

## Article 3 USE DISTRICT AND REGULATIONS

### Sec. 3-1 - R-Use Districts.

Residential Use Districts are intended to accommodate low density, single-family dwelling units with adequate yards and open space to characterize a residential environment. In single-family residence or R-Use Districts no use shall be permitted other than an R-Use and Family Day-Care Home, except that certain special-uses as described in Section 3-11 hereof may be permitted after passage of a special authorizing ordinance therefore. In R-Use Districts no buildings or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed to be used, for a D, A, C, or M-Use as defined herein. (2703)

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

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

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

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

- (c) Permitted principal uses and structures.
  1. Single-Family dwellings.
  2. Family day-care homes.
- (d) Permitted accessory uses and structures. Uses and structures customarily associated with and incidental to the permitted principal uses, such as: (2992, 3175, 3192, 3245)
  1. Garage.
  2. Boat house.
  3. Play house
  4. Swimming pool.
  5. Tennis court.
  6. Screened Enclosures.
  7. Greenhouse.
  8. Cabana.
  9. Docks, davits and floating boat lifts.
  10. Storage/utility rooms.
  11. Guest house.
  12. Wood decks.

13. Trellises (allowed in rear setback area of properties backing onto a canal, waterway, lake or bay subject to Board of Architects approval).
  14. Fountains (allowed in setback area subject to Board of Architects approval).
  15. Planters (allowed in setback area subject to Board of Architects approval).
  16. Basketball pole backboards, as further defined in, and subject to, the requirements of Articles 5 (Accessory Uses) and 17 (Docks, Wharves, etc.).
  17. Flagpoles, limit one per property with a maximum height of twenty-five (25) feet (allowed in setback area subject to Board of Architects approval).
  18. Gazebo.
- (e) Special-uses and structures (See Section 3-11).
1. Golf or tennis grounds.
  2. Religious facilities.
  3. Public recreation building, park or playground.
  4. Community center building.
  5. Educational Facilities.
  6. Municipal Facilities.
- (f) Setback requirements, R-Use District-General.
1. Front Setback. A minimum front setback of twenty-five (25) feet shall be maintained and required on all building sites in R-Use Districts, except that on building sites on platted lots less than seventy-five (75) feet in depth, a minimum front setback of fifteen (15) feet shall be required.
  2. Side Setbacks. Inside lots in R-Use Districts shall have minimum side setbacks which total twenty (20%) percent of the width of the lot measured across the front setback line up to a maximum of twenty (20) feet. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one side abutting upon a street on which other lots in the same block face, shall setback a minimum distance from such side street as is provided herein as the minimum front setback for buildings facing such side street. In no case shall a side setback be less than five (5) feet. Building sites, where a reduction in the minimum square foot floor area of the building was permitted as set forth in Section 3-1 (i), shall be required to maintain a minimum side setback of ten (10) feet on each side.
  3. Rear Setback. A minimum rear setback of five (5) feet shall be maintained and required on all buildings in R-Use District.
- (g) Setback from canal, waterway, lake or bay. On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used for occupancy for residential purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted, except as provided in Article 4.
- (h) Height of single-family residence buildings and height of special-use buildings in R-Use Districts—General. Except as set forth herein in Article 4 to the contrary, no single-family building shall be constructed in Coral Gables more than two and one-half (2½) stories in height. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site. In R-Use Districts, no Special-Use building which may be permitted by special ordinance shall exceed two and one-half (2½) stories in height. In all instances, said two and one-half (2½) stories shall not exceed a height of thirty-four (34) feet above established grade including ridgeline, dome, steeples, towers and such other similar structures, and excluding chimneys having a maximum height above the ridgeline of three (3) feet and a maximum area of seventeen (17) square feet. (3170, 3569)
- (i) Percentage reduction on seventy-five (75) and one-hundred (100) foot building sites. In all R-Use Districts requiring a minimum building area of one-thousand five-hundred twenty-seven (1,527) square feet or more, where a single-family residence is built upon a site consisting of one and one-half (1½) lots, or upon a site having a minimum of seventy-five (75) foot frontage,

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

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

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

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

- (m) Maximum square foot floor area for single-family residences--General. The maximum square foot floor area permitted for single-family residences shall be equal to forty-eight (48%) percent for the first five-thousand (5,000) square feet of building site area and thirty-five (35%) percent for the next five-thousand (5,000) square feet of building site and thirty (30%) percent for the remainder of the building site area. (2934)
- (n) Determination of maximum square foot floor area. The maximum square foot floor area of a single-family residence shall be the sum of the gross areas of all the floors of the building or buildings, measures from the exterior faces of exterior walls and exterior faces of supporting columns for any floor not enclosed by exterior walls, but in no case shall the maximum square foot floor area in any category be less than the minimum, as required by the Zoning Code. (2934)
  - 1. In particular, gross floor area shall include the following:
    - a. All floor space used for dwelling purpose, such as living rooms, bedrooms, kitchens, utility rooms, mechanical equipment rooms, and any other similar spaces, no matter where located within a building.
    - b. Elevator shafts and stairwells at each floor.
    - c. The floor space in penthouses, interior balconies and mezzanines.
    - d. The floor space in auxiliary or accessory buildings.
    - e. Screen porches shall be computed at one-half (½) of the square foot floor area contained therein; provided, a covenant is submitted stating that such screen porch will never be enclosed.
    - f. The floor space in any garage or garage and storage area; however, any garage or storage area which is constructed completely as a one-story portion of the building shall be computed at one-half (½) of the square foot floor area contained therein;

provided, a covenant is submitted stating that such garage or garage and storage area will remain as a one-story portion of the residence.

- g. In those cases where the average floor to the bottom of the structural member of roof support height exceeds fifteen (15) feet clear without intermediate structural floor members, then that area shall be counted twice in the maximum floor area factor computation. (3090)
- h. Carports: however, when no portion of a carport is located between the building and the street, it shall be counted as one-half (½) in the maximum floor area factor computation.
- 2. The following areas or structures shall not be computed into the gross floor area of the building except as stated herein:
  - a. Floor space in roofed terraces, breezeways, and open porches.
  - b. Floor space in screen enclosures.
- (o) Landscaped open space. Landscaped open space for single-family use buildings shall be provided as follows: (2934)
  - 1. Single-family use buildings shall provide landscaped open space of not less than thirty-five (35%) percent of the area of the building site.

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

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

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

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

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

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

the Development Site Plan review is to facilitate the following:

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

**Sec. 3-3 - D-Use Districts.**

Duplex Use Districts are intended to accommodate low-density, multi-family dwelling units and buffer single-family residential uses from collector roadways. In a duplex residence or D-Use District no use shall be permitted other than an "R" and "D" Use and Family Day Care Home, except that certain special uses as described in Section 3-11 hereof, may be permitted after passage of a special authorizing ordinance therefore. In D-Use Districts no buildings or premises shall be used, nor shall any building or structure be erected, altered or enlarged which is arranged, intended or designed to be used, for an A, C or M Use as defined herein. (2703, 3142)

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

(b) Area District symbols. The minimum square foot floor area required in buildings for D-Use is indicated upon the Use and Area Map by number symbols, which number symbols represent the minimum square foot floor area requirements for buildings erected of such types and for such uses, as follows:

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

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

- (c) Permitted principal uses and structures.
  1. Duplex.
  2. Family day-care homes.
- (d) Permitted accessory uses and structures. Uses and structures customarily associated with and incidental to the permitted principal uses, such as:
  1. Garage.
  2. Boat House.
  3. Play house.
  4. Swimming Pool.
  5. Tennis Court.
  6. Screened enclosures.
  7. Greenhouse.
  8. Cabana.
  9. Docks, davits and floating boat lifts.
  10. Storage/Utility rooms.
  11. Guest House.
  12. Wood decks/trellises as further defined in, and subject to, the requirements of Articles 5 (Accessory Uses) and 17 (Docks, Wharves, etc.).
  13. Fountains (allowed in setback are subject to Board of Architects approval).
  14. Planters (allowed in setback area subject to Board of Architects approval).
  15. Basketball poles backboards, as further defined in, and subject to, the requirements of Articles 5 (Accessory Uses) and 17 (Docks, Wharves, etc.).
  16. Flagpoles, limit one per property with a maximum height of 25' (allowed in setback area subject to Board of Architects approval). (3175)

17. Gazebo. (3245)
- (e) Special-uses and structures: (See Section 3-11).
1. Golf or tennis grounds.
  2. Religious facilities.
  3. Public recreation building, park or playground.
  4. Community center buildings.
  5. Educational facilities.
  6. Municipal facilities.
- (f) Setback requirements, D-Use Districts—General.
1. Front setback. A minimum front setback of twenty-five (25) feet shall be maintained and required on all building sites in D-Use Districts, except that on building sites on platted lots less than seventy-five (75) feet in depth, a minimum front setback of fifteen (15) feet shall be required.
  2. Side setback. Inside lots in D-Use Districts shall have minimum side setbacks which total twenty (20%) percent of the width of the lot measured across the front setback line up to a maximum of twenty (20) feet. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of a building line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one side abutting upon a street on which other lots in the same block face shall setback a minimum distance from such side street as is provided herein as the minimum front setback for buildings facing such side street. In no case shall a side setback be less than five (5) feet.
  3. Rear setback. A minimum rear setback of five (5) feet shall be maintained and required on all buildings in D-Use Districts.
- (g) Setback from canal, waterway, lake or bay. On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used for occupancy for residential purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted, except as provided in Article 4.
- (h) Height of duplex residence buildings and height of special-use buildings in D-Use Districts—General. Except as set forth herein in Article 4 to the contrary, no duplex residence building shall be constructed in Coral Gables more than two and one-half (2½) storied in height. No subordinate or accessory building permitted by this code as an Auxiliary-Use shall exceed in height the maximum height of the principal building on the building site. In D-Use Districts, no Special-Use buildings which may be permitted by special ordinance shall exceed two and one-half (2½) stories in height. In all instances, said two and one-half (2½) stories shall not exceed a height of thirty-four (34) feet above established grade including ridgeline, domes, steeples, towers and such other similar structures.
- (i) Ground area coverage—General. Buildings or structures designed and constructed for D-Use, shall not occupy more than thirty-five (35%) percent of the ground area of the building site upon which the building or structure is erected. The area utilized for calculating the maximum ground area coverage for the principal building shall be computed from the exterior face of exterior walls and the exterior face of exterior columns of the building. Cantilevered portions of the building above the ground floor or roof overhangs which are greater than five (5) feet shall be computed in the calculation of the ground coverage of the principal building. Auxiliary buildings or structures, including swimming pools, may occupy additional ground coverage, but the total ground area occupied by the main building or structure and auxiliary structures shall not exceed forty-five (45%) percent of the site upon which the structures are located. In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots composing the site. S and X-Use buildings or structures which may be permitted by ordinance to be located in D-Use Districts shall abide by the same minimum ground area coverage as set forth for D-Uses in such districts. (2934)
- (j) Minimum area requirements for specific uses in less restricted use district. Single-family residence buildings in D-Use Districts shall conform to R-9 (two-

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

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

**Sec. 3-4 A-Use Districts.**

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

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

<b>Symbol</b>	<b>Minimum Building Square Foot Floor Area Required</b>
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13.....	2,427
15.....	3,027
17.....	3,409

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

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

3. Private club.
  4. Public recreation building, park or play ground.
  5. Community center buildings.
  6. Educational facilities.
  7. Municipal facilities.
- (f) Setback requirements for buildings having a height of not more than three (3) stories or forty-five (45) feet—General.
1. Front setback. A minimum front setback of twenty (20) feet shall be maintained and required on all building sites in A-Use Districts, for all buildings other than private garages and garage apartments. The minimum front setback for private garages and garage apartments shall be sixty (60) feet.
  2. Side setback. A minimum side setback of ten (10) feet from each side line shall be required and maintained on all building sites in A-Use Districts for buildings erected and used for D, A and S-Uses, of which at least eight (8) feet shall be unobstructed, clear of steps and other impediments. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of such building site that abuts upon a street.
  3. Rear setback. A minimum rear setback of ten (10) feet shall be maintained and required on all building sites abutting upon an alley. A minimum rear setback of fifteen (15) feet shall be maintained and required on all building sites not abutting upon an alley.
- (g) Setback from canal, waterway, lake or bay. On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used for occupancy for residential purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted, except as provided in Article 4.
- (h) Setback requirements for buildings having a height of more than three (3) stories or forty-five (45) feet. A-Uses Districts—General, special-uses in A-Use Districts and apartment-hotels.
1. Front setback. Twenty-five (25) feet minimum.
  2. Side setback from inside Property Line: Ten (10) feet minimum, plus one additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet. (3231)
  3. Side Setback from side street. Fifteen (15) feet minimum, plus one additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet.
  4. Rear Setback: Ten (10) feet minimum plus one additional foot setback for the entire building for each three (3) feet of the building height above forty-five (45) feet where an alley is located at the rear of the site, or twenty (20) feet plus one additional foot setback for the entire building for each three (3) feet of building height above forty-five (45) feet where there is no alley at the rear of the site.
  5. Balconies: Cantilevered open balconies having a height of not less than fifteen (15) feet above finished grade may project into the required setback areas a maximum of six (6) feet.
  6. Parking structures and accessory Decks:
    - a. No setbacks shall be required for parking structures and accessory decks which are constructed completely below established grade.
    - b. Parking structures and accessory decks which have a height of not more than three (3) feet six (6) inches above established grade shall provide and maintain the following minimum setbacks:
      1. Front setback—20 feet minimum.
      2. Side setback—10 feet minimum.
      3. Side street setback—1 foot minimum.
      4. Rear setback—20 feet minimum.
 Parking structures and accessory decks which have a height of more than three (3) feet six (6) inches above established grade shall provide and maintain the

same setbacks as required for the principal building.

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

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

coverage for the principal building shall be computed from the exterior face of exterior walls and the exterior face of exterior columns of the ground floor of the building. Cantilevered portions of the building above the ground floor or roof overhangs which are greater than five feet shall be computed in the calculation of the ground coverage of the principal building. Auxiliary buildings or structures, including swimming pools may occupy additional ground coverage, but the total ground area occupied by the main building or structure and auxiliary structures shall not exceed forty five (45%) percent of the site upon which the structures are located. In no case shall the main building or structure exceed thirty-five (35%) percent of the lot or lots composing the site. S and X-Use buildings or structures which may be permitted by ordinance to be located in A-Use Districts shall abide by the same minimum ground area coverage as set forth for A-Uses in such districts. (2934)

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

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

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

not be counted in computing the ground coverage.

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

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

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

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

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

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

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

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

apartment-hotels and hotels. The non-residential portion of the Mixed-Use District No. 1 development may include office, industrial, retail, restaurant, entertainment, recreational and cultural uses as permitted by the underlying district.

3. Setbacks. The following general setbacks shall apply to Mixed-Use District No. 1 developments, but shall not supersede the specific setbacks listed for main buildings at specific locations in Article 4 of this Code:

a. Front, Side (Interior), Side (street):

(1) That portion of the building exceeding thirty-five (35) feet in height shall provide a ten (10) foot minimum setback plus one foot for each twenty-five (25) feet over thirty-five (35) feet.

(2) Corner lots which have no radii shall have a ten (10) foot setback from the corner between three (3) and eight (8) feet above the established grade.

b. Rear:

(1) Where there is a dedicated alley in the rear, all buildings shall be set back five (5) feet up to the first fourteen (14) feet in height. For that portion of buildings above fourteen (14) feet in height, there shall be no setback requirements from the rear property line.

(2) Where there is no dedicated alley in the rear, a ten (10) foot minimum rear setback shall be provided.

(3) Parking garages shall be required to provide the same minimum setbacks as required for the main building provided however, that no setback shall be required for that

portion of a parking garage which is located completely below grade.

4. Open space.

a. Plazas, courtyards, arcades and loggias paved with a pervious material may be considered open space and counted as such toward the open space requirement up to a maximum of one-hundred (100%) percent.

b. Plazas, courtyards, arcades and loggias paved with an impervious material may be considered open-space and counted as such toward the open space requirement up to a maximum of seventy-five (75%) percent.

5. Ground area coverage.

a. The ground area coverage standards set forth in Section 3-4(q) of this Code for apartments, apartment-hotels, and hotels shall not apply to Mixed-Use district No. 1 development.

b. When the residential portion of the development is less than the nonresidential portion, the maximum ground area coverage allowed for the Mixed-Use District No. 1 development may be ten (10%) percent greater than that which is permitted for apartments, apartment-hotels or hotels alone. This increase is equivalent to the percentage listed in the Maximum % Ground Cover Principal Access and Deck Building column included in Section 3-4(q) of this Code.

6. Floor area ratio.

a. When multiple uses are incorporated into a development of four or more stories in height, the floor area ratio (F.A.R.) for each use shall be individually determined according to Sections 3-4(s) and 3-6(y) of this Code and the highest of the individual

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

7. Parking

- a. Required off-street parking may not be reduced for the office and/or industrial portion of a Mixed-Use District No. 1 development.
- b. Required off-street parking may be reduced by a given percentage for the residential, retail, restaurant, recreation, cultural, entertainment and/or similar portions only or a Mixed-Use District No. 1 development in accordance with the chart below:

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

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

8. Ground floor treatment.

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

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

1. Location eligibility. All properties zoned A and located within the following described geographic area shall be eligible to use the standards set forth herein for Mixed-Use District No. 2. The area bounded by Southwest Eighth Street to the north, Minorca Avenue to the south, Douglas Road to the east and LeJeune Road to the west. (2778, 3326)
2. Limitation. In order to provide convenience to residents of multi-family dwellings and reduce vehicular traffic, all developments, whether existing, new, renovated or proposed shall be eligible to utilize the Mixed-Use District No. 2 regulations, providing that the development shall consist of no more than one building and have at least twenty (20) apartment units. In addition, at least eighty (80%) percent, but no more than ninety-five (95%) percent of the gross plan area of the building must be in apartment use.
3. Permitted uses. The following is a list of Mixed-Use District No. 2 permitted uses: apartment building, automatic teller machine, bakery (no baking on premise), barber shop and beauty shop, bookstore, drug and sundry store, dry cleaner (no cleaning on premises), florist, food store (gourmet or convenience), stationery store.
4. Ground area coverage. The maximum ground area coverage permitted for Mixed-Use District No. 2 developments may be ten (10%) percent greater than that which is permitted for apartment use alone. This increase is equivalent to the percentage listed in the Maximum 0% Ground Cover Principal Access and Deck Building column included in Section 3-4(p) of this Code.
5. Floor area ratio (F.A.R.). The maximum F.A.R. for Mixed-Use District No. 2 developments having a height of four (4) or more stories shall be determined according to Section 3-4(s) of this Code, except that the F.A.R. listed in the column

- entitled Maximum F.A.R. shall be increased by five (5%) percent.
6. Parking. Required off-street parking for Mixed-Use District No. 2 developments shall be determined according to the requirements of Article XIII of this Code and may be reduced by twenty (20%) for the non-residential use portions of the development.
  7. Business access. Businesses in Mixed-Use District No. 2 developments are primarily intended to serve the needs of the residents within the development; therefore, access from the exterior of the development to such businesses shall be limited so as not to create a commercial/retail appearance on the outside of the development.
  8. Business advertising. Businesses within Mixed-Use District No. 2 developments shall not contain exterior store fronts, exterior advertising, or give the appearance of non-residential activity within the building.
- (d) Mixed Use Overlay District 3 (MXD3). (2004-04)
1. Applicability.
    - a. Mixed Use Overlay District 3 (MXD3). The MXD3 is an overlay zoning designation that is supplemental to the underlying zoning designations and other applicable City regulations. Property owners who choose to develop under these regulations and secure site plan review within the MXD3 zoning designation shall be governed by the requirements and regulations contained herein. Property owners who choose not to utilize these regulations may develop pursuant to the applicable underlying zoning district regulations and other applicable provisions of the Comprehensive Land Use Plan (CLUP), Zoning Code, and City Code.
    - b. Underlying zoning. All provisions of the underlying zoning district, Zoning Code, CLUP and City Code shall apply unless superceded by the regulations and provisions contained herein.
  2. Purpose. The purpose and intent of these regulations is to:
    - a. Provide the method by which tracts of land may be developed as a planned unified project rather than on a lot-by-lot basis as provided for in the City's other zoning regulations.
    - b. Provide for residential uses within the area and provide higher densities in exchange for public realm improvements.
    - c. A maximum of design freedom by permitting the property owners an opportunity to more fully utilize the physical characteristics of the site through modified development regulations and the planned mixing of uses.
    - d. Require that property approved by the City Commission will be developed through a unified design providing continuity among the various elements causing a better environment.
    - e. Create a diversity of uses within walking distance, including but not limited to: residential; offices, workplaces; neighborhood commercial; public open spaces including the following attributes:
      - (1) Provide a variety of uses in the area to that which can be traversed in a ten-minute walk which is an area roughly inscribed by a 1,320 foot (1/4 mile) radius from the center.
      - (2) Bring within walking distance most of the activities of daily living, residents of all ages may gain independence of movement, thereby

- reducing the number and length of vehicular trips.
- (3) Designed and organized to promote an assortment of street level pedestrian amenities in exchange for increase in building height, residential density, and floor area ratio.
  - (4) Provide for the ability to reduce setbacks and encroachment into the public rights-of-way with public open space improvements.
  - (5) Designed to provide for architectural and design elements focused to a pedestrian scale.
  - (6) Strengthen the hierarchy of streets and maintain the existing "grid" network that is designed to serve the needs of pedestrians, bicyclists and vehicular circulation equitably.
  - (7) Encourage landmark opportunities, including physically defined squares; plazas; urban passageways; parks; public open spaces; and, places of public assembly for social, cultural and religious activities provide places for social activity.
  - (8) Encourage private and public buildings to form a clear edge, spatially delineating the public street space and block interiors.
- f. By organizing appropriate building densities, public transit will be further strengthened as an alternative to the use of private vehicles.
- g. Provide a strong emphasis on aesthetics and architectural design through the use of the regulations and the planned mixing of uses to establish identity, diversity and focus to

promote a pedestrian friendly environment. This can be accomplished by the following:

- (1) Utilization of a variety of architectural attributes and street level amenities to create a sense of place, including the spatial relationship of buildings and the characteristics created to ensure attractive and functional areas.
  - (2) Increase the choices available for transportation to encourage increased mobility and reduction in transportation expenses. Choices shall include public transit, bicycle and pedestrian circulation opportunities.
  - (3) Integration of street level plazas, courtyards, opens space and public gathering areas including the creation and preservation of corridors, vistas and landmark features.
  - (4) Provide for an increased range of housing types and workplace opportunities, where age and economic class are integrated and the bonds of community are formed.
3. Definitions. For the purpose of this section, the terms listed below shall only be applicable to these provisions. The definitions in Article 2 are also applicable to these provisions.
- a. Arcade and/or loggia. A permanent structure that is constructed, contiguous, parallel and attached to an adjoining building and attached to the structural components of a building that provides cover and protection from the elements for pedestrian passageways, sidewalks, etc. Arcades shall be accessible to

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

		floor, whichever is greater, of permitted ground floor uses. Remaining portions of the building may be uses permitted in the underlying zoning designations as modified by these regulations.
(2)	Uses.	Permitted uses include those uses permitted in the underlying zoning designations.
(3)	Prohibited uses.	The following uses shall be prohibited uses: <ul style="list-style-type: none"> <li>• Animal boarding facilities.</li> <li>• Pet shops.</li> </ul>
(4)	Additional permitted uses.	Live work units subject to the provisions within Section 12.
(5)	Auxiliary and/or accessory uses and structures .	Uses and structures which are customarily auxiliary and accessory and clearly incidental to permitted uses and structures are permitted subject to limitations and other lawful regulations pertaining thereto. Any use permissible as a principal use may be permitted as an accessory use, subject to limitations and requirements applying to the principal use.
(6)	Permitted ground floor uses.	The below listed uses shall be the only permitted street/ground level uses. All other uses not listed are prohibited. <ul style="list-style-type: none"> <li>• Antique and curio shops with associated furniture repair/restoration.</li> <li>• Apparel and clothing sales.</li> <li>• Art dealers, galleries, goods and studios.</li> <li>• Automatic teller machines.</li> <li>• Bakery.</li> <li>• Barbers/beauty parlor.</li> <li>• Book store.</li> <li>• Confectionery, sale of cookies, ice cream.</li> <li>• Cosmetic, perfumes and toiletries stores.</li> <li>• Dance studio.</li> <li>• Dress making and alteration shops.</li> <li>• Dry cleaning and laundry pick up facilities.</li> <li>• Drug and sundry stores.</li> <li>• Florist.</li> <li>• Furniture stores and similar home decorating uses.</li> <li>• Government/public uses.</li> <li>• Grocery.</li> <li>• Hardware.</li> <li>• Hobby supplies.</li> </ul>

		<ul style="list-style-type: none"> <li>• Hotel.</li> <li>• Jewelry stores.</li> <li>• Leather goods.</li> <li>• Luggage shop.</li> <li>• Mail services and associated services.</li> <li>• Museums.</li> <li>• Music, radio, television and electrical appliances stores.</li> <li>• Nail salon.</li> <li>• Newspaper, magazines or other similar reading materials sales.</li> <li>• Office supply and equipment.</li> <li>• Optical stores.</li> <li>• Paint stores (retail only).</li> <li>• Personal services.</li> <li>• Pharmacy.</li> <li>• Photographic development, equipment supplies and service.</li> <li>• Picture framing.</li> <li>• Printing, reproduction and publishing services.</li> <li>• Residential.</li> <li>• Restaurants, cafes, cafeterias and delicatessens.</li> <li>• Retail services uses, personal.</li> <li>• Sales and/or leasing offices as a part of a residential development for a period not to exceed 12 months from issue of Certificate of Occupancy. The City Manager may grant a maximum of two extensions for a period of six months each with a cumulative total not to exceed 12 months.</li> <li>• Security offices for the purpose of providing security for the building/properties.</li> <li>• Shoe sales and repairs.</li> <li>• Slenderizing salons.</li> <li>• Sporting goods.</li> <li>• Stationery stores.</li> <li>• Tailor shop.</li> <li>• Theaters, motion picture facilities or other associated theatrical productions.</li> <li>• Ticket office.</li> <li>• Travel agency.</li> <li>• Video, computer and software rental and sales.</li> </ul> <p>Public rights-of-way in excess of 100 feet may accommodate the following ground floor uses:</p> <ul style="list-style-type: none"> <li>• Office uses.</li> </ul>
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(7)	Retail frontage on streets.	Minimum of 50% of the linear street frontage shall include retail use frontage.
(8)	Retail frontage on side streets.	Minimum of 40% linear street frontage shall include retail use frontage or public realm land area (i.e., plazas, courtyards, open space, etc.).
(9)	Retail frontage on alleys.	No minimum or maximum required.
b. Site regulations.		
(1)	Minimum site area.	20,000 square feet.
(2)	Lot coverage.	No minimum or maximum.
c. Building regulations.		
(1)	Encroachments for loggias and/or arcades located within rights-of-way.	<p>Encroachments up to a maximum of 10 feet into public rights-of-way may be permitted for the placement of a street level pedestrian arcade/loggia subject to satisfying the site plan criteria listed herein and the following regulations:</p> <ul style="list-style-type: none"> <li>• Minimum percentage of open space. A minimum of 50% percent of the total ground floor square footage encroachment requested must be provided as publicly accessible open space and landscape area on private property. The open space is subject to the following: <ul style="list-style-type: none"> <li>• 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.</li> <li>• Minimum area. Minimum square footage of allowable open space shall be 500 square feet.</li> <li>• Include both hard and softscape landscape improvements and pedestrian amenities as defined herein.</li> <li>• Vertical volume. As a minimum include a vertical volume of space</li> </ul> </li> </ul>

		<p>equal from street level to the first floor height or 18 feet, whichever is greater. Additional height may be recommended.</p> <ul style="list-style-type: none"> <li>• Restaurant seating. This area may be used for outdoor restaurant seating subject to conditional use approval as provided for in the Zoning Code.</li> <li>• Maximum arcade/loggia lengths. Encroachments of up to 80% of the entire linear length of the building are permitted. Encroachment of the entire length may be requested subject to review and approval at the time of site plan street. Limitations of encroachments on corners of buildings may be required to control view corridors and ground floor building bulk and mass.</li> <li>• Vertical encroachment. Structure shall be limited to the following: <ul style="list-style-type: none"> <li>• 3 floors or 45 feet (whichever is less) on 60 foot rights-of-way.</li> <li>• 1 floor or 18 feet (whichever is less) on rights-of-way less than 30 feet.</li> </ul> </li> <li>• The encroachment shall be structurally supported entirely from the adjoining private property.</li> </ul> <p>All applicable costs for improvements and/or relocation to utilities, sanitary sewer, stormwater, and other associated infrastructure improvements as a result of the request shall be the responsibility of the property owner.</p> <p>On street parking displaced as a result of the encroachment shall be provided as public parking spaces within the proposed development and compensation for the removed spaces shall be subject to the established City provisions.</p>
(2)	Encroachments of bridges	Bridges traversing a public right-of-way is permitted, however, only if properties on both sides

	over rights-of way.	are under same ownership.
(3)	Encroachments for balconies, awnings, etc.	Subject to applicable Zoning Code provisions.
(4)	Floor area ratio.	Up to 3.5.
(5)	Floors.	No minimum or maximum required.
(6)	Floor to floor height.	The minimum floor to floor height shall be permitted as regulated per the Building Code.
(7)	Height.	The permitted heights for habitable space for the following underlying zoning designations shall be as follows: <ul style="list-style-type: none"> <li>• Underlying "M," Industrial use district. Up to a maximum of 100 feet.</li> <li>• Underlying "CB," use district. Up to a maximum of 75 feet.</li> <li>• Underlying "CC," use district. Up to a maximum of 100 feet.</li> <li>• Manufacturing uses shall be limited to 45 feet.</li> </ul>
(8)	Heights of architectural elements, etc.	The permitted height of architectural elements, spires, bell towers, elevator housings or similar non habitable structures for the following underlying zoning designations shall be as follows: <ul style="list-style-type: none"> <li>• Underlying "M," Industrial use district. Up to a maximum of 25 feet.</li> <li>• Underlying "CB," use district. Up to a maximum of 15 feet.</li> <li>• Underlying "CC," use district. Up to a maximum of 25 feet.</li> <li>• Manufacturing uses shall be limited to 10 feet.</li> </ul>
(9)	Height adjoining residential uses.	Properties which are adjacent to residential zoning district designations shall be limited to a maximum height (habitable space) of 45 feet within 100 feet of the adjacent right-of-way line. Ten (10) additional feet is permitted for roof top architectural elements, etc. above the habitable height.
(10)	Number of buildings per site.	No minimum or maximum required.
(11)	Residential density.	Up to a maximum of 125 units per acre.

(12)	Setbacks (buildings).	Same as underlying zoning district.  Applicants and property owners desiring to develop pursuant to these regulations may not seek a variance for relief or reduction in building setbacks. Reductions are only permitted subject to the below listed regulations.
(13)	Setback reductions.	Reduction in setbacks. Setbacks may be reduced based upon satisfying the site plan criteria listed herein and subject to the following standards: <ul style="list-style-type: none"> <li>• Minimum percentage of open space. A minimum of 50% percent of the total ground floor square footage received from the setback reduction is provided as publicly accessible street level open space and landscape area on the private property. The open space is subject to the following: <ul style="list-style-type: none"> <li>• Types of open space. Types of open space shall be in the form of courtyards, plazas, arcades/loggias, pedestrian pass-throughs and open atriums adjacent/contiguous to the adjacent rights-of-way.</li> <li>• Minimum area. Minimum square footage of allowable open space (i.e., plazas) shall be 500 square feet.</li> <li>• Include both hard and softscape landscape improvements and pedestrian amenities.</li> <li>• Vertical volume. As a minimum include a vertical volume of space equal from street level to the first floor height or 18 feet, whichever is greater. Additional height may be recommended.</li> <li>• Restaurant seating. This area may be used for outdoor restaurant seating subject to conditional use approval as provided for in the Zoning Code.</li> </ul> </li> </ul> Vertical building stepback. A vertical stepback of a minimum of 10 feet shall be provided above

		the height of 3 floors or 45 feet (whichever is less) on all façades. Additional stepbacks may be requested to further reduce the potential impacts of the building bulk and mass.
(14)	Setbacks adjoining residential uses.	Residential zoning districts. All property lines abutting a residential land use or zoning district – 15 foot minimum. No reductions in setbacks may be requested or granted.
(15)	Street/lot frontage.	No minimum or maximum.
d. Design regulations.		
(1)	Arcades and/or loggias.	Arcades, loggias or covered areas may accommodate up to 80% of the entire linear length of the building based upon the site plan review criteria listed herein. Encroachment of the entire length or 100% may be requested subject to review and approval at the time of site plan consideration. Limitations of encroachments on corners of buildings may be required to control view corridors and ground floor building bulk and massing.
(2)	Architectural relief and elements.	Architectural relief and elements (i.e., windows, cornice lines, etc.) shall be provided on all sides of buildings and similar architectural features as to those provided on the front façade. No blank walls shall be permitted unless required pursuant to applicable Fire and Life Safety Code requirements.
(3)	Building support services.	All mechanical, electrical and other associated support service areas shall be located entirely within the structure.
(4)	Facades.	Facades in excess of 150 feet in length, shall incorporate design features with the use of, but not limited to the following items: (a) Breaks, stepbacks or variations in bulk/massing at a minimum of 100 foot intervals. (b) Use of architectural relief and elements as defined herein.
(5)	Lighting (street).	Decorative street lighting shall be provided and located on all streets/rights-of-way subject to the following: <ul style="list-style-type: none"> <li>• Light fixtures/poles up to 35 feet in height.</li> <li>• Subject to all other applicable City provisions.</li> </ul>

(6)	Lighting (building).	External illumination and lighting of buildings shall require Planning Department and Planning and Zoning Board review and recommendation with approval of the City Commission.
(7)	Lighting (landscaping).	Lighting in the form of uplighting of landscaping is encouraged.
(8)	Outdoor storage.	The storage of materials, good, merchandise, equipment for the purpose of display and/or sales outside the confines of any buildings or structures is prohibited.
(9)	Overhead doors.	Overhead doors shall not face or be directed towards residential properties and/or adjacent right-of-ways abutting residentially zoned properties.
(10)	Paver treatments.	Paver treatments shall be included in the following locations: <ul style="list-style-type: none"> <li>• Driveway entrances.</li> <li>• Crosswalks.</li> <li>• Sidewalks. Minimum of 25% of paving surface.</li> </ul>
(11)	Parking garages.	Parking garages shall include exterior architectural treatments compatible with buildings or structures which occupy the same development and/or street.
(12)	Pedestrian access orientation.	All buildings, except accessory buildings, shall have their main pedestrian entrance or entrances oriented towards the front property line.
(13)	Pedestrian amenities.	Pedestrian amenities shall be provided on both private property and/or public open spaces including but not limited to the following: <ul style="list-style-type: none"> <li>• Benches.</li> <li>• Information kiosks.</li> <li>• Lighting.</li> <li>• Bike racks.</li> <li>• Refuse containers.</li> <li>• Sidewalk pavement treatments.</li> <li>• Statuary.</li> <li>• Street crosswalk paver treatments.</li> <li>• Wall mounted fountains.</li> <li>• Water fountains and other similar water features.</li> </ul> All pedestrian amenities shall be permanently secured to the ground surface.  Above amenities shall be consistent in design and form

		with the applicable City Public Realm Design Manual.
(14)	Pedestrian design features for building frontages (street level only).	On any front property line or primary street, where an adjoining pedestrian sidewalk is located, the following design features shall be included: <ul style="list-style-type: none"> <li>• Display windows or retail display area; and/or,</li> <li>• Landscaping; and/or,</li> <li>• Architectural building design features.</li> </ul> The intent is to create pedestrian and shopper interest, preclude inappropriate or inharmonious design, preclude blank walls of building faces, and prohibit windows from being permanently obstructed.
(15)	Pedestrian pass-throughs/paseo.	Pedestrian pass-throughs shall be provided for each 250 linear feet or fraction thereof of building frontage provided on the primary street. The pass through shall be subject to the following: <ul style="list-style-type: none"> <li>• Minimum of 10 feet in width.</li> <li>• Include pedestrian amenities as defined herein.</li> </ul> In lieu of providing one pass through of 10 feet every 250 feet of building frontage, two (2) pass-throughs can be combined to provide one (1), 20 foot wide pass-through.
(16)	Porte-cocheres.	Porte-cocheres are prohibited on front property line or primary street.
(17)	Roof top screening.	All mechanical, electrical, cellular antennae's and other similar roof top building support services shall be entirely screened from public view subject to applicable Zoning Code requirements.
e. Landscaping.		
(1)	Land-scape open space.	Landscape open space requirements are satisfied pursuant to the below listed rights-of-way planting requirements.
(2)	Rights-of-way improvements.	Landscape islands, bulbouts, curbing, pedestrian crosswalk bulbouts and other associated traffic calming improvements shall be required to accommodate landscaping, pedestrian circulation and other pedestrian amenities.

(3)	Rights-of-way planting requirements.	<p>Street planting requirements. The below listed vegetation shall be installed within the sidewalk and/or right-of-way (subject to encroachment review and approval) for all rights-of-way abutting the proposed uses. The options available as to the types of trees to be planted and installation requirements at the time of planting are as follows:</p> <ul style="list-style-type: none"> <li>• Shade or ornamental shade street trees shall be provided subject to the following requirements: <ul style="list-style-type: none"> <li>• One tree per 35 feet linear feet or fraction thereof of right-of-way frontage.</li> <li>• Minimum height of 16 feet at time of planting; or,</li> </ul> </li> <li>• Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements: <ul style="list-style-type: none"> <li>• One tree per 35 linear feet or fraction thereof of right-of-way frontage.</li> <li>• Minimum height of 14 feet at time of planting.</li> </ul> </li> <li>• Shrub planting requirements shall be one (1) shrub per three (3) linear feet or fraction thereof of the right-of-way frontage, or ground cover shall be three (3) per lineal one (1) foot or fraction thereof of the right-of-way frontage.</li> </ul> <p>Median planting requirements. If a median can be established on larger rights-of way, the median shall include the below listed vegetation:</p> <ul style="list-style-type: none"> <li>• Shade or ornamental shade street trees shall be provided subject to the following requirements: <ul style="list-style-type: none"> <li>• One tree per 35 linear feet or fraction thereof of median length.</li> <li>• Minimum height of 16 feet at time of planting; or,</li> </ul> </li> <li>• Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements: <ul style="list-style-type: none"> <li>• One tree per 35 linear feet of median length.</li> <li>• Minimum height of 14 feet at time of planting.</li> </ul> </li> </ul>
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		<ul style="list-style-type: none"> <li>• Shrub planting requirements shall be one (1) shrub per 2.5 linear feet or fraction thereof of two (2) foot width planting area within median, or ground cover shall be three (3) per lineal or fraction thereof of one (1) foot of the median length.</li> </ul> <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> <ul style="list-style-type: none"> <li>• Shade or ornamental shade street trees shall be provided subject to the following requirements: <ul style="list-style-type: none"> <li>• One tree per 35 linear feet or fraction thereof of right-of-way frontage.</li> <li>• Minimum height of 16 feet at time of planting; or,</li> </ul> </li> <li>• Palm trees. Maximum of 25 percent of the required total may be this variety subject to the following requirements: <ul style="list-style-type: none"> <li>• One tree per 35 linear feet or fraction thereof of right-of-way frontage.</li> <li>• Minimum height of 14 feet.</li> </ul> </li> <li>• Shrub planting requirements shall be per ten (10) linear feet or fraction thereof of the right-of-way frontage or ground cover shall be three (3) per lineal one (1) foot or fraction thereof of the right-of-way frontage.</li> </ul> <p>The above materials can be located within private public realm areas as determined by the City.</p> <p>All installed plant materials shall be Florida Number One grade or better.</p> <p>All street tree plantings shall satisfy the State Department of Transportation "tree clearance planting zone requirements."</p> <p>Vegetation shall be subject to the following additional regulations:</p>
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		<ul style="list-style-type: none"> <li>• Arranged and maintained at intersections to maintain the following: <ul style="list-style-type: none"> <li>• Street and driveway intersection visibility requirements.</li> <li>• Installed traffic signage, signals, etc., are not obstructed or will be obstructed when plant material reaches maturity.</li> </ul> </li> </ul> <p>All vegetation and other associated improvements shall be subject to City encroachment review and approval.</p>
(4)	Structural soil.	Structural soil shall be utilized in all planting areas with appropriate root barriers.
f. Parking/vehicle storage.		
(1)	Bicycle storage.	To encourage the use of bicycles, etc., a minimum of one (1) ten foot bicycle rack for each 250 parking spaces or fraction thereof shall be provided. The location shall be convenient to users and shall be subject to review as a part of site plan review.
(2)	Boats, trailers, etc.	Boats and recreational vehicles, or similar accessory vehicles. These vehicles shall be parked and/or stored within an enclosed garage, area or structure.
(3)	Curbing.	Raised curbing. Six-inch raised curbing shall be provided on all streets abutting this use. Curb cuts and ramps for handicapped access shall also be provided at all street intersection and points of pedestrian crossing.
(4)	Loading/unloading areas.	Off-street loading standards and requirements shall conform to the requirements as set forth in Article 13.  All loading/unloading areas and/or facilities shall be within fully enclosed areas with overhead doors. Overhead doors shall remain closed when not in use and after hours.
(5)	Nonresidential uses.	Off street parking requirements shall be calculated utilizing a blended parking of one (1) space per 250 gross square feet.  Restaurants shall require one (1) space per 100 gross square feet.

(6)	On street parking.	<p>On street parking must be provided on both sides of the street on all primary streets, unless encroachments for arcades/loggias are requested. Evaluation as to the amount of on street parking provided shall be evaluated on a case by case basis.</p> <p>On street parking shall not be included as satisfying the required parking requirements.</p> <p>Alleys. On street parking is encouraged.</p> <p>Removal of on street parking shall be subject to compensation to the City based upon established City provisions.</p>
(7)	Parking garages.	<p>Ground floor parking that is located and fronting on a primary street is prohibited. Ground floor parking is permitted on secondary streets and shall be fully enclosed within the structure and shall be surrounded by retail uses pursuant to the provisions of above Section 10(a) 8 and 9. Ground floor parking is permitted on alley frontages.</p> <p>Parking facilities shall accommodate pedestrian access to all adjacent street(s) and alleys.</p>
(8)	Parking space limitations.	Restricting and/or assignment of off-street parking spaces for individual tenant or users with the use of signage, pavement markings, etc., are permitted.
(9)	Residential uses.	Off-street parking requirements shall conform to the requirements as set forth Article 13.
(10)	Surface parking areas.	Surface parking lots and/or similar vehicle use areas are prohibited to front on primary streets.
(11)	Valet parking areas.	If valet parking is desired, the valet parking drop-off areas shall be provided on private property. Tandem and/or stacking of parking are prohibited.
g. Sanitation and service areas.		
(1)	General.	Refuse and service areas shall locate on a rear property and/or alleys be so designed and located within a fully enclosed structure. The location of these

		<p>areas shall be designed in a manner and timing of refuse collection and deliveries, shipment or other service activities are arranged to minimize impact internal to the development to the greatest extent possible, on adjacent or nearby properties or adjoining public ways, and to not impede pedestrian and vehicular circulation patterns.</p>
(2)	Restaurants.	Refuse areas for the storage of sanitation dumpsters or similar refuse containers for restaurant uses shall be within a fully enclosed air-conditioned area.
h. Signs.		
(1)	General.	The number, size, character, location and orientation of signs and lighting for signs shall be in accordance with Article 18.
i. Streets and alleys.		
(1)	Alleys and streets.	<p>Property owner(s) may request the vacation and/or abandonment of a public right-of-way subject to the following criteria and findings of fact:</p> <ul style="list-style-type: none"> <li>• That approval of the request provides a public benefit (as defined herein).</li> <li>• That approval of the request does not result in any increase in density, floor area ratio, square footage and height of the continuous property or properties.</li> <li>• That the request provides for ground floor open space (as defined herein) equivalent to the total amount of abandoned/vacated public rights-of-way.</li> <li>• That the request ensures that all service needs including but not limited to loading/unloading, sanitation, utility support services, other building related support services, etc., are included within the contiguous property or properties.</li> <li>• That approval of the request decreases the maximum height and/or massing of the proposed development.</li> </ul>

		<p>The Planning Department, Planning and Zoning Board and City Commission shall provide findings of fact that all of the above are satisfied in order to grant approval.</p> <p>A "Right of Reverter" shall be required so that if the building is demolished, the alley reverts back to the City.</p> <p>This process shall be in addition to the current City process for the vacation and/or abandonment of public rights-of-way.</p>
(2)	Driveways.	<p>Vehicular access to parking garages shall be from a side street and alley. Vehicular egress/ingress, including but not limited to driveways, service drives, drive through, etc., may be permitted from a primary street and shall be evaluated as part of site plan review based upon the project design in relation to existing surrounding circulation. Valet access points are exempt from these provisions.</p> <p>Vehicular entrances for drive-thru facilities, garage entrances, service bays and loading/unloading facilities should be consolidated into one curb cut to reduce the amount of vehicular penetration into pedestrian sidewalks and adjoining rights-of-way.</p>
(3)	Sidewalks.	<p>Pedestrian pathways and/or sidewalks shall connect to one another to form a continuous pedestrian network from parking garages entrances, parking areas, primary and secondary pedestrian entrances, etc. Wherever possible pathways shall be separated from vehicular traffic.</p> <p>Located on both sides of all streets with a minimum of four foot unobstructed clear area. The clear area shall be unobstructed by utility poles, fire hydrants, benches, trash receptacles, newspaper stands, light poles, planter boxes, telephone booths or other similar temporary or permanent structures (traffic signage shall be exempt from the above</p>

		<p>regulations).</p> <p>Sidewalks at points of street intersections or pedestrian crossing shall be sloped in such a manner as to accommodate handicapped access with the use of two curb cuts and/or ramps at each street intersection.</p>
j. Utilities.		
(1)	Under-ground utilities.	<p>All utilities shall be installed underground. Exceptions may be granted for utility substation, junction boxes, main distribution lines, etc., or other facilities as determined by the Public Works Department and approved by the City Commission.</p> <p>Underground utility line locations shall not impact or interfere with right-of-way tree planting root systems. Location of lines shall be outside the proposed root ball system of vegetation.</p>
(2)	Above ground utilities.	<p>Above ground, façade, roof, mechanical and electrical facilities shall be appropriately screened to entirely hide the facility. Screening materials may include landscaping, walls, fencing, etc., to achieve 100 percent opacity. Approval of type of screening shall be determined at time of site plan review.</p>
k. Miscellaneous.		
(1)	Config-uration of land.	<p>The parcel of land for which the application shall be a contiguous unified parcel with sufficient width and depth to accommodate the proposed uses. Public rights-of-way or other public lands shall not be considered as a separation.</p>
(2)	Easements.	<p>The City may, as a condition of approval, require that suitable areas for easements be set aside, dedicated and/or improved for the installation of public utilities and purposes which include, but shall not be limited to water, gas, telephone, electric power, sewer, drainage, public access, ingress, egress, open space, recreation and other public purposes which may be deemed necessary by the City Commission.</p>

(3)	Encroachments into public rights-of-way.	<p>Any encroachments, construction and penetration into the rights-of-way shall be subject to the following:</p> <ul style="list-style-type: none"> <li>• The property owner's shall be responsible for all maintenance of all encroachments and/or property of all surrounding public rights-of-way, including but not limited to the following: landscaping; (hard and softscape); benches; trash receptacles; irrigation; kiosks; plazas; open spaces; recreational facilities; private streets, etc. subject to all the provisions for which the development was approved as may be amended.</li> <li>• Responsible for liability insurance, local taxes, and the maintenance of the encroachment and/or property.</li> <li>• In the event that the owner or any assign and successor shall at any time after approval of the site plan fail to maintain the areas in reasonable order and condition in accordance with the approval, Zoning Code, City Code or other applicable local, state and federal requirements, the City Commission may serve written notice upon the owners of the MXD and hold a public hearing. If deficiencies of maintenance are not corrected within thirty (30) days after such notice and hearing the City Commission shall call upon any public or private agency to maintain the common areas for a period of one (1) year. When the City Commission determines that the owners are not prepared or able to maintain the common areas such public or private agency shall continue maintenance for yearly periods.</li> </ul>		ments.	<p>shall be required to fund, install, and maintain all public realm improvements required herein on private property as well as those required from the property boundary to the centerline of all contiguous public rights-of-way. A property owner may also provide public realm improvements up to the property line on the far side of a rights-of-way abutting his/her property. These improvements as identified on the "Master Streetscape Plan" and "Underground Facilities Master Plan" include, but are not limited, to the following: landscaping; paving; signage; street furniture; public right-of-way improvements; and undergrounding of all utilities.</p> <p>Any other abutting property owner who subsequently develops property abutting an improved public realm area pursuant to these provisions shall be reimbursed by the property owner who funded the improvements the pro rata share attributable to his property based on street or alley frontage along with the amount of interest permitted by this provision. Per annum simple interest as established and authorized by Section 687.01, Florida Statutes will accrue from the date of full payment for all improvements.</p> <p>Property owners who develop property abutting already improved public realm areas shall restore the public realm areas to their condition prior to the commencement of construction. The costs of such restoration shall not affect the total amount of reimbursement which another abutting property owner may be entitled to under this section.</p> <p>Administration of improvements. Prior to issuance of a building permit for construction of the site plan, the property owner(s) shall provide surety equating to 100% of the costs for completion of all improvements. The monies shall be deposited into a "Mixed Use District No. 3 Public Realm</p>
(4)	Live work units.	See Section 12 for provisions.			
(5)	Public realm Improve-	Responsibility. All property owner(s) that desire to develop pursuant to these regulations			

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

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

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

benefit to at least an equivalent degree.

12. Supplemental standards.

- a. Live works units is a permitted use per administrative review and approval subject to the following:
  - (1) Shall satisfy all applicable building code and fire and life safety code requirements at time of completion for mixed occupancy buildings.
  - (2) Each live work unit, including the garage (if applicable), shall be separated by walls from other live work units or other uses in the building, and shall have the ability to construct separate entrances to each use in the future.
  - (3) The nonresidential space of a live work unit may be expanded to include the nonresidential space of an abutting live work unit if the applicant meets all applicable building codes.
  - (4) Changes in use permit to allow for nonresidential uses shall be required to pay impact and water fees, meet the applicable building codes, and the parking requirements.
  - (5) Operation of live work unit.
    - (a) Prior to the issuance of an Occupational License for a nonresidential use, the applicant shall apply for a change in use permit if the unit was previously designated as a live work unit as part of a development approval.
    - (b) Deliveries for nonresidential uses in the live work unit shall be limited to the hours of 8:00 a.m. to 8:00 p.m.

- (c) Live work units shall not be used for storage of flammable liquids, or toxic hazardous materials which means any and all materials, substances, waste or chemicals classified under applicable governmental laws, rules or regulations as hazardous or toxic substances, materials, waste or chemicals.

**Sec. 3-6 - C-Use Districts.**

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

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

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

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

39. Paint stores (retail only).
40. Parking lots, automobile,--Auxiliary or accessory to any CA or CB-Use.
41. Parking lots--Commercial.
42. Personal fitness consultants (Individual training only – no more than two (2) trainers at any time). (3260)
43. Partial Hospitalization Program (PHP), subject to approval by Board of Adjustment. (3554)
44. Pet shops (cage birds and fish only).
45. Photo equipment and supplies.
46. Photograph developing and printing.
47. Printing equipment limited to printing on presses accommodating sheet size no larger than eleven (11) inches by seventeen (17) inches. (2627, 3324)
48. Photostatting and photocopying. (3324)
49. Post office.
50. Plumbing fixture stores.
51. Rentals (formal wear and costumes).
52. Rental of video movies only and computer software only.
53. Repair shops for electrical appliances, radio, television, jewelry, watches, typewriters, business machines, cameras, and golf clubs.
54. Restaurants, cafes, cafeterias and delicatessen. Retail beverage and liquor store licenses may be issued limiting the number of permitted licenses for the sale of alcoholic beverages and intoxicating liquors subject to the following minimum conditions, restrictions and limitations: (3274)
  - a. The number of such licenses shall be as permitted by the charter and/or state law. (3274)
  - b. Accommodations for service of fifty (50) or more patrons at tables at one setting shall be provided.
  - c. Sale of alcoholic beverages and Intoxicating liquors shall be incidental to the sale and consumption of food.
  - d. Total receipts from the sale of alcoholic beverages and intoxicating liquors shall not exceed forty-nine (49%) percent of the total annual gross receipts of such restaurant.
  - e. The serving of or consumption of alcoholic beverages shall be at restaurant tables or counters at which food is regularly served, except as permitted at bars in Subsection (f) of this section.
- f. Alcoholic beverages and intoxicating liquors may be consumed both at tables and bars provided they are in conjunction with the principal and primary service of meals, and meet all of the following requirements:
  - (1) Accommodations for service of two-hundred (200) or more patrons at tables at one setting shall be provided.
  - (2) Carry stock of food sufficient to serve regular full-course meals to a maximum of two-hundred (200) patrons at all times, excluding so-called frozen dinners.
  - (3) The gross floor area of the restaurant (outside wall dimensions) including dining room, kitchen area, restrooms, and any other enclosed area used for operation of the restaurant shall be not less than four-thousand (4,000) square feet.
- g. Food shall be prepared, offered and served during all business hours in all retail beverage and liquor stores.
- h. Restaurants qualifying and holding a retail beverage or liquor store license shall always be subject to inspection by the City Manager or his designee for the purpose of determining that such restaurants are complying with the aforementioned requirements.
- i. The restaurant shall have no signs advertising such retail beverage or liquor store, or the sale of alcoholic beverages or intoxicating liquors therein, upon the exterior, or to be visible from the exterior of any such restaurant.
- j. The retail beverage or liquor store license shall not be severable from the restaurant license in conjunction with which it is issued.

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

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

- compliance with Building and Fire codes.
- (h) Special-uses and structures for all C-use Districts: (See Section 3-11).
1. Golf or tennis grounds.
  2. Religious facilities.
  3. Private club.
  4. Public recreation building, park or playground.
  5. Community center building.
  6. Educational facilities.
  7. Municipal facilities.
  8. Hospital and accessory uses.
- (i) Setback from canal, waterway, lake or bay. On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings or portions thereof designed or used for occupancy for residential purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted, except as provided in Article 4.
- (j) Setback requirements for buildings having a height of not more than three (3) stories or forty-five (45) feet in CA-use Districts—General. Except as provided for in Section 3-6(e) for hotels, the following general setbacks shall be required in CA-Use District.
1. Front setback. A minimum front setback of ten (10) feet shall be maintained and required on any building site in CA-Use Districts for buildings constructed and used for S or CA-Uses.
  2. Side setback. No side setback shall be required on any building site in CA-use Districts for buildings constructed and used for S or CA-uses.
  3. Rear setback. No rear setback shall be required on any building site in CA-Use Districts for buildings constructed and used for S or CA-Uses, where such building sites abut upon an alley at the rear, but a minimum rear setback of ten (10) feet shall be maintained and required for such building when situated upon building sites not abutting upon an alley at the rear.
- (k) Setback requirements for buildings having a height of not more than three (3) stories or forty-five (45) feet in CB and CC-use districts general. Except as provided for in Section 3-6(e) for hotels, the following general setbacks shall be required in CB and CC-Use Districts.
1. Front setback. No front setbacks shall be required except at a corner lot which has no radii, in which case the building shall have a ten (10) foot setback from the corner between three (3) feet and eight (8) feet above the established grade.
  2. Side setback. No side setback shall be required except at a corner lot which has no radii, in which case the building shall have a ten (10) feet setback from the corner between three (3) feet and eight (8) feet above the established grade. Residential use buildings in commercial districts, shall provide a ten (10) foot side yard or court on either side above the first story.
  3. Rear setback. No rear setback shall be required where such building site abuts upon an alley at the rear, but a minimum rear setback of ten (10) feet shall be maintained and required for any building when situated upon a building site not abutting upon an alley at the rear. (3231)
- (l) Setback requirements for apartment hotels and hotels in C-Use Districts. Apartment Hotels in C-Use Districts shall provide the same minimum setbacks as required for A-Use Districts as set forth in Section 3-4(k) and Section 3-6(n).
- (m) Setback requirements--Motels. The following special setback requirements shall be required and maintained in connection with motels:
1. Minimum front setback. Ten (10) feet.
  2. Minimum side setback. Ten (10) feet except where the building site is adjacent to property zoned for R, D or A-Uses, a minimum side setback of fifteen (15) feet shall be maintained from any side line that abuts upon a street.
  3. Minimum rear setback. Five (5) feet where the building site abuts upon an alley to the rear and ten (10) feet where the building site does not abut upon an alley to the rear.
- (n) Setback requirements for buildings having a height of more than three (3) stories or forty-five (45) feet.
1. Hotels in C-Use Districts.

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

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

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

- b. Use of the remainder of the first story area is limited to Manager's office, necessary vertical building circulation, service facilities, and building access facilities, and building access facilities (which can include an entrance foyer or lobby).
  - c. Building shall not exceed fifty (50) feet in height.
  - d. Architectural treatment of first story parking area shall be integrated with that of the building as a whole.
  - e. First-story parking shall be screened, insofar as practicable, from street view.
  - f. Design of the first story shall be integrated with that of the building as a whole, and shall be approved by the Board of Architects.
  - g. The maximum lot coverage for the principal building shall not exceed twenty-eight (28%) percent.
  - h. The maximum lot coverage for the principal and accessory building shall not exceed thirty-four (34%) percent.
- (u) Landscaped open space. Landscaped open space for commercial buildings shall be provided as follows:
- 1. Buildings less than four (4) stories in height shall provide landscaped open space along the front of the building site of not less than five (5) feet and a landscaped open space along the side street of the building site of not less than three (3) feet.
  - 2. Buildings four (4) or more stories in height shall provide landscaped open space of not less than ten (10%) percent of the area of the building site. Such landscaped area shall not be less in width or depth than ten (10) feet.
  - 3. All such landscaped open space shall be appropriately landscaped with trees, shrubbery, hedges, and other acceptable landscaped material and shall be maintained in a neat and orderly appearance.
- (v) Minimum size building in C-Use Districts. Any building constructed in any C-Use District for any C-Use or occupancy shall have a minimum street frontage of twenty-five (25) feet, except when the same is

constructed upon a lot less than twenty-five (25) feet platted shall cover the entire frontage of the lot and shall have a minimum depth of fifty (50) feet; any building in such areas having twenty-five (25) feet shall cover minimum of one-thousand two-hundred-fifty (1,250) square feet of ground area.

- (w) Minimum unit area C-Uses. Every part or unit on the ground floor of every building intended for separate use or occupancy for any C-Use shall have a minimum square foot floor area of not less than five hundred (500) square feet, provided, however, that this provision shall not apply to the following cases:
- 1. To Lease Departments, as defined and limited under Section 2-68 herein.
  - 2. Businesses of a professional or clerical nature.
  - 3. Auxiliary-use business establishments of a CA or CB-Use classification located within hotels containing one-hundred (100) or more guest rooms.
- (x) Minimum unit frontage C-Uses. Every part or unit upon the ground floor of every building intended for separate user occupancy for any C-Use shall have a minimum of at least ten (10) foot street frontage, such frontage being measured by the inside wall-to-wall dimension of the particular building of each separate unit concerned, provided, however, that this provision shall not apply in the following cases:
- 1. To units which are located upon a corridor and/or arcade.
  - 2. To Lease Departments, as defined and limited under Section 2-68 herein.
  - 3. To businesses of a professional or clerical nature.
  - 4. To auxiliary-use business establishments of a CA or CB-Use classification located within hotels containing one-hundred (100) or more guest rooms.
- (y) Floor area ratio (FAR). FAR provisions for buildings four (4) or more stories in height.
- 1. a. Maximum FAR for hotels in C-Use Districts:

Height of Principal Building in Stories	Maximum F.A.R.
4 or more	1.00
5	1.10
6	1.20
7	1.30

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

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

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

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

- manager or caretaker, shall contain a minimum of three-hundred (300) square feet of floor area, exclusive of any connecting unit. The apartment of the manager or caretaker of a motel shall contain the minimum square foot floor area as set forth in this section for apartment units.
- 3. Each hotel building shall contain a minimum of twenty-five-hundred (2,500) square feet of floor area, exclusive of loggias, open porches, breezeways, porte-cocheres, and garages.
- 4. Each hotel guest room shall contain a minimum of two-hundred-fifty (250) square feet of floor area requirements.
- (bb) Exclusions from floor area ratio (F.A.R.). The following shall be excluded from floor area ratio (F.A.R.) computations in apartment-hotels and hotels in C-Use Districts:
  - 1. Unenclosed private balconies.
  - 2. Accessory decks.
- (cc) Front entrances—C-Use Districts. All units upon the ground floor of any buildings in C-Use Districts shall be required to have a front entrance.
- (dd) Commercial trash containers. Plans for new commercial construction or plans for renovation of an existing commercial structure where the cumulative cost of such renovation is in excess of twenty (20%) percent of the assessed value of the existing commercial structure shall make provisions for a trash container room or enclosure in accordance with the following provisions: (2648)
  - 1. All new commercial construction projects; all renovation projects having a setback of less than ten (10) feet on the side of the property best suited for the servicing of trash containers shall include a trash container room for the purpose of housing dumpsters or other trash receptacles.
    - a. The trash container enclosure may only be located on the rear yard, rear setback area, side yard or side setback area;
    - b. The trash container enclosure shall be placed at least five (5) feet from any property line, but not within the triangle of visibility.
    - c. The trash container enclosure shall be located such that garbage

- or trash trucks will not block the intersection of streets or alleys while servicing trash containers.
- d. The trash container enclosure shall consist of:
    1. A concrete pad or impervious pavers as a base.
    2. Five (5) foot high enclosure walls.
    3. An access gate.
  - e. An impervious surface shall be provided between the trash container enclosure and the street or alley from which the containers will be serviced.
  - f. Whenever possible, a hedge, or similar landscaping material, shall abut the enclosure walls.
3. Trash container rooms and enclosures shall be subject to review and approval by the Building and Zoning Department and the Public Service Director.
- (ee) Walls and fences. No wire fences may be erected in C-Use Districts except as provided for in Section 16.
- (ff) Extended-stay and suite hotels. Extended-stay and suite hotels as defined in this Code shall be permitted in all "C", Commercial zoned districts subject to all requirements established herein for the development of hotels, and the provision of the following additional conditions and restrictions. (3458)
1. Each living unit may have a kitchenette, consisting of a kitchen sink, counter and cabinets, two stove cook top burners (no conventional oven) and/or microwave oven and refrigerator.
  2. Main service and laundry facilities must be offered and available to extended stay hotel residents.
  3. Conference, meeting and workout/fitness facilities must be provided within the hotel and shall only be for use of hotel residents.
  4. A restaurant or dining/banquet facility must be provided within the hotel and may be for resident only, or public use.
  5. Hotel staff must be on premises and on duty at all times.
  6. No more than ten (10%) percent of individual guest shall register, reside, or occupy any room or rooms within the

- same licensed hotel for more than a 180 day period.
7. No business licenses shall be issued for any business operating from any guestroom of the hotel.
  8. No facility under this section may be converted to or used as an apartment or condominium.
  9. Each hotel building shall contain a minimum of twenty-five hundred (2,500) square feet of floor area, exclusive of loggias, open porches, breezeways, porte-cocheres, and garages.
  10. Each hotel guest room shall contain a minimum of two-hundred-fifty (250) square feet of floor area.
  11. Off-street parking shall be required at the following rate:
    - a. One (1) parking space for each sleeping room.
    - b. One (1) employee parking space for each eight (8) hotel sleeping rooms.
    - c. Required spaces for other uses in hotel shall be provided as required by Code.
  12. Each guest room having a stove top burner unit shall be required to include a sixty (60) minute (maximum time frame) automatic power off timer for each unit.
  13. A hard wire smoke detector shall be provided and installed in each guest room.
  14. Each hotel shall be protected with an alarm system and a sprinkler system meeting the requirements of the Life Safety Code.

### **Sec. 3-7 - M-Use districts.**

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

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

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

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

be required for that portion of a parking garage which is located completely below grade.

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

- 1. To Lease Departments, as defined and limited under Section 2-68 herein.
- 2. Businesses of a professional or clerical nature.
- 3. Auxiliary-use business establishments of a CA or CB-Use classification located within hotels containing one hundred (100) or more guest rooms.

(j) Minimum unit frontage for M-Uses. Every part or unit upon the ground floor of every building intended for separate use or occupancy for any M-Use shall have a minimum of at least ten (10) foot street frontage, such frontage being measured by the inside wall-to-wall dimension of the particular building of each separate unit concerned, provided, however, that this provision shall not apply in the following cases:

- 1. To units which are located upon a corridor and/or arcade.
- 2. To Lease Departments, as defined and limited under Section 2-68 herein.
- 3. To businesses of a professional or clerical nature.

(k) Floor area ratio (F.A.R.) Provisions for buildings four (4) or more stories in height. Maximum floor area ratio (F.A.R.) for M-Use Districts and Special-Uses in M-Use Districts:

<b>Height of Principal Building in Stories</b>	<b>Maximum F.A.R.</b>
4 through 13.....	3.00

**Sec. 3-8 - P-Use Districts.**

A P-Use shall be for the preservation and conservation of natural resources and environmentally sensitive areas such as wetlands, tideland, mangroves, marine and wildlife habitats and such other areas or terrain which have qualities of scenic, natural and aesthetic value in its present state as a natural area. In Preservation or P-Use Districts no use shall be permitted other than a P-Use and any property designated as a preservation district shall be limited and restricted as follows:

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

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

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

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

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

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

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

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

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

**Sec. 3-11 - Special-uses.**

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

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

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

1. Golf or tennis grounds, or similar use.
2. Church, convent or parish house.
3. Private club as defined under Section 2-88 herein. The business of a club vendor as defined or classified under Section 2-34 herein may be conducted from and upon the premises of a private club which shall have been in continuous active existence and operation for a period of not less than two (2) years in Dade County. (See Section 21-6 for distance requirements). (3231)
4. Public recreation building, park or playground.
5. Community Center Building.
6. Music school, public school, private school, boarding school or college, unless such private school, boarding school or college is operated so as to bring it within the definition of a C-Use.
7. Police station, fire station or other municipal building or facility.
8. Public library, museum or art gallery.
9. Hospital and uses accessory to, and customarily associated with, a hospital, as follows: (2715)
  - a. Intermediate care facility.
  - b. Diagnostic facility.
  - c. Medical clinic and/or office.
  - d. Laboratory and research facilities.
  - e. Medical educational facilities
  - f. Health/fitness facilities.
  - g. Rehabilitation facilities.
  - h. Pharmacy.
  - i. Support facilities such as: cafeteria, laundry, dietary services, child care, administrative offices, data processing and printing.
  - j. Convenience facilities for hospital users such as: snack bar, gift shop, chapel and florist.
10. University and related facilities. (2829)

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

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

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

1. Front setback. A minimum front setback of twenty-five (25) feet shall be maintained and required on all building sites in S-Use Districts, except that on building sites on platted lots less than seventy-five (75) feet in depth, a minimum front setback of fifteen (15) feet shall be required.
2. Side setback. Inside lots in R, D and S-Use Districts shall have minimum side setbacks which total twenty (20%) percent of the width of the lot measured across the front setback line up to a maximum of twenty (20) feet. A minimum side setback of fifteen (15) feet shall be required and maintained from any side line of a building site that abuts upon a street, provided, however, that buildings on corner lots which have one side abutting upon a street on which other lots in the same block face, shall setback a minimum distance from such side street as is provided

- herein as the minimum front setback for buildings facing such side street. In no case shall a side setback be less than five (5) feet. Building sites where a reduction in the minimum square foot floor area of the building was permitted as set forth in Section 3-1(i), shall be required to maintain a minimum side setback of ten (10) feet on each side.
3. Rear setback. A minimum rear setback of five (5) feet shall be maintained and required on all buildings in S-Use Districts.
- (c) Setback from canal, waterway, lake or bay. On all building sites abutting upon a canal, waterway, lake or bay, the minimum setback from the waterway for all buildings, or portions thereof designed or used for occupancy for residential purposes shall be thirty-five (35) feet from the canal, waterway, lake or bay as platted, except as provided in Article 4.
  - (d) Height of special-used buildings--General. Except as specifically set forth in Article 4 no special-use buildings shall be constructed to a height of more than three (3) stories or forty-five (45) feet, whichever is less. (2829)
  - (e) Ground area coverage. S-Use Buildings which may be permitted by ordinance to be located in R, D, and A-Use Districts shall abide by the same minimum ground area coverage as set forth for R, D and A-Uses in such districts.
  - (f) Landscaped open space. Landscaped open space for special-use buildings shall be provided as follows: (2934)
    1. Single-family use buildings shall provide landscaped open space on not less than thirty-five (35%) percent of the area of the building site.

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

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

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

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

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

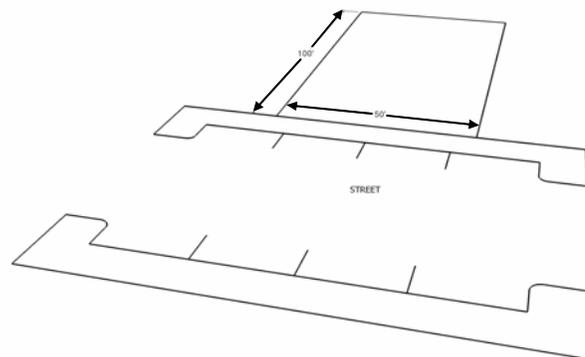
- (e) Each facility shall be licensed by appropriate state agencies.
- (f) Separately licensed facilities shall be spaced at least one-thousand and two-hundred (1,200) feet apart, measured from front door to front door.

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

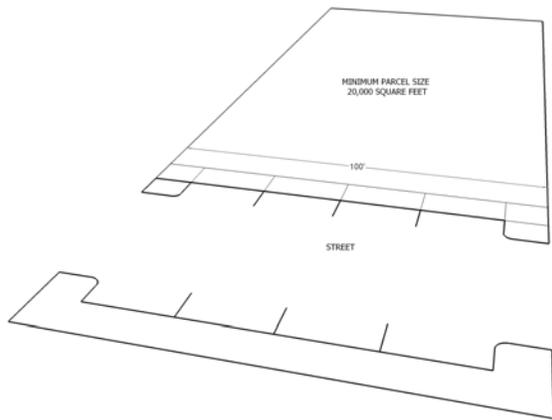
**Sec. 3-13 – A District/Special Area**

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

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



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

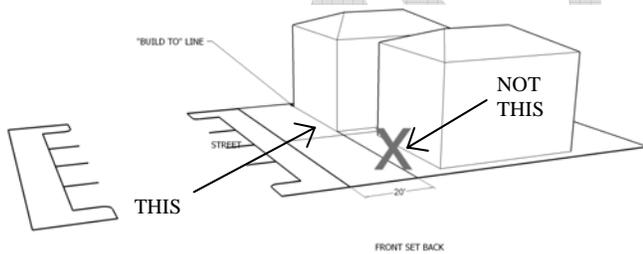
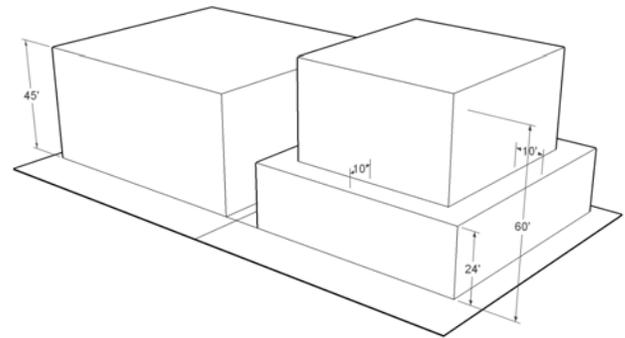


feet or less. Ten (10) feet.

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

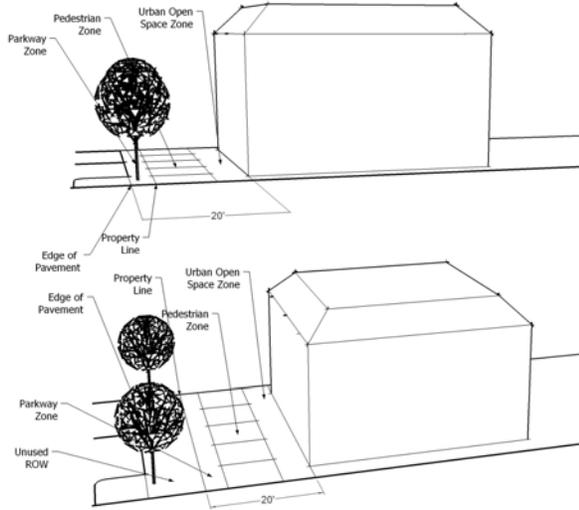
c. Townhouses. Minimum townhouse parcel width of sixteen (16) feet.

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



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

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



c. Side setbacks.

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

(a) Townhouses with a height of forty-five (45) feet or less. None

(b) Buildings with a height of forty-five (45) feet or less. Five (5) feet.

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

(2) Abutting a public street.

(a) Buildings with a height of forty-five (45) feet or less. Ten (10) feet.

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

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

d. Rear setback.

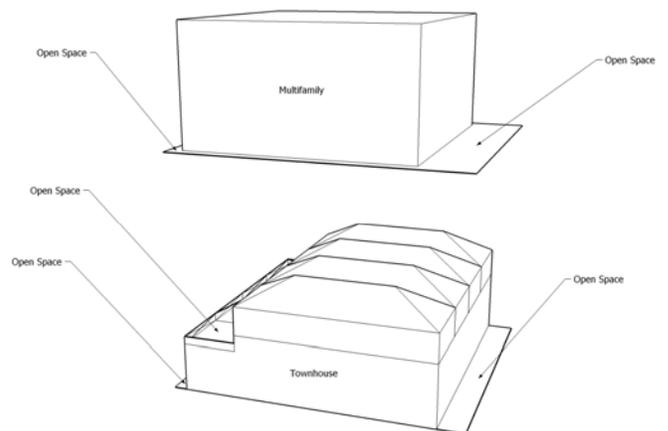
(1) Buildings with a height of forty-five (45) feet or less. Ten (10) feet or five (5) feet if rear property line abuts an alley.

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

7. Required open space.

a. Buildings other than townhouses. At least twenty-five percent (25%) of the parcel proposed for development shall be maintained as landscaped or urban open space.

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



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

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

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

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

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

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

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

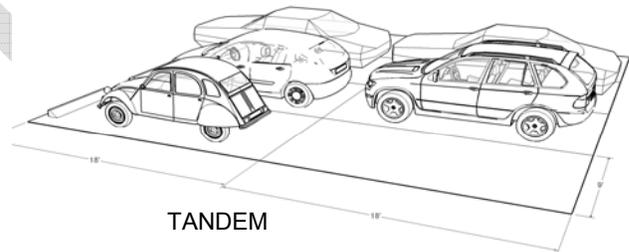
“MF L” means the residential multi-family low density category in the Comprehensive Land Use Plan.

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

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

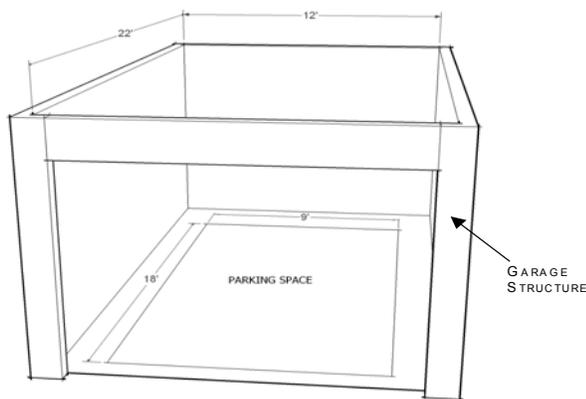
10. Off-street parking.

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

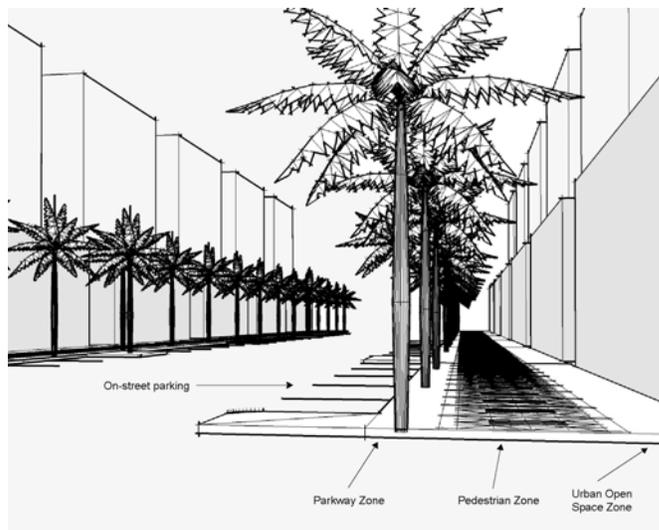


c. Minimum dimensions.

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



INDIVIDUAL GARAGE



11. Streetscape standards.

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

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

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

- f. Parkway zone requirements.
  - (1) At least twenty-five percent (25%) of the parkway zone shall be landscaped with groundcover, flower planters or tree grates.
  - (2) Street trees shall be located in the parkway zone on thirty (30) foot centers.
  - (3) Portions of the parkway zone which are not landscaped shall be improved with pavers.
  - (4) Planters shall not be located in those portions of the parkway zone which are contiguous to parking spaces in an on street parking zone.
- g. Pedestrian zone requirements.
  - (1) The pedestrian zone shall be pavers or Coral Gables beige with neutral borders and internal patterns.
  - (2) The pedestrian zone shall be free of obstacles such as street furniture and landscaping.
- h. The urban open space zone.
  - (1) The urban open space zone shall be improved with:
    - (a) Landscape, hardscape or a mix of landscape and hardscape material.
    - (b) Water features, fountains, planters, street lighting and street furniture.
    - (c) Entrance features including steps may be located within the zone.
  - (2) If the urban open space zone is located on private property, the zone may be enclosed with ornamental fencing not to

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

- (3) Include one (1) tree of at least fourteen (14) feet in overall height per one hundred twenty-five (125) square feet of required open space area.
- i. Building facades. Building facades abutting the required streetscape shall be animated by windows, shutters, planters, columns, relief elements, and other architectural detail to give character to the street. All windows shall have a casing depth of at least four (4) inches.
- j. Parking garages.
  - (1) No portion of a building which is above grade and within twenty (20) feet of the front setback line shall be used for the storage of vehicles or off-street parking unless the façade is treated with a decorative wall or fence of four and one-half (4½) feet in height along the portion of the building used for off-street parking, with landscaping and urban open space which screens the building to a height of at least seven (7) feet at time of planting.



ALTERNATIVE SCREENING

- (2) In the event that structured parking is to be constructed above grade, the facades of the garage shall be designed and improved so that the use of the building as a garage is not readily apparent.
- (3) Parking garages shall reflect the architectural character and exterior finishes of building which is to be served by the garage.
- k. Refuse and waste disposal facilities. Refuse and waste disposal facilities shall be enclosed within a building or structure which reflects the architectural character and exterior finishes of the building which is to be served by the facilities. An enclosure used exclusively for refuse and waste facilities may be located in a required front setback area.
- l. Architectural standards. All development shall comply with Article 28, Coral Gables Mediterranean Architectural Style Bonus Regulations, Required Standards for residential uses which are set out in Table 1 of Section 28-7 and five (5) of ten (10) of the standards in Table 2 of Section 28-7 and the provisions of Section 28-9; however, the bonus intensity and heights shall not apply.

12. Additional definitions applicable to the A-District/Special Area:

“Abuts or abutting” means parcels of land which share a property line or are separated by an alley.

“Accessory use or structure” means a use which: 1) is subordinate to and serves a principal use; 2) is subordinate in area, extent, and purpose to the principal use served; 3) contributes to the comfort,

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

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

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

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

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

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

feet above the maximum permitted height of the building.

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

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

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

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

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

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

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

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

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

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

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

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

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

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