




To: William Ortiz

From: Yaneris Figueroa, Assistant City Attorney for the City of Coral Gables

Approved: Craig E. Leen, City Attorney for the City of Coral Gables 

RE: Legal Opinion Regarding Outdoor Lighting

Date: May 28, 2015

---

As you requested, I went through the Miami-Dade County to determine their requirements for outdoor lighting. Section 33-4.1 of the County Code establishes that for a lighting permit to be issued, the outdoor light “will not be or become a nuisance to such adjacent property.” To determine any other standards used by the County, I searched the entire County Code and found the below provisions that deal with lighting. In reviewing the Code, there is common theme that disfavors outdoor lighting spilling beyond site boundaries and outdoor lighting casting onto adjacent properties. Please note that I copied and highlighted below each Code provision dealing with “outdoor lighting” for your review.

Please let me know if you have any questions or concerns.

**Sec. 33-4.1.** Outdoor lighting. Lights for area lighting of outdoor areas, such as, but not limited to, tennis courts, golf courses, sporting areas or grounds, parking lots or areas, amusement or entertainment areas, and outside lighting for security purposes, shall not be permitted except under the following conditions: (a) Detailed plans shall be submitted to the Department showing the location, height, type of lights, shades, deflectors and beam directions. (b) The Department may issue a permit for such lighting if, after a review of the detailed plans therefor and after consideration of the adjacent area and neighborhood and its use and future development, **the proposed lighting will be so located, oriented, adjusted and shielded that the lighting will be deflected, shaded and focused away from such adjacent property and will not be or become a nuisance to such adjacent property, and will not create a traffic hazard on adjacent streets by reason of glare or the like.** (c) Upon a determination by the Department that the proposed lighting will not conform to the provisions of this subsection or as to the negative effect such lighting may have on the adjacent area and neighborhood or traffic, after considering the

detailed plan and such area and neighborhood, the Department shall not issue a permit for the same, and no such lighting shall be permitted until approved after public hearing. (d) In addition, outdoor lighting for recreational and offstreet area parking purposes, or for any other purpose in the RU, EU, AU and GU Zones shall be designed so that any overspill of lighting onto adjacent properties shall not exceed one-half (1/2) footcandle (vertical) and shall not exceed one-half (1/2) footcandle (horizontal) illumination on adjacent properties or structures. An outdoor lighting installation shall not be placed in permanent use until a letter of compliance from a registered engineer or architect or the duly authorized representative of such engineer or architect is provided stating that the installation has been field checked and meets the requirements as set forth above. The requirements of this subparagraph shall apply to any night lighting in BU and IU Zones abutting an RU, EU, AU, or GU Zone. (e) It is not intended here to regulate permitted sign lights and it is not the intent to modify, amend or repeal any portion of the South Florida Building Code.

**Sec. 33-255.** Uses permitted. No land, body of water and/or structure in the BU-3 District shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, arranged or intended to be used, occupied or maintained for any purpose, unless otherwise provided for, excepting for one (1) or more of the following uses: ...**(3)**Automobile and truck services and facilities including: (a) Open lot car and truck sales new and or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions: ...**(6)** That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-310.1.** (V) Administrative modification or elimination of conditions and restrictive covenants. Modification or Elimination of Conditions and Restrictive Covenants When No New Adverse Impacts Will Result.

The Director shall approve an application to modify an approved site plan, or modify or eliminate a condition or part thereof, or a restrictive covenant or part thereof (except where the covenant requires a public hearing), where it is demonstrated by the following that the modification or elimination will not result in a material new adverse impact on the public health, safety, welfare, or aesthetic values: ...**(B)** The modification or elimination of the condition, restrictive covenant, or part thereof will not create new adverse impacts. The application will be deemed not to create new adverse impacts upon demonstration of the following: ...**18.** the modification or elimination will not result in any material increase in the area of shadow, or of light from outdoor lighting, cast onto adjacent parcels;

**Sec. 33-253.9.** Plan review standards. (C) The following checklist of criteria shall be utilized as a guide by the Department and by the appropriate board, upon appeal, in the review process...**(6)** Signs and outdoor lighting. All outdoor lighting, signs or permanent outdoor advertising or

identification features shall be designed as an integral part of and be harmonious with the building design and the surrounding landscape.

**Sec. 33-245.2.** Plan review standards. (C) The following checklist of criteria shall be utilized as a guide by the Department and by the appropriate board, upon appeal, in the review process: (6) Signs and outdoor lighting. All outdoor lighting, signs or permanent outdoor advertising or identification features shall be designed as an integral part of and be harmonious with building design and the surrounding landscape.

**Sec. 33-284.63.1.** Center DRI Sub-District Alternative Development Parameters. Notwithstanding the provisions of sections 33-284.62 and 33-284.63, property within the Center DRI Sub-district may be developed in compliance with the following provisions. Development undertaken pursuant to the following provisions shall be subject exclusively to those provisions and not to any of the provision or requirements of sections 33-284.62 or 33-284.63. Development in the Center DRI Sub-district pursuant to sections 33-284.62 and 33-284.63 shall be subject exclusively to the provisions and requirements of those sections and not to the provision contained herein. ...The purpose of the plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria contained herein. The decision of the Department in relation to the plan review criteria may be appealed by the applicant to the Board of County Commissioners within thirty (30) days of the date the project was denied approval in writing. Such appeals shall be in accordance with Section 33-309 and shall be heard as expeditiously as possible. All final plans submitted for building permits shall be substantially in compliance with the plans approved under the plan review procedure herein established. ... (3) The following checklist of criteria shall be utilized by the Department in the review process: ... (b) Signs and outdoor lighting. All signs and outdoor lighting shall be designed as an integral part of and be harmonious with the building design and the surrounding landscape.

**Sec. 33-251.5.** Plan review standards. (A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decision of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established. ... (C) The following checklist of criteria shall be utilized as a guide by the

Department and by the appropriate board, upon appeal, in the review process: ...(6) Signs and outdoor lighting. All outdoor lighting, signs or permanent outdoor advertising or identification features shall be designed as an integral part of and be harmonious with building design and the surrounding landscape.

**Sec. 33-284.99.42.** Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the MCUCD shall comply with Section 33-284.83 of this code. ...A. Permitted uses. In addition to the uses provided in Section 33-284.83(A), the following shall be permitted: 1. In the Mixed-Use Corridor Special (MCS) area, all uses provided in Section 33-284.83(A)(3) and the following uses: (1) Open lot car and truck sales new or used, including, as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions:...b. That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-284.99.50.** Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the NCUAD shall comply with Section 33-284.83 of this code. ... A. Permitted Uses...In addition to the uses provided in Section 33-284.83(A), the following shall be permitted:...1. In the Mixed-Use Corridor Special (MCS) area, all uses permitted in the Mixed-Use Corridor (MC) category and the following additional uses:...(a)... Automobile and truck services and facilities including:...(1) Open lot car and truck sales new or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions: ... (b) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-284.99.8.** Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the PECUC shall comply with Section 33-284.83 of this code. A. Permitted Uses. The following uses shall be permitted. ...2. In the Mixed-Use Corridor (MC) area, all uses provided in Section 33-284.83(A)(3) and the following uses:...(A) Automobile and truck services and facilities including:...(1) Open lot car and truck sales new or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions:...(b) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33C-7.** Dr. Martin Luther King, Jr. Corridor Subzone.... (3) Site plan review standards and criteria....The purpose of the site plan review is to encourage logic, imagination and variety in the design process in an attempt to insure the congruity of the proposed development and its compatibility with the surrounding area. The following site plan review standards and criteria



shall be utilized as a guide by the Developmental Impact Committee or the Department of Regulatory and Economic Resources or its successor Department and by the Board of County Commissioners in the consideration of requests for special exception for site plan approvals within the MLK Corridor Subzone, except for Brownsville and Martin Luther King Jr. Stations, which development shall comply with the Model City Urban Center District regulations set forth in Chapter 33, Article XXXIII(R) of this Code, and except for the Northside Station, which development shall comply with the North Central Urban Area District regulations set forth in Chapter 33, Article XXXIII(S) of this Code:... (i) All development projects should be designed with a coordinated outdoor lighting and signage system that is adequate for and an integral part of the project and that is compatible and harmonious with the project and the surrounding area.

**Sec. 33-284.99.34.** Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the LCUC District shall comply with Section 33-284.83 of this code. In addition to the Permitted Uses provided in Section 33-284.83(A), the following shall be permitted: 1. In the Mixed-Use Corridor (MC) area: (a) Automobile and truck services and facilities including: (1) Open lot car and truck sales new or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions: (b) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-284.86.** General Requirements. Lighting. 1. Street lighting shall comply with the following: a. Street lighting shall be provided in these areas: commercial and live-work unit driveways and parking areas, sidewalks and pedestrian passages, commercial establishment entryways, recreation areas, and multi-family residential common areas and entryways. b. Outdoor lighting of these areas shall comply with Section 33-4.1 of this chapter.

**Sec. 33-259.** Uses permitted. No land, body of water or structure shall be used or permitted to be used and no structure shall be erected, constructed, moved or reconstructed, structurally altered, or maintained, which is designed, arranged or intended to be used or occupied for any purpose, unless otherwise provided herein, in IU-1 District, excepting for one (1) or more of the following: ... (8) Automobile and truck sales for new and/or used vehicles including as ancillary uses automobile and truck rentals, wholesale distribution and automobile repairs, provided that no more than fifteen (15) percent of the total gross building area is devoted to repair/service bays, subject to the following conditions:...(h) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-283.1.** Site plan review for commercial vehicle storage. (a) Procedures. The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan criteria is to insure compatibility and adequate

buffering of the uses with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied by the Department within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials should be in writing and shall specifically set forth the grounds for denial. The written decisions of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established. ... Criteria. The following criteria shall be considered in the review process: ... (4) Lighting:

All outdoor lighting, or outdoor signs or identification features shall be designed as an integral part of the surrounding landscape. Light fixtures shall be designed with a maximum height of 35 feet. Shielding shall be provided to prevent light from projecting upward. Any overspill of lighting onto adjacent properties shall not exceed one-half (½) foot-candle (vertical) and shall not exceed one-half (½) foot-candle (horizontal) illumination on adjacent properties or structures. Lighting shall comply with the standards in Section 8C-3 of this Code. (Emphasis added throughout opinion)

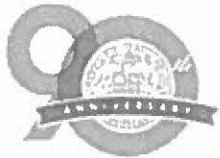
## Herbello, Stephanie

---

**From:** Leen, Craig  
**Sent:** Thursday, May 28, 2015 5:29 PM  
**To:** Figueroa, Yaneris; Ortiz, William  
**Cc:** Ramos, Miriam; Kattou, Michael; Herbello, Stephanie  
**Subject:** RE: Outdoor Lighting

I agree with Yaneris and adopt this as a City Attorney Opinion pursuant to section 2-201(e)(1) and (8) of the City Code. Stephanie, please publish accordingly.

**Craig E. Leen, City Attorney**  
*Board Certified by the Florida Bar in  
City, County and Local Government Law*  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, Florida 33134  
Phone: (305) 460-5218  
Fax: (305) 460-5264  
Email: [cleen@coralgables.com](mailto:cleen@coralgables.com)



CORAL GABLES  
FOUNDED 1925

*Celebrating 90 years of a dream realized.*

---

**From:** Figueroa, Yaneris  
**Sent:** Thursday, May 28, 2015 5:12 PM  
**To:** Ortiz, William  
**Cc:** Leen, Craig; Ramos, Miriam; Kattou, Michael  
**Subject:** FW: Outdoor Lighting

Good Afternoon Will,

Please see below. Based on the Miami-Dade County Code, it is my opinion that we may move forward with enforcement of section 5-1201, in conjunction with the County Code. Please let me know if you have any questions or concerns.

Thanks!  
Yaneris

Yaneris Figueroa  
Assistant City Attorney for the City of Coral Gables  
405 Biltmore Way, 2nd Floor  
Coral Gables, FL 33134  
Office: (305) 722-8625  
Fax: (305) 476-7795



CORAL GABLES  
THE CITY BEAUTIFUL

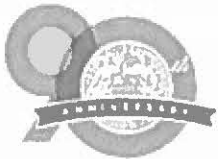
*Celebrating 90 years of a dream realized.*

---

**From:** Leen, Craig  
**Sent:** Thursday, May 28, 2015 4:57 PM  
**To:** Figueroa, Yanneris  
**Cc:** Ramos, Miriam  
**Subject:** RE: Outdoor Lighting

It is my opinion that we may enforce the County Code.

**Craig E. Leen, City Attorney**  
*Board Certified by the Florida Bar in  
City, County and Local Government Law*  
City of Coral Gables  
405 Biltmore Way  
Coral Gables, Florida 33134  
Phone: (305) 460-5218  
Fax: (305) 460-5264  
Email: [cleen@coralgables.com](mailto:cleen@coralgables.com)



CORAL GABLES  
THE CITY BEAUTIFUL

*Celebrating 90 years of a dream realized.*

---

**From:** Figueroa, Yanneris  
**Sent:** Thursday, May 28, 2015 4:56 PM  
**To:** Leen, Craig  
**Cc:** Ramos, Miriam  
**Subject:** Outdoor Lighting

Good Afternoon Craig,

As you requested, I went through the Miami-Dade County to determine their requirements for outdoor lighting. Section 33-4.1 of the County Code establishes that for a lighting permit to be issued, the outdoor light “will not be or become a nuisance to such adjacent property.” To determine any other standards used by the County, I searched the entire County Code and found the below provisions that deal with lighting. In reviewing the Code, there is common theme that disfavors outdoor lighting spilling beyond site boundaries and outdoor lighting casting onto adjacent properties. Please note that I copied and highlighted below each Code provision dealing with “outdoor lighting” for your review.

Please let me know if you have any questions or concerns.



**Sec. 33-4.1.** Outdoor lighting. Lights for area lighting of outdoor areas, such as, but not limited to, tennis courts, golf courses, sporting areas or grounds, parking lots or areas, amusement or entertainment areas, and outside lighting for security purposes, shall not be permitted except under the following conditions: (a) Detailed plans shall be submitted to the Department showing the location, height, type of lights, shades, deflectors and beam directions. (b) The Department may issue a permit for such lighting if, after a review of the detailed plans therefor and after consideration of the adjacent area and neighborhood and its use and future development, **the proposed lighting will be so located, oriented, adjusted and shielded that the lighting will be deflected, shaded and focused away from such adjacent property and will not be or become a nuisance to such adjacent property, and will not create a traffic hazard on adjacent streets by reason of glare or the like.** (c) Upon a determination by the Department that the proposed lighting will not conform to the provisions of this subsection or as to the negative effect such lighting may have on the adjacent area and neighborhood or traffic, after considering the detailed plan and such area and neighborhood, the Department shall not issue a permit for the same, and no such lighting shall be permitted until approved after public hearing. (d) In addition, outdoor lighting for recreational and offstreet area parking purposes, or for any other purpose in the RU, EU, AU and GU Zones shall be designed so that any overspill of lighting onto adjacent properties shall not exceed one-half (½) footcandle (vertical) and shall not exceed one-half (½) footcandle (horizontal) illumination on adjacent properties or structures. An outdoor lighting installation shall not be placed in permanent use until a letter of compliance from a registered engineer or architect or the duly authorized representative of such engineer or architect is provided stating that the installation has been field checked and meets the requirements as set forth above. The requirements of this subparagraph shall apply to any night lighting in BU and IU Zones abutting an RU, EU, AU, or GU Zone. (e) It is not intended here to regulate permitted sign lights and it is not the intent to modify, amend or repeal any portion of the South Florida Building Code.

**Sec. 33-255.** Uses permitted. No land, body of water and/or structure in the BU-3 District shall be used or permitted to be used, and no structure shall be hereafter erected, constructed, arranged or intended to be used, occupied or maintained for any purpose, unless otherwise provided for, excepting for one (1) or more of the following uses: ... (3) Automobile and truck services and facilities including: (a) Open lot car and truck sales new and or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions: ... (6) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-310.1.** (V) Administrative modification or elimination of conditions and restrictive covenants. Modification or Elimination of Conditions and Restrictive Covenants When No New Adverse Impacts Will Result. The Director shall approve an application to modify an approved site plan, or modify or eliminate a condition or part thereof, or a restrictive covenant or part thereof (except where the covenant requires a public hearing), where it is demonstrated by the following that the modification or elimination will not result in a material new adverse impact on the public health, safety, welfare, or aesthetic values: ... (B) The modification or elimination of the condition, restrictive covenant, or part thereof will not create new adverse impacts. The application will be deemed not to create new adverse impacts upon demonstration of the following: ... 18. the modification or elimination will not result in any material increase in the area of shadow, or of light from outdoor lighting, cast onto adjacent parcels;

**Sec. 33-253.9.** Plan review standards. (C) The following checklist of criteria shall be utilized as a guide by the Department and by the appropriate board, upon appeal, in the review process... (6) Signs and outdoor lighting. All outdoor lighting, signs or permanent outdoor advertising or identification features shall be designed as an integral part of and be harmonious with the building design and the surrounding landscape.

**Sec. 33-245.2.** Plan review standards. (C) The following checklist of criteria shall be utilized as a guide by the Department and by the appropriate board, upon appeal, in the review process: (6) Signs and outdoor lighting. All outdoor lighting, signs or permanent outdoor advertising or identification features shall be designed as an integral part of and be harmonious with building design and the surrounding landscape.

**Sec. 33-284.63.1.** Center DRI Sub-District Alternative Development Parameters. Notwithstanding the provisions of sections 33-284.62 and 33-284.63, property within the Center DRI Sub-district may be developed in compliance with the following provisions. Development undertaken pursuant to the following provisions shall be subject exclusively to those provisions and not to any of the provision or requirements of sections 33-284.62 or 33-284.63. Development in the Center DRI Sub-district pursuant to sections 33-284.62 and 33-284.63 shall be subject exclusively to the provisions and requirements of those sections and not to the provision contained herein. ... The purpose of the plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its

compatibility with the surrounding area. The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria contained herein. The decision of the Department in relation to the plan review criteria may be appealed by the applicant to the Board of County Commissioners within thirty (30) days of the date the project was denied approval in writing. Such appeals shall be in accordance with Section 33-309 and shall be heard as expeditiously as possible. All final plans submitted for building permits shall be substantially in compliance with the plans approved under the plan review procedure herein established. ... (3) The following checklist of criteria shall be utilized by the Department in the review process: ... (b) Signs and outdoor lighting. All signs and outdoor lighting shall be designed as an integral part of and be harmonious with the building design and the surrounding landscape.

**Sec. 33-251.5.** Plan review standards. (A) The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The decision of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. The purpose of the site plan review is to encourage logic, imagination and variety in the design process and thereby insure the congruity of the proposed development and its compatibility with the surrounding area. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established. ... (C) The following checklist of criteria shall be utilized as a guide by the Department and by the appropriate board, upon appeal, in the review process: ... (6) Signs and outdoor lighting. All outdoor lighting, signs or permanent outdoor advertising or identification features shall be designed as an integral part of and be harmonious with building design and the surrounding landscape.

**Sec. 33-284.99.42.** Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the MCUCD shall comply with Section 33-284.83 of this code. ... A. Permitted uses. In addition to the uses provided in Section 33-284.83(A), the following shall be permitted: 1. In the Mixed-Use Corridor Special (MCS) area, all uses provided in Section 33-284.83(A)(3) and the following uses: (1) Open lot car and truck sales new or used, including, as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions: ... b. That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-284.99.50.** Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the NCUAD shall comply with Section 33-284.83 of this code. ... A. Permitted Uses... In addition to the uses provided in Section 33-284.83(A), the following shall be permitted: ... 1. In the Mixed-Use Corridor Special (MCS) area, all uses permitted in the Mixed-Use Corridor (MC) category and the following additional uses: ... (a) ... Automobile and truck services and facilities including: ... (1) Open lot car and truck sales new or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions: ... (b) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-284.99.8.** Uses. Except as provided herein, all permitted, conditionally permitted, and temporary uses within the PECUC shall comply with Section 33-284.83 of this code. A. Permitted Uses. The following uses shall be permitted. ... 2. In the Mixed-Use Corridor (MC) area, all uses provided in Section 33-284.83(A)(3) and the following uses: ... (A) Automobile and truck services and facilities including: ... (1) Open lot car and truck sales new or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions: ... (b) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33C-7.** Dr. Martin Luther King, Jr. Corridor Subzone.... (3) Site plan review standards and criteria.... The purpose of the site plan review is to encourage logic, imagination and variety in the design process in an attempt to insure the congruity of the proposed development and its compatibility with the surrounding area. The following site plan review standards and criteria shall be utilized as a guide by the Developmental Impact Committee or the Department of Regulatory and Economic Resources or its successor Department and by the Board of County Commissioners in the consideration of requests for special exception for site plan approvals within the MLK Corridor Subzone, except for Brownsville and Martin Luther King Jr. Stations, which development shall comply with the Model City Urban Center District regulations set forth in Chapter 33, Article XXXIII(R) of this Code, and except for the Northside Station, which development shall comply with the North Central Urban Area District regulations set forth in Chapter 33, Article XXXIII(S) of this Code: ... (i) All development projects should be designed with a coordinated outdoor lighting and

signage system that is adequate for and an integral part of the project and that is compatible and harmonious with the project and the surrounding area.

**Sec. 33-284.99.34. Uses.** Except as provided herein, all permitted, conditionally permitted, and temporary uses within the LCUC District shall comply with Section 33-284.83 of this code. In addition to the Permitted Uses provided in Section 33-284.83(A), the following shall be permitted: 1. In the Mixed-Use Corridor (MC) area: (a) Automobile and truck services and facilities including: (1) Open lot car and truck sales new or used, including as ancillary uses, automobile repairs, body and top work and painting, provided that no more than fifteen (15) percent of the gross building area is devoted to such ancillary uses, and subject to the following conditions: (b) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-284.86. General Requirements. Lighting.** 1. Street lighting shall comply with the following: a. Street lighting shall be provided in these areas: commercial and live-work unit driveways and parking areas, sidewalks and pedestrian passages, commercial establishment entryways, recreation areas, and multi-family residential common areas and entryways. b. Outdoor lighting of these areas shall comply with Section 33-4.1 of this chapter.

**Sec. 33-259. Uses permitted.** No land, body of water or structure shall be used or permitted to be used and no structure shall be erected, constructed, moved or reconstructed, structurally altered, or maintained, which is designed, arranged or intended to be used or occupied for any purpose, unless otherwise provided herein, in IU-1 District, excepting for one (1) or more of the following: ... (8) Automobile and truck sales for new and/or used vehicles including as ancillary uses automobile and truck rentals, wholesale distribution and automobile repairs, provided that no more than fifteen (15) percent of the total gross building area is devoted to repair/service bays, subject to the following conditions: ... (h) That outdoor lighting shall be designed to avoid spilling beyond the site boundaries.

**Sec. 33-283.1. Site plan review for commercial vehicle storage. (a) Procedures.** The Department shall review plans for compliance with zoning regulations and for compliance with the site plan review criteria. The purpose of the site plan criteria is to insure compatibility and adequate buffering of the uses with the surrounding area. All plans submitted to the Department shall be reviewed and approved or denied by the Department within fifteen (15) days from the date of submission. The applicant shall have the right to extend the fifteen-day period by an additional fifteen (15) days upon timely request made in writing to the Department. The Department shall have the right to extend the fifteen-day period by written notice to the applicant that additional information is needed to process the site plan. Denials should be in writing and shall specifically set forth the grounds for denial. The written decisions of the Department in relation to the site plan review criteria may be appealed by the party(ies) which filed the application for the project to the appropriate Community Zoning Appeals Board within thirty (30) days of the date the project was denied approval in writing. Appeals will be heard as expeditiously as possible. All final plans submitted for building permits shall be substantially in compliance with plans approved under the plan review procedure herein established. ... **Criteria.** The following criteria shall be considered in the review process: ... (4) **Lighting:**

All outdoor lighting, or outdoor signs or identification features shall be designed as an integral part of the surrounding landscape. Light fixtures shall be designed with a maximum height of 35 feet. Shielding shall be provided to prevent light from projecting upward. Any overspill of lighting onto adjacent properties shall not exceed one-half (½) foot-candle (vertical) and shall not exceed one-half (½) foot-candle (horizontal) illumination on adjacent properties or structures. Lighting shall comply with the standards in Section 8C-3 of this Code.

Yaneris Figueroa  
Assistant City Attorney for the City of Coral Gables  
405 Biltmore Way, 2nd Floor  
Coral Gables, FL 33134  
Office: (305) 722-8625  
Fax: (305) 476-7795



CORAL GABLES  
THE CITY OF GEMS

*Celebrating 90 years of a dream realized.*