

City of Coral Gables
Planning Department Staff Report

To: Honorable Local Planning Agency (LPA) / Planning and Zoning Board Members

From: Planning Department

Date: May 13, 2009 (June 3, 2009)

Subject: **Update of the City of Coral Gables Comprehensive Plan and Map [hereinafter known and referenced as the “Comprehensive Plan (CP)"] as required pursuant to the State of Florida required Evaluation and Appraisal Report (EAR) process.**

- A. An Ordinance of the City Commission of Coral Gables adopting the annual update to the Capital Improvements Element (CIE) within the City's Comprehensive Plan; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date.
 - B. An Ordinance of the City Commission of Coral Gables adopting a ten year water supply facilities work plan and amending the Comprehensive Plan to promote and facilitate better coordination between water supply and local land use planning as required by Florida law; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date.
 - C. An Ordinance of the City Commission of Coral Gables adopting the Evaluation and Appraisal Report (EAR) based amendments, various updates of the Goals, Objectives, and Policies, and providing for newly created elements titled: Administration, Design, Public Safety, and Green to the City of Coral Gables Comprehensive Land Use Plan; authorizing transmittal to Florida Department of Community Affairs for review; providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date.
 - D. An Ordinance of the City Commission of Coral Gables readopting the Comprehensive Plan Map in its entirety and Change of Land Use Map designations for the purpose of correcting inconsistencies between Comprehensive Plan Map and Zoning Map classifications based upon the current use for the following City owned properties:
 1. Change from “Commercial, Low and Mid-Rise Intensity” to “Public Buildings and Grounds” for 285 Aragon Avenue (Coral Gables Museum) located on Lots 1-4 and 42-48, Block 34, Coral Gables Section “K”; and,
 2. Change from “no designation” to “Open Space” for the public open space located on all of Block 37, Country Club Section 3; and,
 3. Change from “Residential (Single-Family) Low Density” to “Public Buildings and Grounds” for the City Utility Station located on Tract A, Block 2, Hammock Oaks Harbor Section 2.Providing for a repealer provision, a savings clause, and a severability clause; and providing for an effective date.
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Recommendation

A. Capital Improvements Element

The Planning Department recommends approval of the adoption of the annual update to the Capital Improvements Element (CIE) within the City's Comprehensive Plan (see Attachment A for Draft Ordinance).

B. Ten Year Water Supply Facilities Work Plan

The Planning Department recommends approval of the adoption of the Ten Year Water Supply Facilities Work Plan and amendment to the Comprehensive Plan to promote and facilitate better coordination between water supply and local land use planning as required by Florida law (see Attachment B for Draft Ordinance).

C. Evaluation and Appraisal Report (EAR) based amendments and update of CLUP

The Planning Department recommends approval of the adoption of the Evaluation and Appraisal Report (EAR) based amendments, various updates of the Goals, Objectives, and Policies, and providing for newly created elements titled: Administration, Design, Public Safety, and Green to the City of Coral Gables Comprehensive Plan; authorizing transmittal to Florida Department of Community Affairs for review (see Attachment C for Draft Ordinance).

D. Readoption of Comprehensive Plan Map / Change of Land Use Map designation to correct inconsistencies

The Planning Department based upon the findings of fact contained herein recommends approval of the Comprehensive Plan (CP) Map in its entirety and correction of existing inconsistent land use map designations for the following three (3) properties, all of which are owned by and located in the City of Coral Gables, Florida:

1. Change from "Commercial, Low and Mid-Rise Intensities" to "Public Buildings and Grounds" for 285 Aragon Avenue (Coral Gables Museum) located on Lots 1-4, 42-48, Block 34, Coral Gables Section "K".
2. Change from "No Designation" to "Open Space" for the public open space located on All of Block 37, Country Club Section 3.
3. Change from "Residential Use (Single-Family) Low Density" to "Public Buildings and Grounds" for the City utility station located on Tract A, Block 2, Hammock Oaks Harbor Section 2.

See Attachment D for Draft Ordinance.

Request / Background

A. Capital Improvements Element

This request is the result of a State requirement to adopt a five year capital improvement schedule as a part of the update of the Comprehensive Plan. In 2005, the Florida Legislature passed Senate Bill 360, which required, in part, that local governments annually update the capital improvements element contained in their Comprehensive Plans in order to ensure that the required level of service standards for the public facilities listed in Section 163.3180, Florida

Statutes is achieved and maintained over the planning period.

Various City Departments have worked together to develop the Capital Improvement Program which reflects the proposed capital projects over the next five years. This amendment (see Attachment E) consists of updates to the data and analysis required by Florida law and revisions to the City's Capital Improvement Program. The data and analysis consists of the public facilities capacity analysis and revenue and expenditure projections. The amendment includes copies of the current Capital Improvement Program which is adopted into the City's 2009 Comprehensive Plan by reference.

B. Ten Year Water Supply Facilities Work Plan

This request is the result of a State requirement that local governments must prepare and adopt a Ten Year Water Supply Facilities Work Plans (see Attachment F) into their Comprehensive Plans consistent with South Florida Water Management Districts, "*Lower East Coast Water Supply Plan Update*." Specifically, the City is required the following:

1. Section 163.3167(13) Florida Statutes, requires each local government to address in its comprehensive plan, the water supply sources necessary to meet and achieve the existing and projected water use demand for an established planning period.
2. Section 163.3177(4) (a), Florida Statutes, requires coordination of the local comprehensive plan with the water management district's regional water supply plan.
3. Section 164.3177(6)(c), Florida Statutes, requires that local governments prepare and adopt a 10-Year Water Supply Facilities Work Plan and amend their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update.

Residents of the City obtain their water directly from the Miami-Dade County Water and Sewer Department (WASD), which is responsible for ensuring that enough capacity is available for existing and future customers.

The City's 10 Year Water Supply Facilities Work Plan (Work Plan) will reference the initiatives already identified in Miami-Dade County's 20-year Work Plan since the City is a retail buyer. According to State guidelines, the Work Plan and the Comprehensive Plan amendment must address the development of traditional and alternative water supplies, bulk sales agreements and conservation and reuse programs that are necessary to serve existing and new development for at least a 10-year planning period. The City's Work Plan will comply with this standard and will be incorporated into the Comprehensive Plan as a sub-element of the Community Services and Facilities Element. Additionally, new and revised objectives and policies will be incorporated into the comprehensive plan to ensure consistency with the Work Plan.

C. Evaluation and Appraisal Report (EAR) based amendments and update of the Comprehensive Plan

The City adopted its Evaluation and Appraisal Report on June 26, 2007, which was found sufficient by the Florida Department of Community Affairs on September 7, 2007. The EAR previously identified specific issues that required modification in the City's Comprehensive Plan. This request is that final step of the EAR process.

As background, in 1998, the legislature amended Chapter 163 Part 2 Florida Statutes to incorporate new criteria for Evaluation and Appraisal Reports (EAR). These statutory

requirements for the EAR allow local governments to base their analysis on the key local issues that they are facing. Section 163.3191(1) (C) was modified to require that local governments identify the major issues and provide an analysis of these issues to further the community's goals.

Input by the community, elected/appointed officials, City staff, adjacent local governments, applicable agencies, the South Florida Regional Planning Council (SFRPC), and the Florida Department of Community Affairs (DCA), as well as input from a City-initiated 2002 Charrette Report, and the comprehensive rewrite of the City's Zoning Code, served as the basis for identifying the major issues to be addressed in the EAR. Based on input received during scoping meetings and workshops, the City identified four (4) major issues for inclusion in the EAR. The major issues selected for inclusion and agreed to by the DCA were as follows:

- Issue 1. Complete Rewrite of Housing Element. Revision of the Housing Element to include provision of workforce housing and promotion of senior housing.
- Issue 2. Maintenance of Single Family Residential. Maintenance of single-family residential neighborhoods and mitigation of adjoining commercial and high-density residential uses.
- Issue 3. Mitigation of Traffic Impacts. Mitigation of traffic impacts to include promotion of alternative modes of transportation and strengthening of intergovernmental coordination.
- Issue 4. Placement of Parks per the City's Master Plan. Placement of parks according to the Parks Master Plan, to include the acquisition of new parks.

The SFRPC, which was delegated to review the EAR by DCA, issued a compliance letter to the City of Coral Gables on September 7, 2007 (see Attachment G) advising the City that the EAR was determined to be sufficient to meet the requirements of Section 163.3191. In the summary of the adopted EAR all of the major issues were found to be "sufficient" with the exception of Issue 3: Mitigation of Traffic Impacts. The issue was not found sufficient because the City does not provide mitigation measures for four roadway segments which are failing the LOS standards as outlined in the traffic analysis, "2015 Traffic Level of Service Findings."

SFRPC recommended that the City, in its EAR-based amendments, provide a comprehensive analysis and detailed plan outlining how money will be budgeted for the next five years to address traffic issues. They advised creating a Transportation Master Plan to develop mitigation measures specific to the failing roadway segments. And that funding sources for specific transportation improvement projects for failing roadway segments should be identified in the Capital Improvements Element.

The update of the existing Comprehensive Plan includes modifications to the Goals, Objective and Policies of the Plan as well as the creation of four new elements not previously required pursuant to the EAR. The new elements include: Administration; Design; Public Safety; and Green. Each of the 14 elements has an executive summary in the front to provide further explanation of the proposed changes. The proposed changes are a result of EAR recommendations, new State growth management requirements and the necessity to modernize, streamline and strengthen the CLUP which will bring it into consistency with the Zoning Code and other City Codes.

D. Readoption of Comprehensive Plan (CP) Map / Change of Land Use Map designation to correct inconsistencies

As a part of the CP update, City staff recommends that the CP Map be readopted in its entirety

(see Attachment H) as well as to include the changes identified in the CP text amendments.

As a part of the EAR of the CP process, the Planning Department is required to correct inconsistencies between existing Zoning Map classifications and the existing CLUP Map classifications. As a part of this process Staff originally identified sixty-seven (67) parcels, owned by both private and public entities, containing either zoning and/or CLUP inconsistencies.

During the Zoning Code Rewrite process the City Commission requested only those properties that are publicly owned should be rezoned. Therefore only eighteen (18) publicly owned inconsistent parcels were processed and received approval. When Staff presented the eighteen (18) publicly owned properties for rezoning during the Zoning Code Rewrite process, it was stated that properties requiring a CP Map amendment would be included with the update of the CP.

Planning Staff is recommending a proposed change of land use for the three City owned properties to provide consistency with the existing zoning designations and actual use of the property. The properties include the site of the Coral Gables Museum, a parcel of land used as a City utility station (pumping station) and a street median serving as landscaped open space for a residential neighborhood. Information and maps showing existing and proposed land use designations as well as photos for each property are provided as Attachments I, J and K. The locations of the inconsistencies on a City map are provided as Attachment L.

The following is a brief description of the physical characteristics of each of the three City owned properties accompanied with a chart outlining each property's surrounding uses:

Parcel 1: Coral Gables Museum; 285 Aragon Avenue

The Coral Gables Museum property is located at 285 Aragon Avenue within the City's Central Business District and is 27,500 square feet (0.63 acres) in size and contains 11 platted lots. The site is located on the west end of Block 34 and is bounded by Aragon Avenue to the south, Salzedo Street to the west and Giralda Avenue to the north. The current land use for the property is "Commercial, Low-Rise Intensity" on the north half of the property (Lots 1-4) and "Commercial, Mid-Rise Intensity" on the south half (Lots 42-48). If approved, the entire property would be reclassified to "Public Buildings and Grounds", which is consistent with the property's actual use as a City museum and "S"; Special Use zoning designation.

Location	Existing Land Uses	CLUP Designations	Zoning Designations
North	Surface parking lot	"Commercial Use; Low-Rise Intensity"	"C", Commercial
South	2-story commercial building	"Commercial Use, Mid-Rise Intensity"	"C", Commercial
East	8-story mixed-use building	"Commercial Use, Mid and Low-Rise Intensities"	"C", Commercial
West	Two 1-story commercial buildings	"Commercial Use, Mid-Rise Intensity"	"C", Commercial

Parcel 2: Public Open Space

The public open space is a triangular open grass lot with a few trees which is bounded by Calbira Avenue (N), Durango Street (W) and Banos Ct (E). This site is 2,500 square feet (0.06 acres) in size and consists of all of Block 34 (no platted lots). The property currently does not have a land use designation, if approved the parcel would be classified as “Open Space”, which is consistent with the property’s actual use and zoning designation of “S”; Special Use.

Location	Existing Land Uses	CLUP Designations	Zoning Designations
North	1-story single-family residence	“Residential Use (Single-Family) Low Density”	“SFR”, Single-Family Residential
South	N/A	N/A	N/A
East	1-story single-family residence	“Residential Use (Single-Family) Low Density”	“SFR”, Single-Family Residential
West	2-story single-family residence	“Residential Use (Single-Family) Low Density”	“SFR”, Single-Family Residential

Parcel 3: City Utility Station

This City owned property is a triangular lot which contains a water pump that is maintained by the Public Works Department. The pump and associated equipment are blocked from view of the street and adjacent single-family property by a grass mound and landscaping. The parcel is 8,712 square feet (0.2 acres) in size and contains one platted tract. The property currently has a land use classification of “Residential (Single-Family) Low Density”. The proposed land use designation is “Public Buildings and Grounds”. The zoning on the parcel is “S; Special Use” which is the appropriate zoning designation and is consistent with the property’s actual use.

Location	Existing Land Uses	CLUP Designations	Zoning Designations
North	1-story conservatory	“Parks and Recreational Use”	“S”, Special Use
South	1-story single-family residence	“Residential Use (Single-Family) Low Density”	“SFR”, Single-Family Residential
East	1-story single-family residence	“Residential Use (Single-Family) Low Density”	“SFR”, Single-Family Residential
West	1-story single-family residence	“Residential Use (Single-Family) Low Density”	“SFR”, Single-Family Residential

Adoption of the above Comprehensive Plan Amendments requires review and recommendation by the Local Planning Agency (Planning and Zoning Board) and, consideration and adopting via ordinance by the City Commission (2 public hearings).

Findings of Facts

A. Capital Improvements Element

1. Section 163.3180, Florida Statutes, requires each local government to annually submit an updated capital improvements element.

B. Ten Year Water Supply Facilities Work Plan

1. Section 163.3167(13), Florida Statutes, requires each local government to address in its comprehensive plan, the water supply sources necessary to meet and achieve the existing and projected water use demand for an established planning period.
2. Section 163.3177(4) (a), Florida Statutes, requires coordination of the local comprehensive plan with the water management district’s regional water supply plan.

Comprehensive Plan Update

May 13, 2009 (June 3, 2009)

Page 7 of 8

3. Section 164.3177(6)(c), Florida Statutes, requires that local governments prepare and adopt a 10-Year Water Supply Facilities Work Plan and amend their comprehensive plans within 18 months after the water management district approves a regional water supply plan or its update.

C. Evaluation and Appraisal Report (EAR) based amendments and update of CLUP

1. The City adopted its Evaluation and Appraisal Report on June 26, 2007, which was found sufficient by the Florida Department of Community Affairs on September 7, 2007.
2. The City has completed its proposed EAR-based amendments consistent with the requirements of Chapter 163, Part II, F.S., and Rule 9J-5 and 9J-11, F.A.C.

D. Readoption of CP Map / Change of Land Use Map designation to correct inconsistencies

The findings of fact that support the approval of the changes of Land Use Map designations include the following:

1. The State of Florida Growth Management Act of 1985 mandates the City adopt a CLUP Future Land Use Map, and Florida law requires that the land use and zoning designations of properties within the City be consistent.
2. Objective 1-1.3 and Policy 1-1.3.4 of the City's CP requires achieving compliance with the CLUP Plan Future Land Use Map by reducing the number of inconsistencies between the Future Land Use Map and actual land uses, and to examine and revise the Zoning Code to correct any inconsistencies.
3. Criteria were established to determine inconsistent properties at the time inconsistently zoned properties were identified during the Zoning Code Rewrite.
4. Three (3) properties owned by the City have been identified that have inconsistent CLUP designations with the property's existing zoning designations and actual use by the City.
5. The City has published notification (see Attachment M) and posted each of the properties to provide public notice of the proposed changes of land use.

Public Notification/Comments

The following has been completed to solicit input and provide notice of the application:

Type	Explanation
Newspaper ad published	Completed 04.27.09
Posted properties	Completed 05.01.09
Posted agenda on City web page/City Hall	Completed 04.24.09
Posted Staff report, entire CLUP, mapping, etc. on City web page	Completed 05.08.09

A detailed PowerPoint will be presented at the meeting to provide a comprehensive overview.

Respectfully submitted,

Eric Riel, Jr.
Planning Director

Attachments:

- A. Draft Ordinance; Capital Improvements Element.
- B. Draft Ordinance; Ten Year Water Supply Plan.
- C. Draft Ordinance; EAR Based Amendments.
- D. Draft Ordinance; Map Inconsistency Land Use Changes.
- E. Capital Improvement Element Comprehensive Plan Amendment.
- F. Ten Year Water Supply Facilities Work Plan.
- G. SFRPC Sufficiency Determination letter.
- H. Comprehensive Land Use Plan Map.
- I. Parcel #1: Coral Gables Museum information sheets.
- J. Parcel #2: Open Space information sheets.
- K. Parcel #3: City Utility Station information sheets.
- L. Inconsistent Land Use Changes Location Map.
- M. Copy of published newspaper ad.
- N. Public comments.
- O. PowerPoint Presentation.