

Article 30.
DOWNTOWN OVERLAY DISTRICT.

Sec. 30 - Downtown Overlay District.

(a) Legislative intent. The intent of this Section is to produce a District that promotes the goals, objectives, and policies of the City's Comprehensive Land Use Plan. The purpose of this Overlay District is to provide a set of comprehensive standards to be approved within the City's Downtown area. These standards are provided for the continuance and enhancement of the historic Downtown area as the functional and symbolic center of the City. The district is established in order to maintain the following objectives for the Downtown District:

1. Maintain the aesthetic, physical, historic and environmental character of Downtown Coral Gables.
2. Provide continued protection for residential neighborhoods from incompatible uses that would disrupt or degrade the health, safety, tranquility, aesthetics and welfare of the neighborhood by noise, light, glare, odor, vibration, dust, hazardous materials or traffic.
3. Promote and encourage pedestrian activities in Downtown Coral Gables by promoting the concepts of mixed-use development and pedestrian-friendly design alternatives.
4. Limit building height, bulk, mass and intensity on Miracle Mile of large scale developments to promote compatibility with the existing low-rise scale of development in Downtown Coral Gables as it presently exists;
5. Generate pride and confidence in the Downtown area.
6. Protect property values through quality control.

(b) Applicability. The Downtown Overlay District applies to the area bounded by the following streets: Douglas Road (SW 37 Avenue) on the East, LeJeune Road (SW 42 Avenue) on the West, Aragon Avenue and Merrick Way on the North, and Andalusia Avenue on the South.

(c) Unless otherwise provided in this section, all provisions of applicable underlying

zoning district designations affecting individual property shall control use and development.

(d) Overlay regulations. Within the area defined as the Downtown Overlay District, abutting or adjacent property owners having more than two-hundred (200) feet of frontage on Miracle Mile, containing more than twenty-thousand (20,000) square feet of combined lot area, and designated Commercial High-Rise Intensity pursuant to the Coral Gables Comprehensive Land Use Plan, shall be required to submit an application for site plan review, as provided below, and the subject properties shall be considered as if they were a single building site for all zoning code purposes and such application shall be subject to the following requirements:

1. The properties shall be designated High-Rise Intensity Commercial Land Use on the Comprehensive Land Use Plan Map from the right-of-way line of Miracle Mile north to Aragon Avenue and the right-of-way line of Miracle Mile south to Andalusia Avenue.
2. The building height of the development of the properties shall be limited to not more than six (6) stories or seventy (70) feet of building height or, whichever is less, for properties from Miracle Mile to the centerline of the alley to the north or south of Miracle Mile.
3. A minimum of ninety (90%) percent of the lot front facing Miracle Mile, at ground level, shall be storefronts limited to retail, restaurant, art galleries, personal service, courtyards and building entries.
4. Except for pedestrian building entrances and pedestrian courtyards there shall be a mandatory zero (0) foot setback along the Miracle Mile frontage and there shall be no side setbacks along Miracle Mile to ensure a continuous pedestrian scale façade.
5. In order to ensure consistency with these regulations and to ensure that the development as proposed will be

compatible with and further the development of the pedestrian character and scale of Miracle Mile, all such projects shall be subject to site plan review by the Planning and Zoning Board with recommendation to the City Commission. In the review of the site plan the Planning and Zoning Board shall determine that the site plan, as proposed, meets the general provisions of the Comprehensive Land Use Plan, Zoning Code and Code of Ordinances. The Board shall also determine that the project would not generate or result in excessive noise or traffic, cause undue or excessive burden on public facilities, including water, sewer, solid waste disposal, recreation, transportation, streets, roads, highways or other such facilities which have been constructed or which are planned and budgeted for construction, are accessible by private or public roads, streets or highways, do not tend to create fire or other equal or greater dangerous hazards, when considering the reasonableness of such use in relation to the present and future development of the area concerned and the compatibility of the development use with such area and its development.

6. Where the designated site or project is subject to multiple ownership, as part of the application for site plan review, the Planning and Zoning Board may allow the Owners of the property to submit a Covenant in Lieu of Unity of Title. Said covenant shall be approved for form and

sufficiency by the City Attorney, prior to the hearing before the Planning and Zoning Board for the site plan and within ninety days (90) after approval of the site plan by the City Commission. It shall be executed by all parties and recorded in the public records of Miami-Dade County at the sole cost and expense of the owners. Such Covenant shall be in accordance with the provisions of Section 21-21(b) and specifically with sections (c), (d), (e), (f), (g), (h) and (l), subject to approval by the Planning and Zoning Board. Further, in the event of multiple Owner(s) subsequent to the site plan approval, the subsequent Owner shall be permitted to file a Covenant in Lieu of Unity of Title with the City, subject to review and approval by the City Attorney for legal form and sufficiency. Such Covenant shall be in accordance with the provisions of Section 21-21(b) and specifically with sections (c), (d), (e), (f), (g), (h) and (l), and subject to the provisions provided herein: The Restrictive Covenant in Lieu of Unity of Title shall run with the land and be binding upon the heirs, successors, personal representatives and assigns, and upon all mortgages and lessees and others presently or in the future having any interest in the property.

7. Applicability. Alterations, expansions, renovations, and similar improvements of existing structures shall, to the extent feasible, conform to the requirements of this article and all regulations of the City.