which may be either vertical or mast-arm) installed; and
 - iii. no more than two (2) flags are displayed per flagpole.
8. Flags that are displayed on United States and Florida holidays.
9. Flags that are displayed at duly licensed marinas or boat docking facilities for navigation purposes as necessary.
10. Flags that are displayed at any federal, state, or local government office or facility, or foreign embassy or consulate.
11. Price tags that are affixed to merchandise and are not larger than six (6) square inches in area.

Section 5-2102. Required signs.

- A. The following signs may be required as a condition of development approval:
1. address signs, as follows:
 - a. visible to emergency vehicles on the adjacent public right-of-way; and
 - b. of a typeface that is easily read from adjacent public right-of-way.
 2. detached signs, as follows:
 - a. on the building site of vehicular use areas that are at least ten thousand (10,000) square feet in area and are operated

Section 5-2102 is new, although it contains signs that are provided for in the existing code (e.g., Section 18-14). It prevents signs that are required as a condition of approval (those that are needed to protect public safety, or which provide a City-sponsored public interest message) from counting against signs that are otherwise permitted by this Division.

in connection with at least one nonresidential use:

1. one sign with a sign area not greater than twenty-four (24) square feet, which states that parking in the lot is provided only for customers of the related nonresidential use (e.g., "customer parking for [business name] only"); and
 2. no more than two (2) signs per point of ingress and/or egress, which state either "Entrance Only" or "Exit Only", have sign areas not greater than three (3) square feet, and a width not greater than two (2) feet.
- b. directional signs that are necessary to protect the safety of motorists and pedestrians.
3. wall signs at points of ingress and egress to parking garages, wall signs that state "Entrance" or "Exit," with:
 - a. a maximum lettering height of ten (10) inches; and
 - b. a maximum sign length of ten (10) feet.
 4. window signs that indicate points of ingress and egress and the address of the property, and which cumulatively do not exceed a sign area of one and one-half (1½) square feet.
 5. detached signs as appropriate for participation in the Florida Historical Markers Program, administered by the Florida Department of State, Office of Cultural and Historical Programs, provided:
 - a. the sign is located on a building site of a designated historic site, building, or structure that is listed in the Florida Master Site File or at a prominent location within an historic district that is listed in the Florida Master Site File;
 - b. the copy is provided or approved by the Historic Preservation Board;
 - c. the sign face is set back at least five (5) feet from the front property line and a minimum of fifteen (15) feet from any interior property line;
 - d. on corner lots, the sign face is set back at least fifteen (15) feet of any official right-of-way line;
 - e. the sign face is perpendicular or parallel to the front property line;
 - f. the top of the sign face or support structure is not more

than seven and one-half (7½) feet above finished grade;
and

- g. the sign is not illuminated, unless it is located in a Commercial; Commercial, Limited; or Industrial district and the source of illumination is shielded and not directly visible from any public right-of-way.

- 6. plaques that are affixed to buildings, structures, and/or other artifacts which have been designated as historic landmarks by the Historic Preservation Board, to describe their historic significance, provided:

- a. the plaque is designed according to established standards of the Historic Preservation Board;
- b. the copy is provided or approved by the Historic Preservation Board;
- c. the size of the plaque does not exceed two and one-fourth (2¼) square feet, and neither the height nor the width of the plaque exceeds one and one-half (1½) feet in dimension; and
- d. the plaque is affixed flat against the surface of the building or structure to which it is attached.

- B. The type and location of required signs shall be determined and approved during the first to occur of the following:

- 1. site plan review;
- 2. in the case of signs required by Section 5-2102A.5. or 6., review for a certificate of appropriateness; or
- 3. upon issuance of a building permit for the use to which the required sign relates.

- C. Installation of required signs shall have no effect upon approvals for other signage permitted by this Division.

Section 5-2103. Prohibited signs and sign elements.

The following are prohibited signs and sign elements:

Section 5-2103 is adapted from the existing Sections 18-5(e), (f), 18-8(c)(6), 18-9, 18-17, 18-18

- A. Abandoned signs.
- B. Bare bulb signs.
- C. Box signs.
- D. Cabinet signs.
- E. Commercial signs in residential use districts that are not specifically permitted by Sections 5-2107, 5-2108, and 5-2109.
- F. Flags that are not exempted from this Division by Section 5-2101.
- G. Lettering with a diagonal or vertical orientation.
- H. Off-premises signs.
- I. Pennants, banners, streamers, balloons, streamer lights, and any other fluttering, spinning, rotating or similar type attention attractors and advertising devices.
- J. Reflective material.
- K. Vehicle signs, except:
 - 1. those attached to an operational vehicle which is:
 - a. used in the conduct of the business to which the sign relates and not used primarily to display advertisement;
 - b. affixed to the vehicle only during the normal hours of business;
 - c. not parked on public or private property with signs attached or placed on such vehicle for the purpose of calling attention to the location of a business or firm.
 - 2. those attached to an operation vehicle that relate to a candidate or issue to be decided in an election. This exception, ceases seven (7) days after the date of the subject election.
 - 3. governmental identification, markings, or insignias of a local, regional, state or federal government agency.

For the purpose of the definition of off-premises signs, premises means the part of the first floor of a building to which the sign is attached. In other words, an awning sign must relate to a first floor use if the awning is attached to the first floor.

4. those attached to public transportation vehicles.
5. those attached to taxicabs.
6. bumper stickers.

Section 5-2104. General sign design and location standards.

All signs shall be designed and located as follows:

- A. No sign shall be placed on a structure so that it disfigures or conceals architectural features or details of the structure.
- B. The use of lettering and sign design shall enhance the architectural character of the facade on which the sign is located.
- C. The size and location of all signs shall be proportional to the scale of the existing structure to which the sign is attached or to which it relates.
- D. Wall signs shall be proportionate to the facade on which they are located, respecting the integrity of the architecture of the building.
- E. All signs shall be compatible with adjacent signage.
- F. Sign lettering and graphics shall be permanently affixed to the sign, except as provided in Sections 5-2106 and 5-2107.C.

Section 5-2105. Illumination standards.

Illumination of signs, where permitted, is subject to the following standards:

- A. No illuminated sign shall exceed the limits on illumination intensity set out in Table 1: Maximum Illumination Intensity Level.

Table 1: Maximum Illumination Intensity Level

Section 5-2104 is adapted from the existing Sections 18-5(a), (b), (c), and (d).

Section 5- 2105 is the existing Sections 18-5(e), 18-6, and 18-8 with minor edits and reorganization.

The following standards from the existing section 18-6 of the existing code should be adopted as a local amendment to the Florida Building Code if they are still desired:

“ 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.*

** Transformer boxes, outlets, conduits, and other accessory equipment for any sign shall be placed so that they are not visible from the exterior.*

Type of Illumination	Proximity of sign to a boundary of a residential district and visibility of sign from said boundary		
	visible and within 200 feet	visible and 200 to 500 feet away	not visible or beyond 500 feet away
Direct or Internal light or Backlit	90 foot-lamberts	150 foot-lamberts	250 foot-lamberts
Indirect or Reflected light	10 foot-candles	25 foot-candles	50 foot-candles

* *Wooden signs shall not have electric lights or fixtures attached to them in any manner.”
They are deleted from this draft.*

- B. Illuminated signs located within five hundred (500) feet of a residential district, and which are visible from such residential district, shall be turned off not later than 10:00 p.m. every night.
- C. 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:
 - 1. the source of illumination for channel letters or figures may be visible if it is recessed within the depth of the channel; and
 - 2. hanging exposed neon tubing signs are permitted within a distance of five (5) feet from any glass show window if and only if:
 - a. they are located on the inside of glass show windows;
 - b. the size of the signs does not exceed ten percent (10%) of the total glass area where they are located or six hundred (600) square inches, whichever is less.
- D. Intermittent or flashing illumination is prohibited.

Section 5-2106. On premises sign standards.

The provisions contained in the Table 2: Standards for On-Premises Signs shall be applicable within the following districts:

Section 5-2106 is adapted from the existing Section 18-7. It is edited with strike and underline. Comments are provided in large bold italics underline text:

- A. Mixed-Use District
- B. Commercial, Limited District
- C. Commercial District
- D. Industrial District
- E. Downtown Overlay District
- F. P District
- G. S District
- H. MF - 2 District

The provisions are as follows:

Sample comment text.

The existing Section 18-7 provides: "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." These standards are pre-empted by the Florida Building Code, which is subject to change. See § 3108, Florida Building Code. The referenced language is deleted from this draft.

Table 2: Standards for On-Premises Signs

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	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.	Horizontal: <u>Fifty percent (50%) percent of awning or canopy.</u> Vertical: <u>Sixty percent (60%) of height of valance on which sign is placed.</u>	Six (6) inch lettering, however, height not to exceed sixty (60%) of height of valance on which it is placed.	<u>Sign height:</u> Twelve (12) feet maximum. <u>Sign elevation:</u> <u>As provided in Florida Building Code.</u>	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.	<ol style="list-style-type: none"> 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.	<ol style="list-style-type: none"> 1. Buildings less than 4 floors – fifteen (15) square feet. 2. Buildings 5 or more floors – twenty-five (25) square feet. 			<u>Sign height:</u> Eight (8) feet maximum. <u>Sign elevation:</u> <u>No minimum.</u>	Four (4) inch maximum projection from wall surface (A.D.A. Requirement).	<ol style="list-style-type: none"> 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.

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
Doorway entrance sign.	One (1) per street level tenant.	Five (5) square feet.		Six (6) inches.	<u>Sign height:</u> Twelve (12) feet maximum. <u>Sign elevation:</u> Top of door frame	4 inch maximum projection from wall surface (A.D.A. Requirement).	<ol style="list-style-type: none"> 1. Sign shall be located over doorway/entrance. 2. Internal or external illumination of sign lettering and sign is prohibited. 3. Backlighting via ambient light is permitted.

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
<p>Building sign, mixed-use</p> <p>Mixed-use residential buildings with ground/street level uses whereas the building contains seventy-five (75%) percent or more residential square footage.</p>	<p>Signage located at street/ground level is subject to applicable provisions dependent upon type of sign.</p>	<p>Twenty-five (25) square feet maximum.</p>	<p>Subject to applicable provisions dependent upon type of sign.</p>	<p>1. Signage identifying ground floor/street level retail and commercial uses are prohibited twenty-five (25) feet above the established grade.</p> <p>2. One wall sign shall be permitted for residential developments subject to the following:</p> <p>a. Sign Area: twelve (12) square feet</p> <p>b. Maximum sign length: fifty percent (50%) of lineal building frontage.</p> <p>c. Maximum height of sign: twelve (12) inches or an increase in size to eighteen (18) inches if sign is design sign as provide herein.</p> <p>d. Projection: twelve (12) inches.</p>			<p><u>The provisions for building sign, mixed-use are moved to other parts of this table.</u></p>

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
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	<p>1. Sign text indicating "Entrance" and "Exit" for parking garages shall be subject to the following:</p> <p>a. Maximum lettering height — ten (10) inches.</p> <p>b. Maximum sign length — ten (10) feet.</p> <p><u>Comment: Parking garage entry/exit signs are moved to required signs.</u></p>
Plaques.	One (1) per public pedestrian entrance/exit.	Four (4) square feet.	Horizontal: Two (2) feet.		Sign height: Eight (8) feet maximum. Sign elevation: No minimum.	Four (4) inches.	<p>1. Construction materials should be fabricated in a manner to complement the architecture of the building.</p> <p>2. See definition for further provisions.</p> <p><u>Comments:</u> <u>ALL signs must complement architecture.</u></p>

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
Projection sign (Street level).	One (1) per street level tenant. Tenants on corners of r.o.w. shall be permitted one <u>projection sign</u> per r.o.w.	Three (3) square feet.		Six (6) inches.	<u>Sign height:</u> Ten (10) feet maximum. <u>Sign elevation:</u> <u>Eight (8) feet of clearance above the sidewalk.</u>	1. Eight (8) feet max. projection from external bldg. wall if awning/ca nopy exists, or 2. Four (4) feet maximum projection from ext. bldg. wall with no awning/ca nopy. 3. Five (5) feet maximum encroachment into r.o.w. to outer edge of sign is permitted	1. One sign is permitted per street level tenant. 2. Tenants occupying a corner at two r.o.w.'s shall be permitted one additional sign. 3.1. Internal or external illumination of sign lettering and sign is permitted. 4. Sign content/text shall only include tenant name and/or logo. 5.2. Wood signs are permitted. 6. Decorative treatments and three-dimensional use of materials is encouraged. 7.3. 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 sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
Tenant signage (street level); <u>nonresidential building or residential/commercial mixed-use building with less than 75% residential floor area.</u>	One (1) per street level tenant per street right-of-way frontage.	Eighteen (18) square feet per tenant.	<u>Horizontal:</u> Fifty (50 %) percent of lineal tenant frontage.	Twelve (12) inches or an increase in size to eighteen (18) inches if sign is a design sign as provided herein.	<u>Sign height:</u> Eighteen (18) feet maximum. <u>Sign elevation:</u> <u>No minimum</u>	1. Twelve (12) inch maximum projection from wall surface. 2. The maximum projection may be exceeded for design signs, <u>subject to Board of Architects review and approval.</u>	4. 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.
Tenant signage (street level); <u>residential/commercial mixed-use building with 75% or more residential floor area.</u>	<u>One (1) per street level tenant per street right-of-way frontage.</u>	<u>Twenty-five (25) square feet per tenant.</u>	<u>Horizontal:</u> Fifty (50 %) percent of lineal tenant frontage.	<u>Twelve (12) inches or an increase in size to eighteen (18) inches if sign is a design sign as provided herein.</u>	<u>Sign height:</u> <u>Twenty-five (25) feet maximum.</u> <u>Sign elevation:</u> <u>No minimum.</u>	1. <u>Twelve (12) inch maximum projection from wall surface.</u> 2. <u>The maximum projection may be exceeded for design signs.</u>	<u>Tenant signage is prohibited if awning or canopy signage is provided.</u> <u>Moved from building sign, mixed-use</u>

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/ minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
Residential signage (above street level): residential/commercial mixed-use building with 75% or more residential floor area.	One (1)	Twelve (12) square feet	Maximum sign length: Horizontal: fifty percent (50%) of lineal building frontage. Maximum height of sign: Vertical: twelve (12) inches or an increase in size to eighteen (18) inches if sign is design sign as provide herein.	Depends upon building height (see entries for "wall mounted signs")	Depends upon building height (see entries for "wall mounted signs")	Projection: twelve (12) inches.	<u>Moved from building sign, mixed-use</u>

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
Wall mounted building signs for buildings 45.0 feet or less in height.*	<u>Buildings with linear facades:</u> One (1) per street right-of way frontage. <u>Buildings with one or more curvilinear facades:</u> One (1) per building	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.	Horizontal: Fifty percent (50%) of lineal building frontage.	Eighteen (18) inches.	<u>Sign height:</u> Twenty-Five (25) feet maximum. <u>Sign elevation:</u> <u>No minimum</u>	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 different items of information (names, tenants, etc.) 3. No off premises sponsors or advertising signs permitted.

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
Wall mounted <u>building</u> signs for buildings 45.1 to 97.0 feet.*	One (1) per street right-of way frontage.	<ol style="list-style-type: none"> 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. 	Horizontal: Fifty (50 %) percent of lineal building frontage.	Twenty- four (24) inches.	<ol style="list-style-type: none"> 1. <u>Sign height:</u> Ninety-seven (97) feet maximum. 2. <u>Sign elevation:</u> Minimum thirty-five (35) feet. 	Twelve (12) inch maximum projection from wall surface.	<ol style="list-style-type: none"> 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 different items of information (names, tenants, etc.) 3. No off premises sponsors or advertising signs permitted.

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
Wall mounted <u>building</u> 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 <u>two-hundred</u> (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 <u>one hundred-fifty</u> (150) sq. ft.	<u>Horizontal:</u> Fifty (50 %) percent of lineal building frontage.	Thirty (30) inches.	1. <u>Sign height:</u> Maximum of twenty-five (25) feet above the ceiling of the top floor. 2. <u>Sign elevation:</u> 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 different items of information (names, tenants, etc.) 3. No off premises sponsors or advertising signs permitted.

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
Wall mounted <u>building</u> signs in S District.	One (1) sign.	Twelve (12) sq. ft.	<u>Horizontal:</u> Fifteen (15) feet.	Ten (10) inches.	<u>Sign height:</u> Twelve (12) feet maximum. <u>Sign elevation:</u> No minimum.	Six (6) inches.	<ol style="list-style-type: none"> 1. Sign shall be subject to the following: <ol style="list-style-type: none"> a. Shall include no illumination. b. Must be attached to principal building 2. No other signage is permitted.
Window sign.	<u>No maximum.</u>	<u>Combined area of all window signs not to exceed</u> ten (10%) percent maximum of street level total window area or twenty (20) sq. ft., maximum, whichever is less.		Six (6) inch maximum.	<u>Sign height:</u> <u>Top of first floor.</u> <u>Sign elevation:</u> No minimum.		<ol style="list-style-type: none"> 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 eard 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 a <u>permanent and professional</u> 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.

Type of sign	Maximum number permitted	Maximum sign area	Maximum sign dimensions length of sign	Maximum lettering height	Maximum/minimum height of sign * Maximum sign height / Minimum sign elevation	Projection and/or separation **	Other requirements
Changeable copy sign.	One per restaurant.	Six (6) square feet.	Horizontal: Two (2) feet Vertical: Three (3) feet.		Sign height: <u>Seven (7) feet maximum.</u> Sign elevation: <u>No minimum.</u>	Four (4) inches.	<ol style="list-style-type: none"> 1. Sign must be located within ten (10) feet of restaurant's main entrance. 2. Sign must be permanently affixed to a wall. 3. Framing must be made of wood, brass, or aluminum. 4. Color of framing must blend in and be consistent with the color of the facade on which it is placed. 5. Sign copy must be behind a sliding or hinged glass door with an operational key lock. 6. Backdrop night lighting may be incorporated if integrated within the sign and shielded to reduce glare. <p><u>Comment: This row is the existing Section 18-21. Seven (7) ft. max. height (new) reflects intent of menu signs.</u></p>

*Height is measured from the established grade.

**Including all appendages of sign.

Section 5-2107. Detached signs, permanent.

Detached signs are permitted as provided in this Section.

A. Detached signs are permitted in commercial and industrial use districts if the building site fronts on U.S. Highway 1 (a.k.a. South Dixie Highway) or Southwest Eighth Street, provided:

1. There is no more than one detached sign per building site.
2. The sign area of the detached sign does not exceed thirty-two (32) square feet.
3. Sign height does not exceed:
 - a. twelve (12) feet if the building site fronts on U.S. Highway 1 (a.k.a. South Dixie Highway); and
 - b. eleven (11) feet if the building site fronts on Southwest Eighth Street.
4. The sign face of the detached sign is set back at least five (5) feet from front and side property lines, except that no setback is required for building sites that front on Southwest Eighth Street.
5. The detached sign is located and oriented such that its centerline is at a normal to or parallel to the front property line.
6. If the detached sign has two sign faces, it is designed so that the sign faces are parallel to each other. If the detached sign has one sign face, it is designed so that the sign face is parallel with the back of the sign.
7. Landscaping is provided around the base of the detached sign as follows:
 - a. a landscaped area extends at least three (3) feet in each direction from the base of the sign; and
 - b. the landscaped area is planted with ornamental grasses or shrubs that will reach a height of two (2) feet within three (3) months of installation.

B. Detached signs are permitted on the building sites of multifamily buildings and overnight accommodations in any district in which

SECTION 5-2107 WILL BE THE SUBJECT OF A SEPARATE REVIEW AS PART OF PART 2 OF THE SIGN CODE REVISION. RECOMMENDED CHANGES ARE INCLUDED HEREIN AS A STARTING POINT FOR FUTURE DISCUSSION.

Section 5-2107 is adapted from Section 18-8. The language was simplified and set out in outline format. References to content were removed. Redundant standards (e.g., those already provided as general or illumination standards) were eliminated.

Procedural language is moved to Article 3, Section 2.

“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 language “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” is replaced with “one detached sign is permitted per building site” A prohibition on off-premises signs prevents advertising of off-site uses but does not interfere with non-commercial speech, which is inherently “on-premises.” See *Coral Springs Street Systems, Inc. v. City of Sunrise*, 371 F.3d 1320, 1344 (11th Cir. 2004).

The proposed Section 5-2107A.3. attempts to reflect the intent of section 18-8, although that intent is not entirely clear because there does not appear to be any area that is subject to a six-foot height limit:

- (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:

<p>they are permitted, provided:</p> <ol style="list-style-type: none"> 1. There is no more than one detached sign per building site. 2. The sign area of the detached sign does not exceed six (6) square feet. 3. Sign height does not exceed: <ol style="list-style-type: none"> a. twelve (12) feet if the building site fronts on U.S. Highway 1 (a.k.a. South Dixie Highway); and b. nine (9) feet in all other areas. 4. The sign face of the detached sign is set back at least five (5) feet from front and side property lines, except that no setback is required for building sites that front on Southwest Eighth Street. 5. The detached sign is located and oriented such that its centerline is at a normal to or parallel to the front property line. 6. If the detached sign has two sign faces, it is designed so that the sign faces are parallel to each other. If the detached sign has one sign face, it is designed so that the sign face is parallel with the back of the sign. 7. Landscaping is provided around the base of the detached sign as follows: <ol style="list-style-type: none"> a. a landscaped area extends at least three (3) feet in each direction from the base of the sign; and b. the landscaped area is planted with ornamental grasses or shrubs that will reach a height of two (2) feet within three (3) months of installation. 8. The detached sign is designed such that it is placed on a standard with cross arms. <p>C. Detached signs are permitted on the building sites of service stations in any district in which they are permitted, provided:</p> <ol style="list-style-type: none"> 1. There is no more than one detached sign per building site. 	<ol style="list-style-type: none"> 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, <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> (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. <p>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).</p> <p>The standard “Each such sign shall be landscaped as approved or required by the Building and Zoning Department” should be replaced with minimum landscaping standards. Proposed language is provided for discussion purposes.</p> <p>The following language is deleted because it is pre-empted by the Florida Building Code and should be the subject of a local amendment if it is different from the FBC: “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.”</p> <p>The standards provided in Section 5-2107.B.4 through B.7. are not part of the existing code, but some form of regulation of these aspects of residential/overnight accommodations signage is recommended.</p>
--	--

<ol style="list-style-type: none"> 2. The sign area of the detached sign does not exceed twenty-four (24) square feet. 3. The sign area which is not used for changeable copy does not have more than two (2) lines of copy. If both lines are used, one of them contains only uppercase characters in Helvetica typeface of not more than three (3) inches in height. 4. No more than eight and one-half (8½) square feet of the permitted sign area of the detached sign is used for mounting changeable copy, and neither the height nor the width of the sign area used for mounting changeable copy exceeds three (3) feet in dimension. 5. Sign area that is used for mounting changeable copy is surrounded by a one-inch aluminum or galvanized iron pipe frame. Said sign area may be separated from the sign face which contains permanent copy or graphics, provided it is mounted on the same supporting structure. 6. Sign area that is used for mounting changeable copy is designed such that: <ol style="list-style-type: none"> a. there may be no more than three (3) lines of changeable copy; b. the background for the changeable copy is black; and c. the pipe frame is black. 7. Changeable copy, if used, has the following characteristics: <ol style="list-style-type: none"> a. the typeface is Helvetica; b. the characters are white; c. numbers and symbols are not more than eight and one-half (8½) inches in height; and d. letters, and superscript or subscript numbers and symbols, are no more than five and one-half (5½) inches in height. 8. Sign height does not exceed: <ol style="list-style-type: none"> a. Eight (8) feet if the building site fronts on U.S. Highway 1; and b. Six (6) feet in all other areas. 	<p>In Section 5-2107.C., the regulation of service station signs is simplified by limiting the sign area (24 sq. ft. limit is for discussion purposes), allowing a certain number of lines of changeable copy with a certain design, and removing requirements that overlap with the Florida Building Code.</p> <p>The existing code provides that the size of a service station sign is “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 Florida Building Code and ordinances of this City.” Siemon & Larsen recommends establishing a maximum sign area and a height limitation.</p> <p>The limitation of two (2) lines of copy for the part of the sign that is not used for changeable copy allows the service station to print the name of the company and the words “self-serve,” but does not require that content.</p> <p>The City currently allows price information for three grades of fuel. Four (4) lines of changeable copy allow for stations to advertise the price of diesel fuel or other alternative fuels if available.</p> <p>The existing language “The structural design and method of attachments of such sign shall be subject to approval of the Structural Engineer.” is removed because permitting and inspection are covered by the Florida Building Code.</p> <p>The existing procedural language “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.” will be reflected in the procedures section.</p>
---	---

<p>9. The sign face of the detached sign is set back at least four (4) feet from front and side property lines.</p> <p>10. The detached sign is located such that its centerline is at a normal to, or is parallel to the front property line. The sign area that is used for changeable copy has the same orientation as the sign area that is not used for changeable copy.</p> <p>11. The detached sign is located in such a manner that it does not block or obscure the visibility of pedestrians and motorists at any street intersection.</p> <p>12. If the detached sign has two sign faces, it is designed so that the sign faces are parallel to each other. If the detached sign has one sign face, it is designed so that the sign face is parallel with the back of the sign.</p> <p>13. Landscaping is provided around the base of the detached sign as follows:</p> <ol style="list-style-type: none"> a. a landscaped area extends at least three (3) feet in each direction from the base of the sign; and b. the landscaped area is planted with ornamental grasses or shrubs that will reach a height of two (2) feet within three (3) months of installation. <p>14. No part of the detached sign is illuminated.</p>	<p>The distances to the top of the sign face are for discussion purposes.</p> <p>No sign setback is provided in the existing code for service station signs. A sign setback of four (4) feet is provided for discussion purposes.</p>
<p>D. Detached signs are permitted in SF1, SF2, SF3, MF - 1, and MF - 2 districts, provided:</p> <ol style="list-style-type: none"> 1. One such sign is permitted per frontage per building site. 2. The sign area does not exceed sixty-three (63) square inches. 3. The sign is constructed of metal or plastic. 4. The sign is fastened to a supporting member constructed of metal that does not exceed one-inch in diameter or square. 5. The sign support is uniformly white or black in color. 	<p>Section 5-2107.D. is adapted from the existing Section 18-22. References to content are removed.</p>

6. Sign height does not exceed three (3) feet.
7. The sign is lettered professionally.
8. All parts of the sign are set back as follows:
 - a. from adjacent property: five (5) feet.
 - b. from public rights-of-way: five (5) feet, unless a significant portion of a building on the building site is located closer to the right-of-way, in which case the temporary sign may be affixed to the building.
9. The sign is not illuminated.

Section 5-2108. Temporary signs, 45-day.

Temporary signs that meet the following criteria may be displayed on a building site for a period not to exceed forty-five (45) days:

- A. The total sign area of all temporary signs on the building site that are permitted by this Section 5-2108 does not exceed:
 1. In the SF1; SF2; SF3; and MF - 1 Districts: 6¼ square feet for the display of noncommercial messages, of which 80 square inches may be used for the display of on-premises commercial messages (e.g., advertising the building site for sale).
 2. In the MF - 2; Mixed Use; Commercial, Limited; Commercial, Industrial, Downtown Overlay, P, and S Districts: 6¼ square feet for the display of noncommercial messages, of which 250 square inches may be used for the display of on-premises commercial messages (e.g., advertising the building site for sale).
- B. Sign height does not exceed four (4) feet.
- C. All parts of the temporary sign are set back as follows:
 1. from adjacent property: five (5) feet.
 2. from public rights-of-way: five (5) feet, unless a significant

Section 5-2108 is adapted from the existing Section 18-10. References to content are deleted. A reasonable amount of additional sign area is provided for signs that have non-commercial messages (e.g., campaign signs).

portion of a building on the building site is located closer to the right-of-way, in which case the temporary sign may be affixed to the building.

D. Structural supports, if provided, are constructed as follows:

1. Vertical support is provided by a single 2 inch x 2 inch wood post or 1 inch x 1 inch angle iron rod.
2. If the structural support provides an arm upon which a sign is affixed or hung, the arm does not extend more than sixteen (16) inches from the vertical support.
3. All components of the structural support are uniformly white or black.

E. Signs that display on-premises commercial messages are constructed of metal, plastic, wood, or pressed wood.

F. Signs are professionally lettered.

G. Signs are configured so that their sign face is parallel or perpendicular to the front property line.

H. Signs are not illuminated.

I. Signs do not include any elements that are prohibited by Section 5-2103.

J. Signs are kept in good repair.

K. Signs are removed upon the earliest of:

1. The expiration of forty-five (45) days from the date of installation;
2. Five days after the termination of a temporary activity or an event to which the sign relates (e.g., an election, sale of property); or

3. The day the sign falls into disrepair.

Section 5-2109. Temporary signs, 120-day.

Temporary signs that meet the following criteria may be displayed on a building site for a period not to exceed one hundred-twenty (120) days:

- A. The building site is in the MF - 2; Mixed Use; Commercial, Limited; Commercial, Industrial, Downtown Overlay, P, or S District.
- B. The total sign area of all temporary signs on the building site that are permitted by this Section 5-2109 does not exceed sixteen (16) square feet.
- C. Sign height does not exceed eight (8) feet.
- D. All parts of the sign are set back as follows:
 - 1. from adjacent property: ten (10) feet.
 - 2. from public rights-of-way: ten (10) feet, unless a significant portion of a building on the building site is located closer to the right-of-way, in which case the sign may be affixed to the building.
- E. Structural support is provided by one or two 2 inch x 2 inch vertical wood posts or 1 inch x 1 inch angle iron rods, which are installed to a depth of at least (3) feet below grade and anchored either in concrete or in another manner which provides a comparable degree of support. Vertical supports may be connected by horizontal braces constructed of the same material as the vertical supports.
- F. Signs are constructed of metal, plastic, wood, or pressed wood.
- G. Signs are professionally lettered.
- H. Signs are configured so that their sign face is parallel or perpendicular to the front property line.
- I. Signs are not illuminated.

Section 5-2109 is adapted from the end of the table which is set out in the existing Section 18-7.

Since the maximum sign area for 120-day temporary signs is fairly large, it is the same for commercial (e.g., temporary construction signs) and non-commercial (e.g., campaign signs) messages.

<p>J. Signs do not include any elements that are prohibited by Section 5-2103.</p> <p>K. Signs are kept in good repair.</p> <p>L. Signs are removed upon the soonest of:</p> <ol style="list-style-type: none"> 1. The expiration of one hundred-twenty (120) days from the date of installation; 2. Five days after the termination of a temporary activity or an event to which the sign relates (e.g., an election, sale of property); or 3. The day the sign falls into disrepair. <p>Section 5-2110. Temporary window signs, 14-day. Temporary window signs that meet the following criteria may be displayed for a period of not more than fourteen (14) days:</p> <ol style="list-style-type: none"> A. The building is located in the MF - 2; Mixed Use; Commercial, Limited; Commercial, Industrial, Downtown Overlay, P, or S District. B. The total sign area of all temporary window signs that are permitted by this Section 5-2310 does not exceed six (6) square feet per tenant. C. Signs are displayed only in first-floor windows. D. Signs are not affixed to the window. E. Only one sign is displayed per window frame. F. Signs are professionally lettered. G. Signs are not illuminated. H. Signs do not include any elements that are prohibited by Section 5-2103. 	<p>Section 5-2110 is adapted from the existing Section 18-11. The 14-day limit is new, and is stated for discussion purposes. References to content are deleted.</p>
---	--

<p>I. Signs are kept in good repair.</p> <p>J. Signs are removed upon the soonest of:</p> <ol style="list-style-type: none"> 1. The expiration of fourteen (14) days from the date of installation; 2. Five (5) days after the termination of a temporary activity or an event to which the sign relates; or 3. The day the sign falls into disrepair. <p>Section 5-2111. Temporary window signs, 30-day. Temporary window signs that meet the following criteria may be displayed for a period of not more than thirty (30) days:</p> <ol style="list-style-type: none"> A. The building is located in the MF District - 2; Mixed Use; Commercial, Limited; Commercial, I, Downtown Overlay, PAD, P, or S district. B. The total sign area of all temporary window signs that are permitted by this Section 5-2311 does not exceed two hundred-fifty (250) square inches per tenant. C. Signs are displayed only in first-floor windows. D. Signs are affixed to the window. E. Signs are professionally lettered. F. Signs are not illuminated. G. Signs do not include any elements that are prohibited by Section 5-2103. H. Signs are kept in good repair. I. Signs are removed upon the soonest of: <ol style="list-style-type: none"> 1. The expiration of thirty (30) days from the date of installation; 	<p>Section 5-2111 is adapted from the existing Section 18-11. The 30-day limit is new, and is stated for discussion purposes. References to content are deleted.</p>
---	--

2. Five (5) days after the termination of a temporary activity or an event to which the sign relates; or
3. The day the sign falls into disrepair.

Section 5-2112. Temporary substitutes for permanent signs.

A temporary sign may be installed as a substitute for any permanent sign for a period not to exceed six (6) months, provided:

- A. The temporary sign satisfies the dimensional, lettering, location, and height requirements of Section 5-2106, except that in no case shall sign height exceed fifteen (15) feet.
- B. One or more of the following reasons for the substitution of temporary signage for permanent signage is present:
 1. Permanent signage has not yet been installed, or reinstalled following off-site repair;
 2. The building or structure upon which permanent signage is to be attached is being renovated, and the permanent signage has been removed in conjunction with the renovations; or
 3. The use to which the temporary sign relates is temporary in nature, such that permanent signage will not be installed in conjunction with it.
- C. The temporary sign is constructed of materials that are durable and colorfast, such that the sign will not fall into disrepair during the expected period of use.
- D. If the temporary sign is installed over an existing sign, the existing sign is completely covered by the temporary sign from all public vantage points.
- E. The temporary sign is removed upon the soonest of:
 1. The expiration of six (6) months from the date of installation;

Section 5-2112 is adapted from the existing Section 18-13, which allows temporary signs at the headquarters of political campaigns. The proposed regulations do not reference content, but provide the same flexibility for short-term uses like campaign headquarters, as well as an opportunity to have a temporary sign while a permanent one is being manufactured.

2. Five (5) days after the termination of a temporary activity or an event to which the sign relates; or
3. The day the sign falls into disrepair.

Section 5-2113. Encroachments over public rights-of-way.

Signs that are permitted to encroach into the public right-of-way by this division 23 may only do so if the property owner executes and submits a restrictive covenant approved by the City Attorney, which:

- A. runs with the land;
- B. obligates the property owner and its successors in title to provide public liability insurance coverage for the encroachment in the minimum limits required by the City, and naming the City as an additional insured under the policy;
- C. obligates the property owner to maintain the sign in good condition at all times at the property owner's expenses; and
- D. reserves the right of the City of Coral Gables to, at the owner's expense:
 1. remove the sign;
 2. maintain the sign if it is apparent that the property owner is not doing so; and
 3. require the owner remove the sign, or any portion of the sign that is in the public right-of-way.

Section 5-2113 is adapted from the existing Section 18-20.

**ARTICLE 5, DIVISION 23
TEMPORARY USES**

Section 5-2301. Purpose.

It is the purpose of this Division to provide for certain temporary uses and to ensure that such uses are compatible with adjacent land uses and consistent with the City's goals and objectives.

Section 5-2302. Carnival.

The City Manager may authorize churches and schools to host or sponsor carnivals ~~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

This Division includes portions of existing Article 6 currently called "conditional uses" but which are essentially "temporary uses." In addition it includes other temporary uses which are in 21-8 and 21-9. They are slightly edited. It does not seem appropriate for the City Commission to be involved in the approval of these uses. Most communities use the City Manager's office or a Development Review Coordinator position to monitor and permit such uses. In this case we have recommended the City Manager and/or the License Division of the City (as currently provided for some conditional uses). Section 5-2301 is entirely new.

(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 Manager may prescribe appropriate conditions, restrictions, and safeguards it deems to be in the best interest of the surrounding

The open-ended ability to approve this use is recommended to be removed. If there are areas where these uses typically are conducted that are not in the CL, C or Industrial districts, they should be added.

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

Section 5-2303. 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 temporary use, subject to the following conditions and restrictions:

- A. The sale of such Christmas trees shall be conducted only upon property ~~which is zoned CL, CD, or in a Commercial or Industrial District.~~
- 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 these LDRs ~~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.

Section 5-2304. Garage sale.

Garage sales shall be permitted as a temporary 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. (2335)
- 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.

Section 5-2305. Commercial photography in residential districts.

Commercial photography, which includes still photography, commercials and major motion picture filming or video, shall be

permitted as a temporary use on the premises of private residentially zoned property in a residential district, 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

All fee schedules have been deleted and incorporated into the City Code.

We cannot find these provisions – may be an outdated cross reference.

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.

E. The City Manager may immediately revoke any permit for violation of any part of this section or any permit condition.

F. 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.

G. The City Manager may refuse to issue any permit applied for if, on previous occasions, the commercial photography company has

Insert codified cross reference to Noise Ordinance.

violated conditions or restrictions of permits issued under this section.

- H. The City Manager may issue administrative variances to these conditions to accommodate unusual circumstances.

Section 5-2306. Fund raising car washes.

Fund raising car washes shall be permitted ~~as a conditional use~~ as a temporary use on the premises of property in any commercial or special use 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.

Section 5-2307. Temporary construction and/or field office.

Whenever a building permit shall have been issued by the Building Department for construction and/or alteration, 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 Florida Building Code and such other applicable ordinances.
- C. That such office shall not be used for living or sleeping quarters.
- D. That only one construction or field office shall be allowed per construction site.

Section 5-2307 is existing section 21-8.

- E. 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.

Section 5-2308. 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 dwelling~~ 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 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.

Section 5-2307 D is from the definition.

Section 5-2308 is existing section 21-9.

- 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
- 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 Building Official, 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.

**ARTICLE 5, Division 25.
Underground Utilities.**

Section 5-2501. Requirement for Utilities to be Provided Underground.

- A. Purpose. The purpose of this Section is to require the installation of utility lines underground to assure the public safety; foster tree preservation; and improve and protect the aesthetic character of the City.
- B. Applicability. Except as expressly provided hereinafter, all utility lines, including but not limited to those required for electrical power, distribution, telephone, and telegraph communication, street lighting, and television signal service shall be installed underground. This Section shall apply to all cables, conduits or wires forming part of an electrical distribution system including service lines to individual properties and main distribution feeder electric lines delivering power to local distribution systems, provided that it shall not apply to wires, conductors or associated apparatus and supporting structures whose exclusive function is in transmission of electrical energy between generating stations, substations and transmission lines of other utility systems. Appurtenances such as transformer boxes, pedestal mounted terminal boxes, and meter cabinets may be placed above ground but shall be located in conformance with the requirements of the Manual of Public Works Construction. This Section shall be applicable to the following uses:
1. All new construction shall be required to install utility service facilities underground.
 2. When a structure undergoes a rehabilitation wherein the cost of the rehabilitation is fifty percent (50%) or more of the replacement value of the existing structure as determined by the Miami-Dade County Property Appraiser, utility service facilities for that structure shall be converted from overhead to underground.

Sec. 5-2501. Section 23-116(10) of the existing City Code requires the underground installation of new utilities. This is in keeping with the practice of many municipalities in South Florida. This new Section combines the requirements of Section 23-116 with a process for requiring the re-development of structures to convert their utilities from above ground to below ground service. Section 23-116 (10) (excluding Subsection (10)(a)-(c)) is now Section 5-2501(B). The remaining text (Subsections (B) 1. through (G)) is modeled on similar provisions contained in the City of Miami-Beach Code. Note that the City's provision for underground service in Section 23-116(10) exempts transmission lines between generating stations. The City may wish to consider narrowing this exemption. Please also note that the applicability of this Section has far reaching policy implications, but it has been raised as a serious issue in the City both for aesthetic and public safety reasons.

2. As in the Miami Beach model, the determination of replacement value is made by the County property appraiser. The City may wish to consider utilizing its own criteria for replacement value based on industry accepted principles (e.g. Marshall & Swift construction publications). This approach is taken in other cities such as Homestead.

C. Conversion of Overhead to Underground Facilities. Whenever overhead utility distribution facilities have been converted to underground facilities, the property owners in the area to be served by the new facilities shall be required to arrange for the conversion of their existing service facilities in accordance with these LDRs and, where applicable, utility company specifications for underground service. For electric service facilities, such conversion shall include but shall not be limited to rearranging existing electric service entrance facilities and necessary facilities within buildings and structures to accommodate the undergrounding of utilities. The property owner shall be responsible for all costs associated with the modification of service facilities for the affected property to accommodate underground utility service.

D. Notice of Conversion Requirement. The City shall notify each property owner when conversion from overhead to underground utility distribution service is complete. The notice shall be served by registered mail, addressed to the owner or owners of the property described as they are known to the City Manager or as their names and addresses are shown upon the records of the County Tax Assessor, or other public records of the City or County, and shall be deemed complete and sufficient when so addressed and deposited in the United States mail with proper postage prepaid. All necessary modifications and arrangements for use of underground facilities shall be completed within ninety (90) days of receipt of such notification.

E. Notice of Property Owner's Failure to Convert Facilities.

1. If the City Manager determines that a building has not completed conversion to underground utility service facilities, he or she shall notify the owner of that building in writing and demand that the owner cause the conversion to be made within sixty (60) days of the date of service of the notice. The notice shall be by registered mail and in the manner set forth in Subsection (b) of this Section. If 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 land or upon any agent of the owner thereof.

C. Language ensures that private property owners accommodate the undergrounding of utilities by making necessary changes to utility connections on their property, and within buildings or structures on the property.

D. Staff notes that the requirement for conversion may lead to Code compliance issues as the Building and Zoning Department would be charged with requiring utility upgrades in addition to service entrance charges.

2. If personal service upon the occupant of the land or upon any agent of the owner thereof cannot be performed after reasonable search by a law enforcement officer, the notice shall be served by physical posting on the property, and by publication in a newspaper of general circulation at least twice, seven days between publications, and 30 days before the date the conversion is required. The notice shall be in substantially the following form:

NOTICE REQUIRING CONVERSION OF UTILITY SERVICE FACILITIES

Name of Owner _____

Address of Owner _____

Our records indicate that you are the owner(s) of the following land in the City of Coral Gables, Florida: (describe property).

An inspection of this land discloses, and I have found and determined, that a building is located thereon which has not converted its (state type of utility) service facilities from overhead to underground service.

You are hereby notified that unless this building converts its (state type of utility) service facility from overhead to underground service within thirty (30) days of personal service upon you of this notice, or of the second publication hereof, the City will proceed to cause the conversion of these facilities and the cost of the work, including advertising costs and all other expenses necessary to complete the conversion will be imposed as a lien on the land if not otherwise paid within ninety (90) days after the conversion has been completed and the cost thereof ascertained by the City of Coral Gables.

F. Conversion of Facilities by City; Lien; Recording; Redemption.

1. If within sixty (60) days after service of the notice as set forth in Subsection (E) above, or by physical posting of the notice on the property, or within thirty (30) days of notice by publication in

2. Staff has inquired whether or not the City will have a contractor for the purpose of making the conversion. We recommend providing the City with flexibility as to the manner by which a City ordered upgrade is provided (e.g. by a contractor or by an employee of the Public Works Department). At present, this provision states that the City will "cause the conversion of these facilities" and does not specify the manner by which the upgrade would take place.

a newspaper the required conversion of service of facility has not been effected, the City Manager shall cause the conversion to be made by the City at the expense of the property owner. The cost of the conversion shall constitute a lien upon the real estate served thereby. Upon ordering a conversion of service facilities to be made by the City, the City Manager shall cause to be recorded in the public records a notice of utility service conversion lien pending, which shall include a description of the property and a statement that a conversion has been ordered, the cost of which shall under this Section constitute a lien. The notice of pending lien shall, eight (8) months after the date thereof, be null and void and constitute no record notice of a pending lien.

2. After causing the conversion of service facilities to be done, the City Manager shall certify to the Finance Director the expenses as may have been approved by the appropriate City Department incurred in effecting the conversion and shall include a copy of the notice set forth in Section (E) above, whereupon such expense shall become payable within ninety (90) days, after which a special assessment lien and charge will be made upon the property, which shall be payable in ten equal annual installments together with costs of recordation of all documents required to be recorded hereby and with interest to be determined by the City Finance Director on the unpaid balance from the date of such certification until paid; however, the lien may be satisfied at any time by the payment of the entire sum due plus accrued interest, recordation costs, and such expenses and penalties as may result from the advertisement and sale of certificates for delinquent liens as hereinafter set out. The Finance Director shall file for record a notice of such lien in the office of the clerk of the circuit court, and shall keep complete records relating to the amount payable thereon. One-tenth of the amount of liens accruing during any year ending on June 1 shall be billed and mailed in the fall of the same year to the owners of land subject to such liens at the same time as tax statements for ad valorem taxes are mailed; and if the amount shall not be paid on or before April 1 of the following year, the entire lien and all annual installments thereof shall be delinquent, overdue and in default.

3. The entire amount of the lien may be foreclosed by the City, or in the alternative may be collected by any other legal means, including the advertisement and sale of certificates. Upon full payments of liens provided by this Section or through foreclosure on tax sale certificates, the director of finance shall, by appropriate means, evidence the satisfaction and cancellation of such lien upon the public records. The cost of recordation of the notice of lien pending, the notice of lien, and the satisfaction of lien shall be secured by the lien hereby provided.

G. Underground facilities to Remain Underground. Wherever utility service facilities are located underground, such facilities must remain underground and may not thereafter be converted to overhead facilities.

ARTICLE 5. Division 26.
Unity of Title and Declaration of Restrictive Covenant in Lieu thereof. (3518)

Section 5-2601. Purpose and Applicability.

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 these LDRs and the City's Code of Ordinances. ~~the Zoning Code, Code of Ordinances and Comprehensive Land Use Plan.~~

Section 5-2602. 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 parcel proposed for development ~~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 parcel proposed for development ~~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 otherwise located off-site, as provided for under ~~Section 13-3(b) and (c) of this Code~~ Article 5 Division 16 of these LDRs.
 2. Whenever the parcel proposed for development ~~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 ~~building site~~ parcel proposed for development.
 3. Whenever the parcel proposed for development ~~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 parcel proposed for development ~~building site~~ are required to meet the minimum standards of these LDRs. ~~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 these LDRs ~~the Zoning Code~~ and which lot or parcel would be susceptible to further resubdivision in accordance with Article 3 Division 10 ~~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 parcel proposed for development in any residential district ~~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.~~

B. 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 these LDRs and ~~to ordinance to promote single building sites and to properly enforce these LDRs 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 25, Appeals for additional information.~~

C. 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.

D. Recording. The owner(s) shall pay all fees as required by ~~the Zoning Code or the City~~ Code of Ordinances for the processing and recording of the Unity of Title.

E. 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.

Section 5-2603- 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~~ parcels proposed for development located in ~~C-Commercial or M-Industrial Use~~ Districts owned by one (1)

separate or multiple owners wishing to use said property as one ~~parcel 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 ~~these LDRs. 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.~~

- C. The City shall only release a Declaration of Restrictive Covenant if the individual properties satisfy all applicable LDRs ~~Zoning Code,~~ Code of Ordinances and Comprehensive Land Use Plan

requirements and the release does not create substandard or nonconforming building sites.

D. Requests for modification of an existing Declaration of Restrictive Covenant shall be submitted to the Building and Zoning Director and satisfy the following:

1. Provide written consent of the current owner(s) of the phase or portion of the property for which modification is sought.
2. The modification shall not create a fire emergency situation or be in conflict with the provisions of the LDRs Zoning Code, Code of Ordinances and Comprehensive Land Use Plan.
3. The Building and Zoning Director may impose conditions within the Declaration of Restrictive Covenant to insure the above provisions are satisfied or waive such provisions if not applicable to the parcel proposed for development.

~~Other applicable provisions. All Declarations of Restrictive Covenant as provided within these provisions shall satisfy the following:~~

~~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.~~

4. Subsequent owners of all parcels shall be bound by the terms, provisions and conditions of the Declaration of Restrictive Covenant.
5. 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:
 - i. Ingress to and egress from the other parcels.
 - ii. For the passage and parking of vehicles.
 - iii. 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:
 - i. The installation, use, operation, maintenance, repair, replacement, relocation and/or removal of utility facilities in appropriate areas.
 - ii. The installation, use, maintenance, repair, replacement and/or removal of common construction improvements such as footings, supports and foundations.
 - iii. The attachment and support of buildings or other associated structures and/or improvements.
 - iv. 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.
 - v. Reservation of rights to grant easements to utility companies.
 - vi. Reservation of rights to road right-of-ways and curb cuts.
 - vii. 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.~~

- 6. 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.

7. Requisites.

- a. 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.
- b. 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.
- c. 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.
- d. 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.
- e. 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.

8. 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 LDRs, ~~Zoning Code~~, Code of Ordinances, Comprehensive Land Use Plan.

9. Appeal. Appeal of the Building and Zoning Director's decision shall be to the Board of Adjustment in accordance with the provisions of Article 5, Division 6. ~~See Zoning Code, Article 25, Appeals for additional information.~~
10. 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 fund that upon demonstration and affirmative finding that the same is no longer necessary to preserve and protect the property for the purposes herein intended.
11. Recording. The owner(s) shall pay all fees as required by these LDRs ~~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.
12. 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.

**Article 5, Division 27.
WALLS AND FENCES**

Section 5-2701. 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,.

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

This division is based on existing article 16. References to the Board of Architects have been removed as unnecessary. Minor edits have been made to clarify and to conform to new format and terminology.

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 ($1\frac{3}{8}$) inches outside diameter and where a 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.

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 ($\frac{1}{2}$) 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 permit therefore, to be determined by the Building Official.

Section 5-2702. Location.

A. All types of masonry or coral rock walls may be erected anywhere upon any premises, and in certain cases, (see 5-2703 2) must be erected along property lines,.

Does section 5-2702 A(formerly 16-1) apply to all residential and

B. The following fence types are permitted in the following locations:

1. Wire fences:

- a. any residential or special use district;
- b. in an Industrial District provided that such wire fences are not located closer than one-hundred (100) feet to Bird Road, LeJeune Road or Ponce De Leon Boulevard;
- c. along rear property line or within the rear setback;
- d. along the side property line to the front line of a building extended to the nearest point on the side property line provided that a coral rock wall connects the building with the wire fences;
- e. along the side property line to the rear corner of the building closest to the side lot line; or
- f. on corner lots, along rear or side yards or within such rear and side property lines, provided, however, that such wire fence shall not be erected in any yard area which abuts a street.

2. No wire fences may be erected in any Commercial District.

3. All types of masonry or coral rock walls are permitted any where upon any premises.

Section 5-2703. Height. (2705, 2991, 3436)

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 residential districts,.
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 apartments multi-family dwellings may exceed four (4) feet in height in residential districts, R, D and A-Use Districts.
4. Walls in connection with residences, duplexes or apartments multi-family dwellings in residential districts not included in paragraph subsection 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 accessory buildings and the main buildings does not exceed forty-five (45%) percent of the enclosed area of the site. and
5. Ornamental wrought iron, cast iron and/or aluminum fences may be erected to a maximum height of six (6) feet
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.
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 property in a residential zoned-properties district which have has 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 in this Division, herein,. (3557)

Section 5-2704. 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.