



**City of Coral Gables
CITY COMMISSION MEETING
November 17, 2009**

AGENDA ITEM NO. _____

ITEM TITLE:

Ordinances on Second Reading. 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) based amendment process.

1. 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 (see Exhibit A).
2. 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 (see Exhibit B).
3. 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 (see Exhibit C).
4. 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:
 - a. 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,
 - b. Change from "no designation" to "Open Space" for the public open space located on all of Block 37, Country Club Section 3; and,
 - c. 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 (see Exhibit D).

RECOMMENDATION OF THE CITY MANAGER:

Approval.

PLANNING DEPARTMENT RECOMMENDATION:

Recommendation for approval of the four (4) Ordinances related to the update of the City of Coral Gables Comprehensive Plan and Map pursuant to the State of Florida Evaluation and Appraisal Report (EAR) based amendment process. This recommendation for approval is based on the Findings of Fact provided in Staff's 11.04.09 report (see Exhibit E) and all associated supporting documents throughout the entire EAR based amendment process and public hearings.

PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY RECOMMENDATION:

On 11.04.09 the Planning and Zoning Board, acting as the Local Planning Agency (LPA), unanimously recommended approval (vote: 7-0) of the Ordinances with four separate motions.

BRIEF HISTORY:

Since City Commission adoption on 1st Reading (07.07.2009), Planning staff submitted the CP amendment package to the State DCA for review. Pursuant to State requirements, staff also forwarded the CP to the below listed agencies for review and comment.

The comments received had been previously discussed with the DCA and were expected and largely technical in nature. In context, the City's EAR Based comments received by the DCA are minor in relation to other local governments. State statutes allow the City 120 days or until 01.11.2010 to respond to the DCA comments. In addition to satisfying DCA comments, all agency comments have been addressed and included within the CP update (see Exhibit F). A summary of each agency comments is as follows:

1. Florida Department of Education. This Department provided two comments relative to revisions to the Capital Improvements Element (CIE) of the CP. These comments were addressed and the CIE was modified to satisfy the requested changes.
2. Florida Department of Environmental Protection (DEP). The DEP noted they "*Found no provision that requires comments, recommendation or objection under the laws that form the basis of the Departments jurisdiction and authority.*"
3. Florida Department of Transportation, District Six (FDOT). FDOT indicated "*No impacts anticipated to the State Highway System facilities resulting from these amendments; therefore, the District has no specific objections or recommendations at this time.*"
4. Florida Department of Historical Resources. The Department comments are as follows:
"The Future Land Use Element provides for the protection of historic resources and sensitive reuse of the resources. The new Design Element encourages the preservation of the City's architectural heritage. The Mobility Element (aka Traffic Circulation) preserves the Historic roadways from the expansion; and ensures that they will be maintained at their present designation and capacity. The Natural Resources Element also ensures historic site protection. The City of Coral Gables has also chosen to include a Historic Resources Element within its comprehensive plan. This element has been updated to reflect the rewritten zoning code. In this element, major topics provides for the provisions for increasing locally designated resources, increasing public outreach, identifying the impacts of development on historic resources, and providing economic incentives to property owners."
5. South Florida Regional Planning Council (SFRPC). The amendments were reviewed by the Regional Council Staff and Regional Planning Council (elected officials designated by local governments). The SFRPC noted "*Council action pursuant to Chapter 163, Florida Statutes, found the amendments to be generally consistent with the Strategic Regional Policy Plan for South Florida, the Council, by the same motion, approved the transmittal of the enclosed agenda item to the Florida Department of Community Affairs.*"
6. South Florida Water Management District (SFWMD). The District noted "*The Work Plan is thorough, complete, and demonstrates coordination with the County to ensure that the existing and future water needs of the City will be met. Therefore, we offer no recommendations for inclusion in your review comments to the City.*"
7. Miami-Dade County Planning and Zoning. MDPZD comments were received after the State

mandated review time period, however, staff has addressed each comments provided (See Attachment D for responses).

After City Commission final approval on 11.17.09, the CP will be forwarded to the DCA for final review. The DCA will have 45 days for review and to determine if the plan amendments are in compliance with F.S. Chapter 163. If found in compliance, DCA will issue a “Notice of Intent to find that the plan or plan amendment is in compliance or not in compliance.” The DCA is then required to advertise the amendment in a local newspaper. Both the DCA and City shall publish the “Notice of Intent” on their respective web sites. Affected parties/persons shall have 21 days after the actual date of the DCA publication of the notice to file a petition. Based upon these State mandated timelines, Planning Staff expects DCA compliance approval in January 2010.

The Capital Improvement Element Comprehensive Plan Amendment is provided as Exhibit G. The Ten Year Water Supply Facilities Work Plan is included as Exhibit H. The Future Land Use Map, Inconsistencies location map and informational sheets are included as Exhibit I. A copy of the published newspaper ads are provided as Exhibit J. A summary of public comments submitted to the City is provided as Exhibit K. The 07.07.09 City Commission PowerPoint Presentation is included as Exhibit L. The Planning and Zoning Board’s 11.04.09 meeting minutes are provided as Exhibit M.

LEGISLATIVE ACTION:

Date:	Resolution/Ordinance No.	Comments
06.26.07	R-2007-151	City Commission approved (vote: 4-0) the Evaluation and Appraisal (EAR) Report.
07.07.09	Ordinances	City Commission approved (vote: 4-0) the Comprehensive Plan Evaluation and Appraisal Report (EAR) based amendments.

OTHER ADVISORY BOARD/COMMITTEE RECOMMENDATION(S):

Date	Board/Committee	Comments (if any)
05.13.09 06.03.09	Planning and Zoning Board/LPA	Recommended approval of all four (4) items, with modifications (vote: 5-0).
11.04.09	Planning and Zoning Board/LPA	Recommended approval of all four (4) items (vote: 7-0).

PUBLIC NOTIFICATION(S):

Date	Form of Notification
04.27.09	Published 05.13.09 Planning and Zoning Board meeting newspaper ad.
05.01.09	Published 05.13.09 Planning and Zoning Board Meeting Agenda in newspaper.
05.08.09	Posted 05.13.09 PZB Staff report and attachments on City web page.
05.21.09	Published 06.03.09 Planning and Zoning Board meeting newspaper ad.
05.21.09	Published 06.03.09 Planning and Zoning Board Meeting Agenda in newspaper.
05.29.09	Posted 06.03.09 PZB Staff report and attachments on City web page.
06.26.09	Advertised Ordinance headings on First Reading.
06.26.09	Advertised CP Land Use Map (in entirety) and 3 requested Land Use Map changes on First Reading.
07.03.09	City Commission memo and all attachments posted on City web page.
10.23.09	Published 11.04.09 Planning and Zoning Board Meeting newspaper ad.
10.23.09	Published 11.04.09 Planning and Zoning Board Meeting Agenda in newspaper.

10.30.09	Posted 11.04.09 PZB Staff report and attachments on City web page.
11.06.09	Advertised Ordinance headings on Second Reading.
11.06.09	Advertised CP Land Use Map (in entirety) and 3 requested Land Use Map changes on Second Reading.
11.13.09	City Commission memo and all attachments posted on City web page.

APPROVED BY:

Department Director	City Attorney (If Applicable)	City Manager
Eric Riel, Jr. Planning Director		

EXHIBIT(S):

- A. Ordinance – Capital Improvements Element.
- B. Ordinance – Ten Year Water Supply Plan.
- C. Ordinance – EAR Based Amendments.
- D. Ordinance – Readopting Comprehensive Plan Map and Change in Land Use Map Designations.
- E. 11.04.09 Staff report without Attachments.
- F. City of Coral Gables Responses to DCA Objections, Recommendations and Comments.
- G. Capital Improvement Element Comprehensive Plan Amendment.
- H. Ten Year Water Supply Facilities Work Plan.
- I. Future Land Use Map, Inconsistencies location map and informational sheets.
- J. Copy of published newspaper ads.
- K. Public comments.
- L. 07.07.09 PowerPoint Presentation.
- M. 11.04.09 Planning and Zoning Board meeting minutes.

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